The Senate met at 12 noon and was called to order by the President pro tempore (Mr. Thurmond).

PRAYER
The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.
Praise ye the Lord, Praise, O ye servants of the Lord, praise the name of the Lord. Blessed be the name of the Lord from this time forth and for evermore. From the rising of the sun unto the going down of the same the Lord's name is to be praised. The Lord is high above all nations, and his glory above the heavens.—Psalm 113: 1-4.

God of Abraham, Isaac, and Jacob, Lord of all peoples and all nations, help Thy servants in Congress and the White House to find the way which transcends all prejudice and partisanship. In the effort to find peace internationally, help us not to make war among ourselves. Let there be nothing in the heart and mind of any Senator which will prevent hearing those whose position is contrary. Remove all hindrances which would cause Thy servants to ignore the voice of the Holy Spirit speaking the wisdom of God to their consciences. Dear God, in the search for peace for others, may we be at peace among ourselves. In the name of the Prince of Peace. Amen.

RECOGNITION OF THE MAJORITY LEADER
The PRESIDENT pro tempore. The majority leader is recognized.
Mr. BAKER. I thank the Chair.

SENATE SCHEDULE
Mr. BAKER. Mr. President, this is the beginning of a new week and Senators should be on notice that it will be a long and perhaps difficult week. In a moment I will ask unanimous consent to extend the time for the transaction of routine morning business until 2 p.m. to coincide with the time I am told that the war powers resolution will reach us from the Senate Committee on Foreign Relations. By statute, when that matter has been filed with the legislative clerk, it will become the pending business.

I have had preliminary conversations with the minority leader on how we will handle that matter obedient to the requirements of the statute, such as the division of time, such as the arrangement for the days of debate, and those negotiations are still underway.

I hope, Mr. President, that we can dispose of the matter with debate on Monday, Tuesday, and Wednesday, with a vote to occur sometime in the afternoon or even yesterday at the latest. I anticipate that many Senators will wish to speak, however, and every effort will be made to accommodate their requirements.

Mr. President, this week we must also deal with the continuing resolution, for the fiscal year ends at midnight on Friday. There are a number of appropriation bills that have not yet been completed by both Houses and signed by the President.

I have talked with the Speaker of the House this morning, and it would appear that we are not likely to receive the continuing resolution from the House of Representatives until Thursday, maybe Friday, which will make it very difficult for us to complete action on that measure before midnight on Friday. But in any event, I am obliged to say to Senators that a Saturday session is all but certain. If it is possible for us to complete the continuing resolution and to complete the extension of unemployment benefits, which also expires at midnight, before Saturday, I suppose we could avoid it. But I would say that has one chance out of a hundred, so I urge Senators to arrange their plans and schedule to be here on Saturday.

Mr. President, we will have the war powers resolution, continuing resolution, and unemployment benefits extension to deal with this week.

I do not plan to ask the Senate to return to the consideration of the State authorization bill this week in light of these other urgent requirements.

Mr. President, I will try to have a further announcement on the schedule of the Senate as the situation becomes more final in the course of the day, particularly as to the management of the time under the authority for the debate on the war powers resolution and as I receive further information from the House on the continuing resolution and the unemployment benefits extension.

EXTENSION OF TIME FOR TRANSACTION OF ROUTINE MORNING BUSINESS
Mr. BAKER. Now, Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended until 2 p.m. that Senators be permitted to speak there in for not more than 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.
Mr. BAKER. Once again, Mr. President, at 2 p.m. it is anticipated the Senate will turn to the consideration of the war powers resolution. I do not believe that today will be a late day, but we will stay as long as reasonably necessary to permit Senators to speak. As of this moment, I do not anticipate votes on the war powers resolution today. It is not impossible that that will occur or that a vote would occur in respect to a procedural matter such as to establish the presence of a quorum by an instruction of the Sergeant at Arms, but I do anticipate a full day tomorrow and Wednesday on that matter.

Mr. President, I believe I have nothing further to say at this moment.
Mr. BYRD. Mr. President, will the majority leader yield?
Mr. BAKER. Yes, I yield.

Mr. BYRD. The majority leader does not rule out the possibility that an amendment or amendments to the resolution would be in order—there is no question about the possibility that they would be in order, but he does not rule out the possibility that there could be a vote or votes on such amendment?
Mr. BAKER. No.
Mr. BYRD. Or the tabling thereof?
Mr. BAKER. No. Mr. President, I do not rule that out. All I say is I do not anticipate votes on that measure today.
Mr. BYRD. Second, Mr. President, if the majority leader continues to yield—
Mr. BAKER. Yes.
Mr. BYRD. Mr. President, I would ask the Chair, by beginning on the resolution at 2 p.m. today, does that not mean that the final vote on the resolution would have to occur no later than 2 p.m. on Thursday?

The PRESIDENT pro tempore. That is correct.
Mr. BYRD. I thank the Chair.
Mr. BAKER. Mr. President, if I have any time remaining under the standing order, I yield it to the minority leader, if he wishes, or I will yield it back.

RECOGNITION OF THE MINORITY LEADER
The PRESIDENT pro tempore. The minority leader is recognized.
Mr. BYRD. Mr. President, I do not have any need for it. I thank the majority leader. I yield back my time.

ORDER OF PROCEDURE
Mr. BAKER. Mr. President, there is a special order in favor of the distinguished senior Senator from Washing-
Mr. BAKER. Mr. President, I object, and I ask that there be no further action on this item.
The PRESIDING OFFICER. The bill will be placed on the calendar.

COMMUNITY RENEWAL EMPLOYMENT ACT
Mr. BYRD. Mr. President, I object, and I ask that there be no further action on this item.
The PRESIDING OFFICER. The bill will be placed on the calendar.

THE CALENDAR
Mr. BAKER. Mr. President, there are two items on the calendar under “Bills and Joint Resolutions Read the First Time” which were placed there in pursuit of the provisions of rule XIV, in order to take these items off the calendar. Since we adjourned on Friday and this is a new legislative day, I think we might as well proceed with those two items.

UNION DUES FOR POLITICAL PURPOSES
Mr. BAKER. Mr. President, I now ask for second reading of S. 1881.
The PRESIDING OFFICER. The bill will be stated by title.
The assistant legislative clerk read as follows:
A bill (S. 1881) to prohibit use of compulsory union dues for political purposes.

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of that item.

Mr. BYRD. Mr. President, I object, and I ask that there be no further action on this item.
The PRESIDING OFFICER. The bill will be placed on the calendar.

BUDGET SITUATION/PNB ARTICLE
Mr. GORTON. Mr. President, in the last week, the press has made much of the spectacle of the President's two top economic advisers—Treasury Secretary Regan and Chairman of the Council of Economic Advisers Feldstein—openly disagreeing about the degree to which high deficits are linked to high interest rates. Flatly contradictory assertions by Cabinet-level officials make for good headlines. I would suggest, however, that by focusing on the narrow question of the linkage between deficits and interest rates, the press has missed the real message in this story. This is not to suggest that the relationship of deficits to interest rates is unimportant. As business investment picks up, it is simply impossible for me to believe that the competition for funds which the private sector will face from the Federal Government will not bid up interest rates to a point far higher than would be the case with a significantly lower deficit. I recognize, however, that confusion over effects on real versus nominal interest rates, the timing of such effects, and the interaction of the Business cycle factors at least create room for some debate over these issues.
The real concern we should take from this exchange, however, is not over the narrow technical question of the empirical relationship between deficits and high interest rates. I suspect that in his heart, Mr. Regan would like to shrink the Federal deficit every bit as much as Dr. Feldstein. The problem is that Secretary Regan doesn't believe that tax increases will be used for this purpose. He said, and I quote: It's true that increased taxation will—temporarily—increase Federal revenues, and that a portion of such revenues may actually be sprinkled on the deficit. But the bulk of any increased tax revenues will be transformed into new spending...

In other words, Treasury Secretary Regan has lost faith in the ability of Congress not merely to cut spending, but even to hold the line on spending increases. He believes that the dangers of a large deficit are of a lower magnitude than the dangers associated with giving Congress more revenue subject to its disposition. This is a point which demands the careful consideration that I believe that Secretary Regan's loss of faith is premature. Unfortunately, however, time to prove him wrong is running short.

Mr. President, I used to fear that our huge deficits would soon lead to an abrupt and dramatic economic reversal. Now I almost fear that there will not be such a landmark event. If a near cataclysm were upon us, I have no doubt that Congress would act promptly and decisively. But if, instead, the deficits result in a prematurely slowed economy, in stagnation, and in an economy that moves in fits and starts, as I suspect may be the case, then the temptation will be strong to try to "muddle through." A dramatic reversal of our economic fortunes would at least provide some incontrovertible evidence of the immediacy of the problem at hand. But stop-start growth, and spotty weakness throughout the economy, especially in the credit-sensitive sectors, may not be sufficient to prod Congress to act. Or they may prod Congress to act in the wrong ways—by enacting a host of programs designed to create special assistance for this or that sector of the economy, or so-called jobs bills which are likely to destroy as many jobs as they create. This course would make it easier to ignore the fact that the best jobs bill we could possibly enact would be to insure economic growth by reducing Federal credit demands.

We are all searching for the magic formula that will lead us out of this impasse. We all want a reduction in the deficit. Why have we not been able to find it? One problem, I think, is that while all of us want to solve the deficit problem, none of us has made it his or her first priority. Each of us regards something else as more important. Liberal
Democrats want lower deficits, but not at the expense of entitlements or any other domestic spending program; conservative Republicans decry deficits, but will not consider tax increases as even part of the solution. This is a prescription for deadlock and disaster.

Mr. President, I have been depressed in recent weeks to see headlines trumpeting marginally lower deficit projections as if they were actually grounds for realistic optimism. What solace can there possibly be in a deficit which is only $180 billion, rather than $210 billion?

Deficits of this order of magnitude are a threat to the current economic recovery. Recent economic indicators suggest that the strong recovery of the second quarter, led by consumer spending, is being followed, not unexpectedly, by more modest growth. Now observers are waiting for the "second stage" of recovery to ignite. The key factor in this second stage must be business investment, as historically it is in all recoveries. Traditionally a lagging indicator, historical patterns would predict that have business investment increase significantly and spark further growth.

But what a terrible moment of tension this is. For it is precisely this very asset pool, in business investment—which will precipitate the collision of public and private financing needs in our credit markets. In past recoveries, there always has been a pool of savings available to private investors to use to retool factories, buy equipment, and put people back to work. Now that pool is not there, for it is being absorbed by the Government's unprecedented demand for credit.

Of course, there will still be some investment. But to the extent it is not confined to maintenance and replacement of existing capital, it will be financed largely by foreign credit flows, attracted by the high interest rates which must inevitably result from the Government's heavy borrowing. And what is the consequence of this fact? As foreign investors seek dollars to lend in our credit markets, they bid up the dollar's value, weakening our export industries, and resulting in further loss of employment.

So the immediate impact of deficits is to threaten the current economic recovery. But there is an even more invidious threat in these deficits. Based on recent Commerce Department estimates, the total net domestic private savings projected by the U.S. economy this year will be approximately $178 billion. If we had a balanced budget, this would mean $178 billion to be spent on retooling our factories, assembling new plant stock, on new plants and equipment. Instead, we, in Congress, will absorb this entire amount and more in borrowing to finance Government activities. Most of these Government activities are either current consumption or income transfers, almost all of which, in turn, will be spent on current consumption.

For 200 years, our economy has grown, enriching each successive generation, because we saved, and applied our savings to productive investments. Now we are running in place. We are not yet reducing our capital stock. But we have broken a pattern that has been ours since this country's founding—the pattern of every year passing on an increased stock of capital for ourselves and our children to work with. Unless we reverse this trend, our children will be clearly and noticeably poorer than they otherwise would be, and the fault will be ours.

This issue transcends the current economic recovery, important though that recovery is. Indeed, it strikes at the very fabric of society. It calls into question the ability of people to plan and save for a better future, for themselves, and for their children.

The picture is indeed not a pretty one. It must be changed. But if we are to change it, all of us must be willing to consider measures that individually we find unattractive.

Mr. President, earlier this year, Congress passed a budget resolution which, though the Senate version carried my name, was almost no one's first choice—not even mine. But we did find a resolution which was acceptable to a majority. We must look again for such a compromise which will allow us decisively to reduce the deficit, and to live up to the terms of this resolution.

Clearly, this will require many of us to support measures we find distasteful. Even to come to a solution in this Chamber will be difficult, and everyone knows that the House of Representatives is not one of those bodies that can be permeated by a problem with a very different set of values. If a solution is to be found—and it is imperative that we find one—it will be found in this center.

I, for one, am willing to approach this problem with an open mind. I am willing to consider all serious proposals for compromise, and I will reexamine all of my own preferences and positions in this search. I ask that my colleagues do likewise: That we not allow our positions to harden into intransigence. The stakes are simply too high. I believe that this Chamber must take the lead in proposing a way out of the deficit maze. Experience has shown that it is the Senate, rather than the House, which is capable, at times like this, of generating a proposal with broad appeal.

In closing, I offer seven suggestions for steps which I believe Congress should consider in its search for a way to shrink the deficit. I believe that these principles can be guides to a specific budget proposal which, while not satisfying any individual completely, nevertheless addresses the overall problem in a fashion which should be acceptable to a majority by creating a surplus.

First, we must examine closely—even ruthlessly—discretionary social programs that benefit largely the non-needy. If the growth of spending is to be curbed, fairness demands that we abolish giveaways to those who do not need them.

Second, we must curb the projected growth of entitlement programs. The social security reform measure enacted earlier this year is proof that this can be accomplished, and the nearly disastrous rates of growth of some of these programs are evidence that we must.

Third, we must renew examination of our defense spending. Any Member of this body who is, as I am, a veteran of the armed services, knows full well that the Defense Department has its share of wasteful and unnecessary programs. We must avoid, however, unrealistic cuts in military spending that will bear draconian cuts. With a deficit almost equal in size to the entire defense budget, reason tells us that the amount of savings we can reasonably expect to find here will make only a modest contribution to solving the problem.

Fourth, Congress must commit itself seriously to a broad program of tax reform and simplification. No one has more respect for the distinguished chairman of the Finance Committee than I. I thank our good fortune that the Senator from Kansas is watching over the tax system, because I know that without him, the situation would be much worse. But even the distinguished Senator must be overwhelmed by the special advantages and tax expenditures that have invaded our Tax Code.

Many of these tax preferences were created out of the best of intentions. But in enacting these loopholes, we have created a monster. Not only are the direct costs of monitoring and enforcing the Tax Code unnecessarily high, but the indirect costs are even higher, as businesses and individuals undertake questionable economic activities and redirect resources in socially disadvantageous ways, solely for the purpose of exploiting this or that loophole in the code. Even more important is the loss of faith in the equity of our tax system which arises inevitably out of this mountain of special privileges woven through the Tax Code. If Federal assistance is to be given to a particular special interest, then let us do it by authorizing and appropriating funds to do so, and not by contaminating the entire government's revenue-producing mechanism.

Fifth, we must redouble our efforts at making the Government operate more efficiently. The recent Grace
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PROXIMATELY THE SAME AMOUNT. INSTEAD OF THE ORDER OF MAGNITUDE OF THOSE CALLED FOR IS THIS AN IMPORTANT REDUCTION IN THE DEFICIT?

We must be realistic about the degree to which we expect to be able to shrink the deficit through spending cuts. We have not been able to build a consensus around spending cuts. We have not been able to build a consensus around spending cuts that are significant. And the deficit is not a problem that we can solve by closing tax loopholes. Revenue increases have not been enough to offset the growing national debt. We have already dealt with the budget deficit during the budget process. We are all in this together. Should we fail to deal with the budget crisis confronting us, history will not treat us gently. But we have the opportunity now to avoid history's harsh judgment. If only we will take it.

RECOGNITION OF SENATOR WILSON

Mr. President, I rise today at the suggestion of colleagues to place in the Record a letter which I sent to my colleagues reporting my recent visit to Central America.

An appendix to that letter is the recent statement by Mortimer B. Zuckerman, the chairman of the Atlantic Monthly, that was printed in the New York Times on September 1, 1983. It is an extraordinary statement. I will recite just the opening paragraphs which I think quite clearly set the tone.

Because of enormous confusion over the United States' involvement in Central America, I recently visited the region with a delegation of Congressmen to see for myself. I was impressed with the effectiveness of United States policy and convinced that we need to be involved.

I thought that in El Salvador we were engaged in wrong-headed and dangerous military action on behalf of a repressive government, and that the administration had failed to address economic and political grievances built up after decades of injustice. I went with the impression that the administration won popular support for its efforts to revolutionize the political system. My instinct was that this was only an internal struggle, not an East-West competition, and that once again we were backing the wrong side for the wrong reason.

I returned home with the sense that United States military support was critical for physical security in the countryside, which, in turn, is necessary to guarantee Salvadorans' ability to make free choices. I also concluded that our military support is essential if we are to persuade the Salvadoran Government to democratize the political process and implement a program of agrarian reform and economic development. The guerrillas seem to have no larger a popular base than the Government does. Both sides command support with guns.

Mr. Zuckerman then goes on to detail the aggression that he encountered by the Sandinistas in Nicaragua. It was his statement of intellectual honesty. It is a keen analysis of the situation as it genuinely exists within the region. He goes on to say that the Sandinistas' first clear willingness to negotiate a genuine agreement not to destabilize their neighbors is the pressure of the United States backed threat of a military confrontation that has produced the Sandinistas' first clear willingness to negotiate a genuine agreement not to destabilize their neighbors.

Mr. Zuckerman's conclusion is that:

Our interests are involved because what happens in Nicaragua and El Salvador can affect Mexico or the Panama Canal. Central America is on our strategic doorstep. We cannot remain above the fray.

Mr. President, I commend all the paragraphs in between those that I have read. This is an extraordinary statement, a statement of intellectual honesty. It is a keen analysis of the situation as it genuinely exists within the region. Mr. Zuckerman correctly views as essential to American interests.

My own Dear Colleague letter contains specific recommendations for what I think should be done. The United States policy and convinced that we need to be involved.
Central America is to achieve its promise. It provides the safety against the export of violence and subversion throughout the Americas, which is at stake. They need the American presence in Central America.

Mr. President, I ask unanimous consent that the entirety of my Dear Colleague letter, including the two appendices, the first being that which I noted by Mr. Zuckerman, be printed in the Record.

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

U.S. Senate

Dear Colleague:

Having recently returned from an eight day factfinding tour to all the Central American countries except Belize, I am more firmly convinced than ever that the Reagan Administration is the only effective one.

I met with heads of state, foreign and defense ministers, political leaders, members of the media, the clergy, private citizens and independent human rights organizations. I discovered I was the first U.S. Senator to visit Sandinista Nicaragua during the 18-month tour of Ambassador Quaunt. (See Appendix B for list of persons with whom I met.)

I found that there exists among Hondurans, El Salvadorans, Costa Ricans and Guatemalans, a new cohesiveness and unity in response to the threat these countries perceive from Sandinista terrorism and subversion, and almost uniformly strong support for Administration policies.

There was, however, very grave concern with regard to whether the Congress will allow the Administration to sustain a credible American presence in Central America. If the leaders of these nations are confident of continuing adequate levels of military, economic and diplomatic support, the Contadora Four will insist upon driving the Contadora process, as indeed, they should. It is, after all, they who must determine their own destiny. They are highly apprehensive that the Contadora process will seek to accommodate the Nicaraguans and Cubans by achieving a negotiated “peace” that will simply buy time for a currently beleaguered Sandinista regime and ultimately threaten the same result which a U.S.-negotiated “peace” brought to South Vietnam and Cambodia.

Based upon my observation and conversations with both the governments and their opposition and the private sector in each of the four nations, I offer the following specific suggestions that would help further U.S. interests in Central America and lead to real and enduring peace.

1. The United States should increase the number of American advisors in El Salvador based on legitimate requirements up to some practical maximum. I have been told by the U.S. Ambassador Chapin that no more than 55 advisors be present is absurd; it has produced great hardship and needless constraints in rotating needed personnel from the country to allow others in so as to not exceed the arbitrary and artificial limit of 55. To put this figure in context, the D.C. Police Academy retains a full-time faculty of 48 to handle student loans that pay their salaries, the Salvadoran army currently numbers almost 30,000 for a nation of 5 million contracted with a city of 600,000. Our advisors are doing a superb job, but are simply spread much too thin.

2. The U.S. should continue to sustain a military presence in the form of the present exercises by the carrier battle groups, joint exercises such as AHUAS TARA II, and the Regional Military Training Center established some months ago in Honduras.

3. The U.S. should encourage and support the Contadora Four in reviving the Central American Defense Community, CONDECA (a mutual defense pact between El Salvador, Costa Rica, Honduras and Guatemala), at the earliest possible date, to achieve military cooperation and political cohesion. Guatemala is eager to resume its role as host.

4. The U.S. should encourage the Contadora Four to act in concert and to insist for their protection upon negotiations that produce a specific and verifiable guarantee of their security. For example, could the Contadora process fail to produce that required early result, they should be encouraged to take appeal from a failed Contadora process to the American people. For obvious reasons, the venue for appeal must be the OAS which is responsible for regional affairs and not the UN Security Council.

5. The OAS should be encouraged to reconvene as an item of unfinished business the special session on Human Rights in Nicaragua. You will recall that during the Somoza regime, the OAS took the unprecedented step of interfering with the sovereignty of a member state and offered support and recognition to the Sandinista regime on the basis of written promises that the revolution would bring human rights and democratic institutions. The issue of human rights, specifically that of free elections in Nicaragua, should be a central theme of the Friendly Four, first within Contadora and, if necessary, later at the OAS. The Sandinista leadership, which took power not only backing of a compelling 80% of the population, has yet to hold an election. In sharp contrast, Costa Rica is a fully functioning democracy; and in El Salvador, another revolutionary government which came to power at the same time, as Sandinistas in Nicaragua, held a free and honest election monitored by hundreds of foreign observers and journalists in March 1982.

6. The United States should resume military aid to Guatemala and increase economic assistance from $40 million to at least $50 million requested by Ambassador Chapin. These people deserve our help.

7. Our present level of support in Central America stands at $1.2 billion, it would still represent a modest investment in comparison with what we spend elsewhere. If the current support were halved, it would be much less immediately threatened. Moreover to the point, failure to provide adequate military, economic and diplomatic support now will simply defer the need to do so to a time when American vital interests are less, and the American presence in the region need not become another Vietnam. But it has the potential, if the Congress of the United States does not provide adequate support to Administration initiatives on the economic, military and diplomatic fronts.

The United States has vital interests within Central America which we did not have in Southeast Asia.

Several significant military differences make it possible for El Salvador to prevail over anti-government terrorists in ways that distinguished the situation in Vietnam. But it has the potential, if the United States offers adequate support to El Salvador, to help ensure that Central America need not become another Vietnam.

The Central American nations to whom we are providing economic, military and diplomatic assistance in our own interests, are, with adequate United States support, in a position to prevent the violent exportation of the Soviet-Cuban-backed Sandinista revolution beyond the borders of Nicaragua. The United States owes adequate support to El Salvador, Honduras, Costa Rica and Guatemala, not because these nations are perfect democracies, but because it is required by the same U.S. self-interest that prompted President Harry Truman to insist upon U.S. aid to less than perfect democracies in Greece and Turkey when those nations were threatened with violent Communist takeovers following World War II.

What is more, progress being made toward achieving a decent observance of human rights and the strengthening of democratic institutions in these nations will be distinctly threatened by withdrawal of the American assistance that provides our missions in Central America the leverage by which we can insist upon and obtain reform.

The Friendly Four, Costa Rica, Honduras, El Salvador and Guatemala, are— I repeat—the nations whose future is at stake. They have the right to insist that it is they who must determine their own destiny.

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8. U.S. aid should continue to be accompanied by U.S. pressure for progress on human rights issues. In particular, it is essential that early, open and honest election proceed in order for the Friendly Four to insist upon the same performance by Nicaragua and El Salvador; and only genuine pluralism within Nicaragua can provide realistic assurance of peace for the entire region.

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To avoid this and to provide encouragement to a new unity among the fledgling democracies of Central America, the United States must demonstrate staying power on all three fronts—economic, military, and diplomatic.

The United States Congress must support the administration's initiatives in Central America. It must not itself to be guilty of creating a self-fulfilling prophecy by producing another Vietnam when, in fact, that result can be avoided—by adequate and sustained demonstrations of U.S. staying power in the region.

I have attached, as Appendix A, a recent New York Times guest column on Central America, written by Mortimer Zuckerman, the distinguished editor of Atlantic Monthly. It recounts the changed views towards the Central American situation that occurred to Mr. Zuckerman, after his recent trip to the region.

Sincerely,

PETE WILSON.

(From the New York Times, Sept. 1, 1983)

ON U.S. LATIN POLICY
(By Mortimer B. Zuckerman)

Because of enormous public confusion over El Salvador's involvement in Central America, I recently visited the region with a delegation of Congressmen to see it first-hand. I went holding political views of El Salvador shared by many liberals and centrists in our nation. I returned impressed with the effectiveness of United States policy and convinced that we need to be involved.

I had thought that in El Salvador we were engaged in wrong-headed and dangerous military action on behalf of a repressive Government, and that Washington had failed to address economic and political grievances built up after decades of injustice. I went with the impression that the guerrillas seemed to have won popular support for their efforts to revolutionize the political system. My instinct was that this was only an internal struggle, not an East-West competition, and that once again we were making the wrong side for the wrong reason.

But I returned home with the sense that United States military support was crucial for physical security in the countryside, which, in turn, is necessary to guarantee ordinary Salvadorans' ability to make choices. It also confirmed that our military support is essential if we are to persuade the Salvadoran Government to democratize the political process and implement a program of agrarian reform and economic development. The guerrillas seem to have no larger a popular base than the Government does.

Both sides command support with guns.

In Nicaragua, the Sandinista revolution carried the hope for a better and freer life after the feudal tyranny of the United States-supported Somoza regime. Yet what I found was a Government busily consolidating a left-wing totalitarian state internally, aggressively involved in attempting to overthrow its neighbors. It is the pressure of the United States-backed threat of a military confrontation that has produced the Sandinista's first clear willingness to negotiate a genuine agreement not to destabilize their neighbors.

In El Salvador, the masses have not been anguished to the point of largescale popular uprising like those in Nicaragua or Colombia, popular revolt accompanied the guerrillas from 1979-81, and last year's election showed that at least two-thirds of the population object to being "liberated" by the revolutionary left. The guerrillas do not appear to have widespread popular support. In this situation, a military solution to control an insurgency is not advisable.

To this end, the United States is training and equipping the Salvadoran Army for the long-haul, keeping the soldiers in the field to engage, harass and exhaust the guerrillas. We will have trained about 50 percent of the officers and noncommissioned officers by the end of 1983 in an effort to substitute effective combat leaders for those appointed for political loyalty. As a result, the Army has improved its morale and field performance and engaged in its most sustained and aggressive campaign. It has captured the momentum and substantial military control in much of the eastern provinces, particularly in San Vicente and Usulutan. The rebels have withdrawn to remote areas, have not counter-attacked, have limited themselves to hit-and-run attacks and appear to have increasing logistical and manpower problems.

In San Vicente, the Government has coordinated its military presence with programs in health, education, agriculture, transport and development to retain the area's loyalty after the Army leaves. This is a phase in an overall National Plan for Reconstruction. The cost of this program has been minimal by United States standards; only $65 million in military aid and $230 million in economic aid. Even the guerrilla political leader Ruben Zamora acknowledged to us that if this aid continues, the rebels can no longer hope to win the war.

The aid program also serves as leverage against the right-wing military. Only the United States can influence it to move away from a feudal political heritage of violence and vigilantism.

The left feeds off the rigidity of the right and military oppression and develops popular support by promising to redistribute the wealth. It also benefits when rightist oligarchies buckle under economic pressures.

The best way to diminish popular support for a regime is to open up the political channels and institute agrarian and economic reform. This can take place only when there is no widespread military insurgency.

Our pressure brought about last year's Salvadoran election and this year's negotiations leading to presidential elections in 1984. Elections may be only "one note in the song of democracy," as a Salvadoran clergyman put it, but they represent legitimization of potential civic control over military and paramilitary forces. Both have perpetrated atrocities that, if allowed to continue, will turn the masses implacably hostile. Our pressure is thus necessary on two counts: to prevent an extremist, left-wing takeover while pushing the Government toward rights and democracy.

However, no amount of change will end the Sandinista threat. Its raison d'être is the regionalized conflict in Central America, which continues to fuel it. When they took over, the Sandinistas feared and hated the United States because of its patronage of Anastasio Somoza Debayle and military invasions over the past 130 years. The Sandinista hymn is "We fight for our country and our homeland.

"We fight for the dreams of freedom," said President Jimmy Carter attempted to offset this by extending economic aid and friendship, but the Sandinistas remained hostile and brought insurrection and war, which could be safe from our intervention only if governments similar to their own were installed elsewhere in Central America. The Sandinistas set out to implement their slogan "revolution without boundaries.

In 1980, the Sandinistas, with Cuban advisors, brought the five main guerrilla factions from El Salvador together in Managua to install their joint command and control structures, organized training and logistical support on Nicaraguan soil and provided initial arms supplies. At the Sandinistas' request, the United States was told that support for training, logistics and command continued.

In Costa Rica, we were told that the Sandinistas were engaged there in a major propaganda campaign and are encouraging unrest, including infiltration in the northern provinces. The attempt to destabilize Costa Rica, a democracy without an army since 1948, is the clearest indication of Sandinista intentions.

Inside Nicaragua, the Sandinistas began and continue a program of totalitarian consolidation of power. The elements of the Sandinista program are recorded one by one—the Roman Catholic Church, other political parties, the press, the civil service, the state-owned media, the educational system, the law, the national budget, the autonomous universities, the public utilities, the police, the armed forces. Nicaragua considers its most dangerous enemies those who represent legitimization of potential civil control over military and paramilitary forces. Both have perpetrated atrocities that, if allowed to continue, will turn the masses implacably hostile. Our pressure is thus necessary on two counts: to prevent an extremist, left-wing takeover while pushing the Government toward rights and democracy.

The cumulative military pressure organized by the Reagan Administrator has resulted in a major shift in Sandinista policy. In our meetings with the Sandinista leadership, we were told that Nicaragua was prepared to negotiate verifiable nonintervention in neighboring territories, especially El Salvador. This change appeared to be due exclusively to the perception that the United States had been provoked to the point that a military confrontation was possible.

The United States has long supported repressive rightist regimes, sometimes using our troops. We must develop an alternative to such regimes—and those of the left—by opening up Latin American political space, demolishing repressive rightist regimes, sometimes using our troops.

The United States has long supported repressive rightist regimes, sometimes using our troops.
CONGRESSIONAL RECORD—SENATE
September 26, 1983

Gorman, USA, Commander in Chief, U.S. Southern Command.

HONDURAS

Minister Edgardo Paz Barnica, Secretary of State for Foreign Affairs; Minister Carlos Roberto Flores Facusse, Secretary of State for Presidency; General Gustavo Adolfo Alvarez, Commander in Chief, of the Armed Forces; Members of the Directorate of the Nicaraguan Democratic Force (FDN), a Nicaraguan group opposed to the Sandinista regime.

EL SALVADOR

President Alvero Alfredo Magana Borja, Provisional President; General Carlos Eugenio Vides Casanovas, Minister of Defense and Public Security; Minister Fidel Chavez Mena, Minister of Foreign Affairs; Mr. Jose Napoleon Duarte Puentes, Former President, (currently the Christian Democratic Party candidate, for President); Mr. Amando Calderon, Party Secretary, National Revolutionary Alliance (ARENA); Mrs. Hernandez, Office of Legal Counsel to the Archbishop, Archdiocesan Commission of Justice and Peace; Officials of the National Popular Democratic Alliance, an El Salvadoran trade union.

COSTA RICA

President Luis Alberto Monge Alvarez; Vice-President Alfonso Arturo Faiz Libano, First Vice President; Minister Fernando Volio Jimenez, Minister of Foreign Relations; Minister Rodolfo Silva Vargas, Presidential Minister and Counselor for Finance and International Economic Negotiations; Mr. Rafael Angel Calderon Fournier (former Minister of Foreign Relations and Presidential Candidate, current head of Republican Calderonist Party); Mr. Alfonso Robelo (former member of Sandinista 5-member ruling junta, current leader of the Revolutionary Democratic Alliance (A.R.D.E.), a Nicaraguan group opposed to the Sandinista government).

NICARAGUA

Commandante Daniel Ortega Saavedra, Coordinator, Junta of the Government of National Reconstruction; Father Miguel D'Escoto Brockman, Minister of Foreign Affairs; Sub-Commandante Rafael Solis, Secretary, Council of State; His Excellency Miguel Obando y Bravo, Archbishop of Managua; Mrs. Miriam Arguello, National Coordinator, Conservative Democratic Party.

GUATEMALA

General Oscar Humberto Mejia Victores, Head of State and Minister of Defense; Mr. Fernando Andrade Diaz-Duren, Minister of Foreign Affairs-Designate; President Jorge Serrano Elias, President, Council of State; General Hector Mario Lopez Puentes, Chief of Staff, Guatemalan Army; Most Reverend Jose Ramirez Pellecer Suyapa, Acting Archbishop of Guatemala City.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business with statements therein limited to 10 minutes each.

WHAT IS THE STATUS OF OUR NUCLEAR ARMS CONTROL EFFORTS

Mr. PROXMIRE. Mr. President, many Americans feel that the most important contribution this Government can make to the survival of our Republic and, indeed, of all mankind is to bring arms races under arms control. I share that view. Editorial comments appeared over the weekend that dramatized how pitifully feeble our arms control efforts are, and how thin an understanding we have in this country, even among one of the wisest and best informed commentators.

On Saturday the New York Times carried a letter from Kenneth L. Adelman, the Director of the Arms Control and Disarmament Agency in which he defended the meager resources devoted to our prime arms control agency which he directs. He admitted that ACDA's budget had dropped from the last full Carter year when it was $17.3 million to $16 million this year, but he said next year it will rise to $18.5 million. The New York Times, in an editorial, observes in an unsigned editorial that notes that Adelman's figures ignore inflation, and brushes off the nearly 25 percent reduction in staff to the lowest level since 1982. Adelman concludes his letter, saying: "The ACDA budget has dropped from $3.5 million to about $1 million per year. That is a million, Mr. President, not a billion."

Mr. President, these figures are absolutely appalling. I recognize that we cannot solve problems by throwing money at them. And I certainly would not expect the arms control budget to be in the same league as the military budget. But the resources we are putting into this, the most crucial program for our survival, are so ridiculously infinitesimal as to be obscene.

Think of it—the entire budget of our arms control agency is little more than one-half the cost of a single one of our thousands of fighting planes. But the real killer is the contrast between the $1 million we spend on arms control research and the $25 billion—billions—we spend on military research and development.

That is literally $25,000 on military research for every single dollar we spend on arms control research. Now, some will argue that our military budget itself constitutes our real peacekeeper, our prime deterrent, that it is the military strength of this country and the billions we pour into our nuclear submarines, our nuclear armed air fleet, and our Minuteman missiles which keeps the Soviet Union from instigating world war III.

Well, I agree that we need most of that deterrent. And I agree that that deterrent remains the most likely prime factor that has made the likelihood of a planned, premeditated Soviet attack on this country very likely. But let us not forget that while such an attack is the prime case of a nuclear war, there are other far more threatening prospective causes which the ACDA can and should help us meet. Furthermore, that massive and highly expensive military deterrent does little or nothing to deter what are the far more likely causes of a nuclear holocaust.

With the colossal, hair trigger buildup on both sides, the prospects of war by accident increase. Arms control research can search for and find ways of preventing war through mistake. With the escalation of the arms race, advancing nuclear arms technology will devise nuclear weapons that because in some cases they are cheaper and simple will be more readily available to more and more countries. The Arms Control Agency and the editorial expending resources to devise strategies to prevent this.

Because a third world war could far more easily develop between a nuclear armed Libya or Syria and any number of its neighbors, Cuba and Pakistan, or between South Africa and other African nations, or between Brazil, Argentina, and any number of enemies or potential enemies, the ACDA could contribute greatly to our survival by working indepth to develop ways to stop nuclear proliferation.

Last year, Senator PELL pointed out that we employed six times as many people in military bands as we employ in the ACDA. That is right, in military bands. Today the ratio has gotten even worse.

The New York Times wisely disputes the Reagan administration's commitment to arms control in the editorial accompanying the Adelman letter.

But, then, Mr. President, on Sunday the Washington Post carried an editorial that, by Washington Post standards, was certainly a shocker. In effect, it asked, "Is there any doubt about the inadequacy of the Reagan arms control efforts compared to the Democrats' efforts?" It argued, after all, both Democrats and Republicans agree that the Russians behaved outrageously in shooting down the unarmed Korean airliner, and argued that President Reagan handled the vicious act by the Soviets right. And I agree he did indeed. The Post argued that President's handling was right in part because it did not deter him from pursuing arms control with the U.S.S.R. Again, I agree. But then the Post goes on to ask, So what is the difference on arms control? The Post then proceeds to give the commitment of the Democratic Party to the nuclear arms freeze by Democratic National Chairman Charles Manatt a "So what?" brushoff.

Maybe this is because the Post somehow does not recognize that the support of the Democratic Party—six of its seven Presidential candidates and our party chairman—to a comprehensive, mutual, verifiable nuclear freeze is anything special or especially differ-
ент from what President Reagan is proposing.

Mr. President, the difference is like the difference between the research budget for the Defense Department and the research budget of the ACDA. That is about 35,000 to 1. The President would rightly or wrongly propose to stop the arms race, stop it cold. The Reagan proposals would limit some phases of the arms race, that is, intermediate range weapons. The overall number of strategic warheads deployed by the United States and the U.S.S.R. But it would let the arms race itself and especially the most dangerous part of the race, the technological competition, speed ahead full blast.

It is too bad the Post cannot understand this. I think the great majority of American people do.

Mr. President, I ask unanimous consent that the Saturday, September 24 editorial from the New York Times and the accompanying letter from Di-rector Adelman be printed at this point in the Record, and that the edi-torial from the Sunday, September 25 issue of the Washington Post, to which I have referred, also be printed at this point in the Record.

There being no objection, the arti-cles were ordered to be printed in the Record, as follows:

Mr. Adelman protests.

We may have been wrong about the new-director of the Arms Control and Disarmament Agency, Kenneth Adelman, as his letter below insists. We envisioned a con-structive recovery from the Administration's repeated budget cuts, personnel purges and damaging reorganizations that took place before his appointment. By denying any such butchery, he apparently sees little need for major improvements.

Mr. Adelman compares budget figures that "are not comparable" and pretend that 1984 dollars have the same value as 1980 dollars. The Administration's original 1984 request was $3.5 million, one-third less than the sum needed to match the 1980 au-thorization. The $2 million added last month doesn't close the gap. He also under-states the research cut, again ignoring infla-tion, and seriously misstates its significance.

He fudges the even more serious reduction in computer analyses of defense matters. Although he had said his goals for the agency were "to staff it up and settle it down from the personnel turmoil," he now glosses over a reduction in authorized per-sonal staff, by last May, from 199 to 154, the lowest level since 1982. Officials with civil service tenure may not have been "fired," but many of ACDA's professionals were removed.

Our main and hopeful point was that Mr. Adelman, whose appointment we opposed, would improve research and make more negotiable the Administration's bargaining po-sitions. His defense of the damage done to the agency before he arrived is not reassuring.

Letter from ACDA

WASHINGTON, SEPTEMBER 16, 1983.

To the Editor: Your editorial of Aug. 27 noted the constructional efforts of the President Reagan is taking to "rearm" the Arms Control and Disarmament Agency (ACDA) to insure that it is a strong and effective force in formulating U.S. arms control policies. We are very well pleased with the concrete steps the President has taken to strengthen ACDA's funding, staff, and charter. But regarding these steps to shift these may be fair at this stage, but the false and incomplete reports in the editor-ial are not fair to you.

Yes, ACDA has regrettably had more than a fair share of woes over the years, including some recent problems. But the President's claims that the agency has experienced a 30 percent cut in the budget, "bureaucratic butchery," purges and a wipeout of its central records office under the Reagan Administration are simply not true. Your comments on the computer, library and research budget give an incomplete and inac-urate picture as well.

The budget reductions in fiscal years 1981, 1982 and 1983 were nowhere near 30 percent. Today ACDA's budget is $16 million compared with expenditures of $17.3 million for the last full Carter year (1980). Our budget request for next year will take us to $18.5 million. Moreover, despite much ado about an impending "purge" at ACDA, no career ACDA official has been fired during the Reagan Administration.

All needed computer programs and a core computer staff were retained, while other key analytical personnel from that division were integrated into the ACDA bureau they support. One of our computers was moved into the State Department building where ACDA is housed, and we have contracted for outside computer time to fulfill our additional needs.

The ACDA office was not dismantled or "shipped off." Part of the collection was moved under our roof while another part is still being housed, and we have con-tracted for outside computer time to fulfill our additional needs.

Finally, The Times states that our re-search budget was cut from $6 million a year to $1 million. In fact, ACDA's research budget was cut from about $3.5 million to just over $1 million a year. Yet from what I have seen, no essential research has been sacrificed for these tax dollars. If our level of research proves inadequate, it will be boosted.

Sound arms control is critical to world sta-bility, and ACDA is a central force for suc-cesful arms control. With the momentum of a reinvigorated agency, I am confident that we can effectively pursue what is one of the most comprehensive arms control programs offered by a U.S. administration.

Kenneth L. Adelman, Director, Arms Control and Disarmament Agency.

A HAUtting ANNIVERSARY

Mr. PROXMIRE. Mr. President, the year 1983 marks the 50th anniversary of Adolf Hitler's rise to power. Within 12 short years, the Nazi government had exterminated perhaps 8 million people. This anniversary keeps echoing across the half century because we are often reminded of its legacy.

Former Nazi officials in charge of extermination still turn up; some are even harbored within this country. Look at the cases of Klaus Barbie and Romanian Orthodox Archbishop Valerian Tirfa. Barbie, known as the Butcher of Lyons, was a S.S. officer charged with atrocity after atrocity. Tirfa was a member of a Romanian neo-Nazi organization, who organized the past, and rose to a powerful position in the Romanian Orthodox Church in America.

Recent publicity about the Hitler diaries, which turned out to be forgeries, kept attention on Hitler and the movement he lead to power. Several months ago, ex-S.S. officers held a re-union which ended in violence. These continuing events should keep us ever mindful of what happened 50 years ago, and what could happen again.

The world must be informed about the dangers of genocide. Too often, people have a tendency to ignore, ob-scure, overlook, or just plain forget what happened. Some, a malignant few, wish to rewrite history and white-wash Hitler. Perhaps others are ashamed that mankind could be capa-ble of such horrible acts or believe it could not happen again. But we must not ignore the evidence. In fact, this evidence provides the most powerful reason to use every resource at our command to eliminate the possibility of genocide.

We must take two complimentary actions. Public education will help keep alive the searing memories of past genocides and warn us that we must be vigilant to prevent the spread of this dread disease. But we can do no more by creating an international law which outlaws genocide. Such a law would demonstrate that all nations believe that genocide is abhorrent and not to be tolerated.

The 1948, in response to the horrors of the Nazi regime, this Nation lead the way in drafting such a law. Shall we now abandon our leadership? I answer "no" and urge the Senate to ratify the treaty.

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

The PRESIDING OFFICER. The Clerk will call the roll.

The assistant legislative clerk pro-ceeded to call the roll.

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

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

THANKSGIVING

Mr. HELMS. Mr. President, at a time when much of the world is en-gulfed with waves of humanism, I find myself remembering Thanksgiving morning of 1982 when I attended a little Anglican Church in Bern, Swit zerland. I had gone abroad at the sug-gestion of the President, to attend the
GATT Ministerial at Geneva. While in Switzerland, I visited Zurich and Bern.

Mr. President, the minister at St. Ursula's Anglican Church in Bern, a most attractive and eloquent man. I was inspired by the manner in which he drove home the point that the freedom of mankind is inseparably linked to our Creator. After the service, Mr. Keefe had preached extemporaneously, I asked if he would reconstruct his sermon paper so that I might share it with my colleagues, and with those who read the Congres-
sional Record.

He has done so, and now that we are but 2 months away from Thanksgiving Day 1983, I think this splendid sermon will be all the more meaningful as we approach the day set aside each year for Thanksgiving.

Mr. President, I ask unanimous consent that the text of the Reverend Mr. Keefe be printed in the Record at the conclusion of my remarks.

There being no objection, the sermon was ordered to be printed in the Record, as follows:

**St. Ursula's Anglican Church, Bern, Switzerland**

"Let the words of my mouth and the meditation of my heart, be always acceptable in thy sight, O Lord, my strength and my redeemer, Amen."

This Thanksgiving morning I would like to draw your attention in particular to the Old Testament in Deuteronomy, chapter 28, upon which, I am told, the President lays his hand when he takes his oath of office. We have read only the first fourteen verses of this chapter, which tell those things which would bring blessing to the nation of Israel long ago. Moses spoke these words to Israel right before she was ready to march into Canaan, the Promised Land:

"And it shall come to pass, if thou shalt hearken unto the voice of the Lord thy God, and do all His commandments which I command thee this day, that the Lord thy God will set thee high above all nations of the earth: and all these blessings shall come on thee, and overtake thee, if thou shalt hearken unto the voice of the Lord thy God."

Then follows the catalog of blessings we have just heard read. But it must and should be added that there is a similar catalog of curses immediately following the blessings! Moses continued:

"But it shall come to pass, if thou wilt not hearken unto the voice of the Lord thy God, to observe to do all His commandments and His statutes which I command thee this day, that all these curses shall come upon thee, and overtake thee. Cursed shall thou be in the city, and cursed shalt thou be in the field. Cursed shall be thy basket and thy kneading-trough. Cursed shall be the fruit of thy body, and the fruit of thy land, and the fruit of the orchard that thou plantest. Cursed shall be every thing that cometh out of the houses of Israel, wherein thou dwellest."

But before we can proceed further and apply these blessings and curses either to ourselves or to other land, we must ask the fundamental question: who or what is it that any other nation are allowed to apply what was intended for a nation 3500 years ago to us? Is it that we are gathered together here at St. Ursula's Church in Bern and all across the great land of America to give thanks to Almighty God for the great nation which He has made us—not just as individuals but as a nation, as a land? Is it proper for example, that there is a program to build a new parliament building here in Bern? Or that the English pray for their "Christian Sovereign" that God may spare her, scatter her enemies and make them fail? In other words, dare we apply any other nation's assumption or promise, that we are a 20th century version of ancient Israel, called by God's Name, and, therefore, as recipients of His rich blessings, bound to render Him the thanks and honor due His Name and, in return, repent for those things we have done so that we would be spared, in turn, curses? Many especially in our own world, have asked "Why?" They would argue that we have no right to assume the prerogatives of ancient Israel nor does any other land. God is not dealing with just individuals but with nations. Is it true that ancient Israel but rather only with individuals, calling them out of all nations, tribes and tongues from the four corners of the earth into the everlasting Kingdom or nation of His dear Son. Therefore, no nation, as a nation, can call itself a Christian land. Only individuals are Christian. Likewise, there is no proper concept of a "national righteousness"—only righteous individuals amidst a rather lost and fallen nation and world.

While granting certain aspects of this view, I, nonetheless, think it is fitting that we, as a land, are gathering together to render to Almighty God the thanks due His Name for all His manifold blessings to us. I think it is also fitting, for example, that we stamp on our money, "In God We Trust." Name for all His manifold blessings to us. I would like to present some theological and historical reasons to make the claim that the God of our Land is not just individuals but as a nation, as a land? Is it proper for example, that there is a program to build a new parliament building here in Bern? Or that the English pray for their "Christian Sovereign" that God may spare her, scatter her enemies and make them fail? In other words, dare we apply any other nation's assumption or promise, that we are a 20th century version of ancient Israel, called by God's Name, and, therefore, as recipients of His rich blessings, bound to render Him the thanks and honor due His Name and, in return, repent for those things we have done so that we would be spared, in turn, curses? Many especially in our own world, have asked "Why?" They would argue that we have no right to assume the prerogatives of ancient Israel nor does any other land. God is not dealing with just individuals but with nations. Is it true that ancient Israel but rather only with individuals, calling them out of all nations, tribes and tongues from the four corners of the earth into the everlasting Kingdom or nation of His dear Son. Therefore, no nation, as a nation, can call itself a Christian land. Only individuals are Christian. Likewise, there is no proper concept of a "national righteousness"—only righteous individuals amidst a rather lost and fallen nation and world.

First of all, God has always been concerned for entire peoples and nations and not just individuals. He chose Israel, in fact, as a nation; for we know that even in Israel there were individuals who were not worthy to be called Israelites (Romans 9:6-7). The prophet Isaiah depicts the greatness of God and man's insufficiency can say (40:15): "Behold, the nations are like a drop of dust, and are counted as the smallest dust of the balance . . . " God sent Joseph to the land of Egypt that through his wisdom and God’s anointed, whose right hand I have held to subdue nations before him. The same Kingdom could not take place until all nations, tribes of the distant isles had been evangelized. Only then could the promised new age come into being. As Columbus urged his near-mutinous sailors to sail on through uncharted seas (1492), his zeal and assurance were not derived from love of adventure or greed for gold and silver but were based upon the revealed Word of God in Scripture. He regarded the successful outcome of his voyage as confirmation of the truth of Scripture and the faithfulness of the sovereign God who had graciously decreed the opening of new lands and tribes to the Gospel of the Savior Jesus Christ. And so he named this first landfall "San Salvador" ("Holy Savior").

More specifically of our great land that stretches from sea to shining sea, one is reminded of our Spanish settlement in St. Augustine, Florida, with its Castillo de San Marcos and chapel therein. Or Sir Francis Drake's chaplain reading a Service from the English Prayer Book on St. John the Baptist's Day, June 24, 1579, near what would later become the beautiful city named for St. Francis. One how God used missionaries to make permanent English settlement at Jamestown, Virginia, on the other side of the continent, where the Prayer Book service was instituted. Or the Spanish missionaries who evangelized the Southwest, who, when they saw those western mountains called the San Francisco Peaks, named them as the Spanish equivalent of "Blood of Christ". But perhaps this histori-
connection between our Land and God is shown most dramatically in the lives of the early Fathers in 1620, whose religious beliefs molded and formed our ideals and institutions so strongly and to whom we owe this national day of Thanksgiving.

The Pilgrims, as all the people who colonized America, had a burning conviction that they had a special mission to fulfill in this new land. They were convinced of a "divinely appointed destiny" and thought of themselves as "being chosen for a special mission in the world" (Pilgrim, 1970). They had many hardships on their journey across the stormy Atlantic Ocean, yet when they landed ashore at Plymouth, Massachusetts, according to their first governor, William Bradford, "they fell upon their knees and blessed the Lord of Heaven who had brought them over the vast and furious ocean, and delivered them from all the perils and miseries thereof." Before they had landed, they had drawn up what is known as the Mayflower Compact, which begins: "In the name of God, Amen. We whose names are underwritten . . . having undertaken for the glory of God and advancement of the Christian Faith and the honor of our King and country, a voyage to plant the first colony in the northern parts of Virginia."

Our nation was, therefore, founded "for the glory of God and advancement of the Christian Faith," when God blessed their efforts, they came together and held a great feast to give thanks for His bounteousness to them. We, their children, celebrate that occasion today. Later in 1620, John Winthrop, governor of the Massachusetts Bay Colony, wrote: "We shall worship the God of Israel among us, when ten of us shall be able to resist a thousand of our enemies, when He shall make us praise and glory . . . For we must consider that we shall be as a City upon a Hill . . .”

This same Mr. Winthrop gave as his foremost motive for founding a settlement in America, "the carrying of the Gospel into America and erecting a bulwark against the kindom of Antichrist." Later, when the Articles of Confederation were drawn up, they began: "Whereas, we all come into these parts of America with one and the same end, namely to advance the Kingdome of our Lord Jesus Christ and to carry the truth of the Gospel in purity . . .” It is obvious, therefore, that the First Amendment to our Constitution was never intended as a separation between God and the State; rather, only a separation between an established Church such as existed in Europe and England and the State. This we must never forget, as our forefathers did not.

Alesis de Tocqueville (a French scholar and historian) made a tour of our land during the 1830’s in order to study the American experiment in freedom. He traveled as far east as Boston, as far west as Green River, Wyoming, as south as jail Ste., Maryland, and Quebec, and as far south as New Orleans. By steamer and stagecoach where possible, on horseback through the interior regions of the northern, western and southern frontiers, he traversed over 7,000 miles of this country and Canada before sailing again. Tocqueville was fascinated with what he saw and made a number of predictions about us, one of which was that America would always be a land of freedom wherever and whenever we had a "healthy" state. (It makes one wonder if we are not the recipients of some of the curses instead of the blessings.)

The first colony in the northern parts of Virginia was "chosen for a special mission in the world," where he discovered why the aspect of this country was the first thing he thought of as he looked around out there and that there was a "divinely appointed destiny" and thought of himself as "being chosen for a special mission in the world" (Pilgrim, 1970). He was convinced that here was where her secret lay, her greatness, for many other lands also had these. He carefully studied her laws and democratic institutions but was not convinced that there was where her secret lay, for some of the laws he felt actually endangered her existence. Finally, he concluded that the secret to America’s greatness lay in the men and customs of her people, that is, to the whole moral and intellectual condition of her people. He went into our churches, where he heard the preaching of righteousness, and there he discovered why America was great. He said that on his arrival, “the two most prominent religious aspects of the country was the first thing that struck his attention and that there was no country in the world where the Christian religion did not rule over the souls of men than in America! America was great because America was good; and if America would cease to be great, that is saying only in other words what the Puritan fathers believed and what God through Moses had said to Israel long ago before they entered the Promised Land (Deut. 30:19): “I call heaven and earth to record this day against you, that I have set before you life and death, blessing and cursing; therefore, choose life, that both thou and thy seed may live.”

I take you forward in history now to recent events of our land and the world: that of space and moon exploration. Had another nation done in space what we have done, would the world have heard the glory of God being proclaimed from space by the reading of Genesis 1, “In the beginning God created the heaven and the earth . . .”? Surely not by the astronauts of the other superpower, one of whom boldly and foolishly proclaimed God did not exist because he had looked around out there and did not see God. Only the astronauts reading from the Bible on Christmas Eve as they sped toward the moon said: "I am the vine, ye are the branches. Whoever remains in me, and I in him, will bear much fruit; for you can do nothing without me.”

I would like to add that it is easy to criticize your country just as your family because you live with all the faults everyday; and we have our share of faults. Furthermore, from what I can gather the problems back home are in a pretty “healthy” state. (It makes one wonder if we are not the recipients of some of the curses instead of the blessings.)

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For me, this meant taking Communion. In the blackout I opened the little plastic packages which contained bread and wine. I poured wine into the chalice my parish had given me. I then remembered the moon, the wine curied slowly and gracefully up the cup. It was interesting to think that the very first liquid ever poured on the moon and the first food eaten there, were consecrated elements. Just before I partook of the elements, I red the words which I had chosen to indicate our trust that as man probes into space, we are in fact acting as God’s agents as we explore the universe. I was so impressed with my unity with our church back home, and with the church everywhere. I read: ‘I am the vine, you are the branches. Whoever remains in me, and I in him, will bear much fruit; for you can do nothing without me.”

A CHOICE WE MUST MAKE

Mr. HELMS. Mr. President, recently I had the privilege of reading the text of a sermon delivered by a splendid
young minister in my state, Rev. Robert F. Simms, pastor of Green Memorial Baptist Church in Charlotte.

The Reverend Mr. Simms was born in Williamson, N.C., and attended Wake Forest University and Southwestern Baptist Theological Seminary. He holds the master of divinity degree. He has served pastorates in Texas, South Carolina, and North Carolina.

Mr. President, the sermon by the Reverend Mr. Simms that so impressed me is called, "A Choice We Must Make." It is based on Acts 5: 29.

In a moment, Mr. President, I shall ask unanimous consent that the text of this splendid sermon be printed in the RECORD because I believe it is entirely relevant to issues that simply must be confronted by Congress. But before I do that, Mr. President, let me quote just one paragraph from the Reverend Mr. Simms' remarks:

"It has come to our attention that some of us Christians have helped along ... government persecution and denial of religious freedom by being more concerned with cries about separation of church and state than we have been with the preservation of our own religious freedom."

Mr. President, I urge Senators to study this sermon, and I ask unanimous consent that its full text be printed in the RECORD at the conclusion of my remarks.

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

A CHOICE WE MUST MAKE

(By Rev. Robert F. Simms, Pastor, Green Memorial Baptist Church, Charlotte, N.C.)

Some choices are extremely difficult to make. There are times when a course of action must be taken, selecting between two options, but we do not want to forsake either for the other. I have come to the point at which I believe it is likely that American Christians will have to make one of these difficult choices. It is a choice between two familiar goals, both of which command the respect of hosts of people. It is a choice to side with the forces which have declared themselves as guardians of one of two treasures and seem dedicated to show undivided loyalty to them. One is the goal of preserving the proverbial separation of church and state; and the other is the quest to preserve, or rather to establish, America as one nation under God. Most Christians I know would like to have both as strong realities; but I am afraid that given current circumstances as the American Civil Liberties Union and other radical groups fight against religious freedom, we may have to choose between these two objectives as a matter of Christian duty. And we wish the governments of men always to respect the freedom of religion that the country's founding documents spoke of God and his creation, or that elected officials were strong churchmen, or that those who were exercised leadership on the basis of their faith were still in power. A challenging trend at this moment is to interpret the constitution as virtually prohibiting even the mention of God in any publicly funded institution, much less the overt involvement of public funds or buildings themselves in any religious activity. And this trend is no fad: It is a well-established policy, becoming firmer daily as the students being set in church rooms and council chambers across the land.

It has come as a great eye-opener to me that some of us Christians have helped along ... government persecution and denial of religious freedom by being more concerned with cries about separation of church and state than we have been with the preservation of our own religious freedom. But they are not identical. Separation speaks mostly to the government's obligation to make "no law respecting an establishment of religion." Freedom speaks mostly to the people's right to pursue their religious convictions. These two parts of the First Amendment must be kept in balance; least either be misinterpreted, or interpreted in the extreme.

What has happened is that the government, of various parties, has begun to pry into the affairs of the states, their institutions, and even the auxiliaries of churches that have entertained contacts between religion and public life— as if there were anything illegal about religion influencing people's lives or the government's operation of trying to "keep the government out of religion," they have gotten themselves into it in a negative way—the restriction of religious freedom.

The issue is clouded by rhetoric on both sides, and it is not likely that it will be resolved by debate, or that the balance between the Two Emphases of the First Amendment will be restored by simply trying to see both sides of the issue. I am coming to be convinced that the time is upon us to choose which is more important to us—preservation of the principle of church/state separation as it is currently interpreted, or one nation under God—and follow that course with all fervor.

I hasten to say that I believe firmly in both the religious goal of our nation being godly, and in the democratic principle that the government not be entangled in religion. But I am convinced that in order to retain the godliness of the nation, it is a choice which we must make. The First Amendment will be restored by simply trying to see both sides of the issue.

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have frequently shown themselves to be antagonistic to religious beliefs. When their cause stems from the First Amendment, they mean something far different from what I believe that amendment to mean. I am just one of many sources assisting legal action against supposed violations of "religious freedom" or "civil rights" which have the underlying purpose of eradicating hated religious views from a particular place.

Yet, many Christians have joined the band of freedom fighters, because they carry the banner of an amendment which the church has held dear for two hundred years of American History. Unfortunately, those Christians have/have their own cause, by forgetting their first rightful priority.

If, by every cause that claims to befriend religious freedom I actually play into the hands of those who eventually persecute religion, what good have I done?

If, by carrying the separation of church and state so far I help to insure the hostility of government and society at large to religious groups which have I helped;

If I press for neutrality in officialdom on religious matters, do I not rob them of their religious freedom? Whose liberty have I preserved?

Granting the fact that there may have been some genuine violations of religious liberty, I remain convinced that the main defect of the governmental vendetta against religious influence has been not the establishment of an ideal neutrality toward all religious persuasions: it is not that innocent. Rather, in effect, we are experiencing the establishment of an anti-religion religion, or, more generally, Religious Humanism. The choice to pursue the godliness of America over the relatively minor issues of keeping religion out of public institutions becomes more obviously a wise one in the light of the poison that Religious Humanism is.

The problems of tuition tax credits, or fears of state-written prayers, pale in the face of the gargantuan enemy Humanism.

Humanists have identified themselves as being essentially religious in nature. The Humanist Manifestos of 1933 and 1973 give that label to their signers and advocates; and it is significant that the Supreme Court of our land acknowledged the religious nature of Humanism in court cases tried over twenty years ago. And yet, that same court has continued to make decisions which yield to humanist doctrines over those of some other religion. In so doing, the court has established a religion.

The chief difference between this religion and traditional religions is that Humanism has no supreme being—man is its god. But this does not mean that there is no doctrine or systematized beliefs; on the contrary, these things are well established. The Manifestos outline these beliefs in shocking clarity, indentifying one of the main goals of Humanism as the elimination of all religion to reflect only the supremacy of man and his perception of his needs. This is the deadliness of Humanism: it has no churches that one would recognize; it is ecumenical and non-denominational; and it masquerades as simple logic or common sense. That Humanism is a religion is still unadmitted, and clear thinking has kept many people unaware of its rapid growth or its true nature.

In fact, many people have become humanists by gaining a false sense of security. This fact only serves to intensify the need to take a decisive stand for the Christian faith and for the witness of God in public life, in order to combat the pervasive cancer of Humanism. It is only by solidly establishing religion in the halls of government and in the policies of many institutions which have bowed to government pressure and have adopted Humanist guidelines.

WHAT THE CHOICE INVOLVES

In essence, what America needs is a counter-revolution. We are already in the last stages of a revolution, one of values, principles, and laws that are being changed, as much by court precedent as by legislation, to reflect this revolution, which is taking us hell-derkeller into a future knowing no absolutes, except the gratification of man in his concept. A counter revolution is called for, one in which Christians in particular both diligently seek the conversion of millions of Americans and also get involved in politics to stop the bureaucratic and judicial flow of humanistic lava which threatens to inundate us all.

I believe the time has come to take an unapologetic stance and resist any further elimination of religious language from public life and institutions. We must fight any attempt to rob any religious agency or individual of their purity, and even to staunchly resist interference from government in affairs rightly governed by religion. And, we must insist that our government abide by the Constitution which affirms: that "we have been endowed by our Creator with certain unalienable rights," which include the pursuit of religion. God gives us these rights; the government only recognizes them.

Further, I believe it is imperative that Christian Americans press on to regain lost freedoms, and to reestablish certain lost guarantees. I call on our congress to pass an amendment to the Constitution guaranteeing the right of persons to pray or otherwise exercise their religion in any public place, including public schools.

Concerning such an amendment, I am aware that it is argued that it would be misapplied, that the amendment to be extremely clear. But a violence to our rights and our Constitution has been done because of the Supreme Court decision; that the violence needs to be corrected and reversed. Even if it seems redundant to propose an amendment concerning religion in the presence of the First Amendment, I believe the symbolism of passing such an amendment is far more important than the risk of being wordy. A prayer amendment would say, "We want to have what we had before the courts began tampering with it; we want the country we had before those who are so concerned with our religious liberty made us afraid to exercise it.

WHAT WILL BE THE RESULT OF OUR CHOICE?

I am not sure I am personally prepared to be so confident in our ability to accomplish such an amendment. However, I believe it would buy time for this monumental task that concerned with our religious liberty made us afraid to exercise it.

PRIVATE SECTOR INITIATIVES TO FEED AMERICA'S POOR

Mr. HELMS. Mr. President, recently I was privileged to preside over an Agriculture Committee on private sector initiatives to feed America's poor, the purpose of which was to gather information about some of the diverse feeding efforts being undertaken by the private sector.

The hearings produced some encouraging testimony. Eleven articulate and enthusiastic witnesses described the splendid programs being operated by their churches and other private organizations. The creativity of the private efforts is most commendable. These and other private efforts underscore that there is still great personal compassion in this country, there is still a willingness to assume personal responsibility, including personal involvement.

The hearing record will be made available to those interested Americans who wish to assess whether similar programs could be undertaken with similar success in their communities.

Private sector efforts which has demonstrated great diversity is a church in western North Carolina.

Rev. Parker T. Williamson, minister of the First Presbyterian Church in Lenoir, N.C., outlined the many activities sponsored and supported by his congregation.

Mr. President, I ask unanimous consent that the Reverend Williamson's testimony and an editorial, "Helping Others Is What It's About," from the Lenoir, N.C., News-Topic be printed at the conclusion of my remarks.

There being no objection, the information was ordered to be printed in the Record, as follows:

STATEMENT OF REV. PARKER T. WILLIAMSON, MINISTER, FIRST PRESBYTERIAN CHURCH, LENOIR, N.C.

Mr. Chairman and members of the Senate Agriculture Committee, the people of First Presbyterian Church in Lenoir, N.C., believe that Jesus Christ's mandate to feed the hungry is not negotiable. We have tried to fulfill that commission through a variety of ministries in our community. These efforts include direct feeding and developmental assistance in which we administer both private and public funds. Like many churches we collect canned goods and non-perishable foods to feed the poor. We distribute them through an ecumenical service organization called "Yokefellow Christian Ministry," Yokefellow's food pantry, used clothing room, and voucher system to assist with rent, utilities and medicine costs provides a needed emergency response to the immediate needs of poor people.

In addition to our Yokefellow contributions, we maintain a Ministers' Discretionary Fund for direct aid grants. Much of this money is used to help families whose needs are certified to us by the Caldwell County Department of Social Services. We try to help fill the hunger gap, for example,
which lies between the date on which a client has been approved for Food Stamp Assistance and the date on which he receives that assistance. Disability determinations and the adjudication of claims are included in a period of bureaucratic delay during which the poor would starve without community help. Our direct aid seeks to buffer that period.

Another direct feeding program in which we have been involved is the Nutrition Program. This program is funded with federal dollars. It requires a great deal of local support in order to meet the needs of the client families. The Nutrition Program in our county was launched by Blue Ridge Community Action, Inc. (BRCA) in our church buildings. Food was prepared in our kitchen and served in our fellowship hall. Additional food was prepared at this site for delivery to elderly and disabled persons who could not come to the church for their meal. This “Meals on Wheels” extension of the Nutrition Program was heavily staffed with volunteers from our church and with community assistance.

Recognizing the need for extensive volunteer support to assistance programs, First Presbyterian Church of Lenoir City offered its facilities to the Retired Senior Citizens Volunteer Program (RSVP), a federally funded effort to discover the talents of older persons and deploy them in areas of need. RSVP has been an important link in our food assistance work.

When the Nutrition Program grew to a production of 600 meals per day, a level which our church kitchen was not designed to handle, we saw a need for another community kitchen. Together with other volunteer groups like United Way, clubs and church organizations, we built a central kitchen facility. Local contributions to this construction project totaled $110,000. We equipped it with a grant from the N. C. Division of Aging.

We make this central kitchen facility available to BRCA which provides food to 7 nutrition sites (many of them are churches) and to the children of our church-sponsored day care center.

Caldwell County's community Action Agency (B RCA), offers an impressive list of services to our area's poor. The Presbyterian Church in Lenoir has been proud to assist this local group in its efforts. Our church provided a $100,000 loan to purchase a mobile canny and initiate a community garden project organized by BRCA. Land owners donated their community gardens. Low income citizens could use an area of the garden for an annual fee of $10. In return for their contribution they received seed, fertilizer, plowing and tending services. All labor other than tractor work had to be their own.

During the first year of this project each $10 plot produced $75 worth of food. Approximately 280 low income families increased their food purchasing power through this blending of their labor and community assistance.

The mobile canny, purchased by a Presbyterian gift, has greatly expanded the capacity of low income people to feed themselves. This propane gas fired canny is mounted on a trailer frame which can be moved to scattered sites in our rural county. Often school parking lots are used for the canny operation.

Participants may bring the produce from their gardens, prepare it for canning on the site, purchase jars and lids at a very low cost, and can their food for the winter months on the spot.

This blending of labor equity by our low income clients and assistance from public and local sector sources has produced impressive results. During the first full year of the project, 2.5 tons of foodstuffs were processed. One step above our direct feeding efforts, this program helps low income families to feed themselves. It also preserves the dignity of the participant who must invest a small amount of cash and a great deal of labor toward his family's food production.

The city of Lenoir is a short driving distance from Ashe County, N.C., a rural, mountainous area where many people live below the poverty level. These people are poor, but they are also proud. Many of them would rather die of malnutrition than accept a government dole. Thus assistance must come to them in an acceptable form, one which honors their dignity and their personhood.

The church is an ideal conduit for assistance in Ashe County; for the church is seen not as an “outsider” but as an extension of the family. Seizing that opportunity a Presbyterian minister, Dr. Robert Stamper, who is as unique an individual as the people whom he serves, opened the program to the housing, clothing and hunger needs of mountain people. This man who would happily spit in the eye of both governmental and ecclesiastical bureaucrats offers an impressive service to his neighbors.

Our congregation sends money, clothes, food, and volunteer workers to Ashe County regularly. Living in a lodge owned by Dr. Stamper, work groups from our congregation and others go out among the hills and hollows to plant gardens, repair houses, cut timber for elderly people who heat and cook with wood, and provide many chore services to help them survive bitter mountain winters.

The Presbyterian Church in Lenoir sponsors several ministries which—while not direct feeding programs—have a significant impact upon family living conditions. Income, and, therefore, the capacity of a family to feed itself, together with several black churches in our community we created a development corporation which borrowed $580,000 from the Farmers' Home Administration and developed a community of 98 homes on 100 acres of land for low-income families. By developing the land on a not-for-profit basis we were able to provide our clients with sufficient “instant equity” to qualify them for otherwise unobtainable mortgage money. This initial effort in the area of community development has encouraged a healthy pride and self-respect among our client families.

The Presbyterian Churches of Lenoir created a non-profit corporation to house our elderly citizens. We borrowed $2½ million from the Department of Housing and Urban Development. This helped us purchase our local resources and thousands of volunteer hours from some of the best minds in our city to build a retirement community where citizens are accepted for residence without regard for their ability to pay the full fee.

My presentation to you today outlines programs initiated by our church and local partner groups which receive funding in a variety of ways. Some of our work operates with 100% local funds. Other activities represent a partnership between our church and government programs. In the latter case we insist upon the preservation of local initiative and local control, and, in most of our partnership experience with government, we have been pleased with the outcome of our joint effort.

My experiences with these endeavors has led me to some observations and opinions about the role of the church in the sector partnerships. My chief conclusion is that you who represent the public sector need us (the private sector). Government programs, however well intentioned, or well designed, can tend to institutionalize themselves until a great deal of the money which you appropriate is tied up in service machinery and only a trickle reaches those for whose appropriation was intended. Partnerships with local philanthropic organizations reduce this cost significantly.

Government programs, however well intentioned, tend to become “faceless” and impersonal. Client families become numbers and needs are categorized into abstractions. This putrefaction of government programs encourages a “dole mentality” among the recipients and fertilizes a seedbed for graft. Partnerships with local philanthropic organizations tend to personalize assistance.

Government programs, however well intentioned, tend to move toward mediocrity in service delivery. Salaried bureaucrats rarely demonstrate an enthusiasm for the purposes and goals of the program; they are repaid in compen- sated overtime or other evidence of personal involvement. Further, the bureaucratic mentality tends to be negative. One rarely sees people with a “can-do” spirit, willing “no” to an innovative idea which involves risk. By their very nature, therefore, bureaucracy becomes cumbersome as they follow the “safe” track. In a dynamic society where the needs of our people change forms continually, this tendency results in a bureaucratic frustration that is the needs which it was designed to meet.

Partnerships with local philanthropic organizations introduce a passion for the project from enthusiastic volunteers, and an infusion of innovation from local people who know the problems first hand and seek refinements in service delivery.

I applaud the fact that your committee has chosen to hold hearings on private sector initiatives in feeding America's poor, and I hope that the resulting legislation will recognize the valuable public-private sector partnerships which are possible as we target this task together.

(From the Lenoir (N.C.) News-Topic, Sept. 15, 1983)

HELPING OTHERS IS WHAT IT'S ABOUT

The people of Caldwell County care about their fellow man, and Wednesday the nation learned just how much our citizens practice the teachings of Jesus Christ by feeding the poor.

As federal nutrition dollars have decreased, programs for the elderly and children have had to tighten their belts. The Tri-Congregational at many churches have filled the gap with programs geared to getting food to those in need.

The U.S. Senate's Committee on Agricultural, Nutrition, and Forestry, conducting hearings Wednesday in Washington, learned how churches across the nation are helping to meet the challenge. In the case of those churches is Lenoir's First Presbyterian.

The Rev. Parker T. Williamson, speaking before Sen. Jesse Helms, R-N.C., and others, said, “No church has been more blessed by God with the poor a major ministry to the community.

The church is involved in a community effort to feed the elderly and children and helped, along with other churches and orga-
nizations, establish a central kitchen to prepare food which is then taken to nutrition sites around the county to feed those who would go hungry otherwise.

The church also bought a mobile cannery which is taken to various sites so people can take produce, buy jars and lids, and can food stuffs for the winter.

The church also bought a mobile kitchen for the needy through a community garden where people can, for only $10, raise food to help take a step up the ladder away from total assistance.

First Presbyterian’s community involvement goes far beyond the annual food basket at Thanksgiving and Christmas. It speaks to us all by giving an example we should attempt to follow—becoming involved.

Caldwell County is blessed with many churches and service organizations, all taking it upon themselves to help where they can.

Wednesday, the nation learned our people do care and are willing to work hard to help those needing a boost.

Of course, programs like these only work when local people are involved. That was the message Rev. Williamson took to the Senate.

BETSY BRIAN ROLLINS: A REMARKABLE LADY

Mr. HELMS. Mr. President, I would call to the attention of my colleagues the appointment of a splendid North Carolina citizen to the President’s Task Force on Food Assistance.

Mrs. Betsy Brian Rollins of Durham is one of the most industrious and compassionate people I know. She has spearheaded an amazing private sector effort to feed the poor at St. Phillip’s Episcopal Church in Durham.

Mr. President, this program is a model of what can be done—through private, volunteer means—to feed the deserving poor in our Nation.

I commend President Reagan for having recognized the importance of this and other private sector efforts by including Betsy Rollins on this important task force which is to examine the causes and extent of hunger in America. John Driggs, chairman of the board of Second Harvest, and John Perkins of Voice of Calvary Ministries, two other members of the task force, also have had extensive private sector involvement in feeding the poor.

Indeed, I conducted some hearings recently to examine private sector initiatives to feed America’s poor. Much can be learned from these diverse and creative efforts.

Mr. President, I ask unanimous consent that the editorial, “Caring for the Hungry,” from the Durham Morning Herald, be printed in the Record at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Durham Morning Herald, Sept. 7, 1983]

CARING FOR THE HUNGRY

Mrs. Betsy Rollins’ appointment to the President’s Commission on Hunger draws fresh attention to Durham’s compassionate approach to caring for hungry people.

Rollins is director of the Community Soup Kitchen of St. Phillips Episcopal Church, a volunteer program that provides free meals weekdays for people who might not eat otherwise.

She has also been a sparkplug in the effort to raise $525,000 to build an Urban Ministries Center behind St. Phillips—a campaign that is near the point that construction can begin.

The center will become the headquarters for the soup kitchen as well as Meals on Wheels, a volunteer project that delivers more than 150 hot meals to shut-ins five days a week.

A third element in Durham’s response to hunger needs has been the annual CROP walk to raise money for international and local programs through Church World Service. This year’s walk raised a record amount—more than $25,000.

Together, the three projects have a common denominator: They are volunteer efforts and rely on no government supervision or direction. They represent, in the best sense, a conscientious response to President Reagan’s call for an increased voluntary role in meeting social services needs.

They also represent a whale’s share of cooperation among congregations—Protestant, Catholic and Jewish—that have in these works shown greater concern for needy people than for their theological differences.

As has been evident in her work for the soup kitchen and Urban Ministries Center, Mrs. Rollins takes a special empathy to her new assignment on the hunger commission. A former newspaper reporter, she is legally blind and she knows well what it means to have someone else extend a helping hand.

WAR POWERS RESOLUTION

Mr. GOLDWATER. Mr. President, I support the Baker resolution that will come before us shortly. I support the Baker resolution because it will avoid a constitutional confrontation with the President at a time when the marines are being shelled and fired upon in Lebanon.

Now, this is not to say I have changed my mind about the fact that the marines should not be in Lebanon. I have not altered my opinion.

Instead I am saying that Congress cannot and should not try to legislate the marines out of Lebanon. We do not have the constitutional authority to order them out.

The President has the last word over the deployment and use of the existing Armed Forces no matter what Congress might do today. I am happy to support the Baker resolution because it is an alternative to the far worse proposal by the Democratic Party Caucus which would attempt to usurp the reins of military direction from the President.

Also, I should mention that, in my opinion, section 2(b) of the Baker resolution, which would trigger section 4(a)(1) of the war powers resolution, does not mean a thing. We will not make an unconstitutional piece of legislation valid by simply referring to it in a second piece of legislation. The war powers resolution is probably the most unconstitutional measure Congress has ever passed and it will remain unconstitutional even if we pass the Baker resolution with section 2(b) in it and the President signs it.

Now, Mr. President, I would like to discuss more generally the war powers and the folly of congressional efforts to tie the President’s hands in making military decisions.

Look at what happened in 1975 when President Ford asked Congress to join with him in the decision to evacuate Americans from Saigon. As you will recall, Congress never granted his request.

Caught between the choice of strict adherence to the 1973 war powers legislation or the provisions of the Indochina evacuation, President Ford ignored the legislative restrictions and took into his own hands the protection of Americans.

Weeks later, while Congress was still tied up with its debate on the matter, President Ford announced that the Indochina evacuation was completed. They pleaded for a better war plan for purely humanitarian assistance and transportation of refugees, but Congress rejected this request the very next day.

Mr. President, this episode reveals all too clearly the inability of Congress to act decisively in time of need. Last Tuesday I mentioned an earlier moment in history when Congress also neglected its duties. It was a time when the strong words of President Franklin Roosevelt, taken independently of Congress, enabled this Nation to aid Great Britain and thereby defend our own security before Pearl Harbor.

The point is that the President had the vision to see that democracies avoid disaster only by confronting the obvious threats to their survival. Yet if the war powers resolution had been in effect in the early 1940’s, President Roosevelt could not have landed and kept troops in Greenland, he could not have sent and reinforced several thousands of marines on Iceland, he could not have escorted British shipping in the Atlantic and he could not have done the many other things several of them held secret at the time even from the State Department, which prevented a total collapse of resistance to Hitler. The war powers resolution would have brought about a complete disaster in the 1940’s, and it may well bring about a catastrophe of similar
Mr. EAGLETON. Mr. President, we are all aware of Secretary Watt's latest verbal outrage. His chronic foot-in-mouthitis is drumming up ever-increasing demands for his resignation.

I submit that there is even greater reason for Mr. Watt's ouster than his offensive mouth. That is his offensive public record as Secretary of the Interior.

I submit, Mr. President, my civil indictment of James Watt as public enemy No. 1 of the American environment. Long after Watt's words are forgotten, Watt's record will haunt us.

Here are just a few of the highlights of Mr. Watt's devastating record as Secretary of the Interior.

First. Mr. Watt is the first Secretary of the Interior to advocate opening our 80 million acres of our wilderness up for oil and gas drilling.

Second. Mr. Watt's coal-lease program has cost taxpayers $100 million by placing too much government-owned coal on the market at a time of recession and slack-demand.

Last week, days after the House of Representatives had passed a moratorium prohibiting more coal leases, Secretary Watt opened five major tracts of land for bid in the Fort Union area. Only five bidders showed up.

Third. Mr. Watt has gutted the Office of Surface Mining by reducing the staff half, especially deep are the cuts in inspectors, and continues to approve permits to companies that have failed to reclaim other leased lands.

Fourth. Mr. Watt has pledged time and time again to simplify the Federal regulations in the Interior Department, especially in the Office of Surface Mining.

Fifth. Mr. Watt has been rebuked twice by Federal courts and found in violation of laws governing the coastal zone management for the Arctic National Wildlife Refuge, one of our country's most sensitive areas.

Sixth. Mr. Watt has proposed and continues to push, over congressional opposition, for over 1 billion acres of land off California shores to be open to the oil industry.

Seventh. Mr. Watt ordered stopped the Youth Conservation Corps, which provided summer jobs for youths and introduced many city kids to our natural resources.

Eighth. Mr. Watt has virtually put our National Park Service to a standstill by placing a moratorium on future land acquisition, and his refusal to spend money appropriated by Congress to expand our parks. Last year Congress added $10 million over Mr. Watt's requested budget to help take care of our deteriorating parks.

Ninth. Mr. Watt has opposed the National Park Protection Act, which is
DEAR ABBY NOTCHES THE NOTCH

Mr. EAGLETON. Mr. President, in the past 2 weeks, I have had a flood of letters from constituents who are concerned that, as so-called notch babies, they may be receiving smaller retirement benefits than other people.

That raised in a recent "Dear Abby" column and readers were advised to write their Senators and Congressmen.

The volume of mail that followed is testimony to the great popularity of the "Dear Abby" column. Unfortunately, in this case, there was some confusion about the facts. This problem was brought to the attention of Abigail Van Buren she promptly set the record straight with a second column.

I ask unanimous consent that an article from the Kansas City Star of September 22, 1983, explaining this situation be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Kansas City Star, Sept. 22, 1983]

ABBY CORRECTS ERROR ON BENEFITS

WASHINGTON.—Columnist Abigail Van Buren, heeding advice from Uncle Sam, is correcting erroneous information she published that prompted a flood of letters and calls to Congress and the Social Security Administration.

The whole thing started when the syndicated "Dear Abby" column alerted newspaper readers to what was called an "inequity" in Social Security retirement benefits for persons born from 1917 to 1921.

Social Security officials said Wednesday they had sent their own letter to Abby, asking her to correct her column on the so-called "notch" that ran Sept. 5. The corrected information was published in The Kansas City Star Tuesday.

In the first column, someone who signed herself "Notch Year Baby" complained that persons born from 1917 to 1921 would get lower Social Security benefits than those born before and after those years.

Miss Van Buren urged readers of her column to write to their congressman protest this inequity.

In fact, due to a foul-up in a Social Security benefit formula that Congress wrote in 1973, those born in 1916 or earlier do get higher Social Security benefits. A retiree who turned 65 in 1981 can get as much as $110 a month more than a co-worker who paid the same taxes but was born in 1917.

That benefit formula was driving the system into bankruptcy and Congress voted in 1977 to correct its error and to phase out the formula.

It left the formula intact for those born in 1915—who would first be eligible at age 62 for early retirement benefits in 1976—and it provided a less generous, transitional benefit for those born in 1921.

That group will get less than the 1918 babies, but their retirement benefits will still be higher than those for persons born in 1922 or later.

Jim Brown, a spokesman for Social Security, said Social Security offices and congressional offices were inundated with thousands of calls about the "notch" since Miss Van Buren's advice appeared.

The notch has been widely reported previously and an attempt by some lawmakers to raise the retirement benefits for those in the transitional group failed last year.

Alan McDermott, managing editor of the Universal Press Syndicates, which distributes Dear Abby, said the new column was sent out Friday but editors were told they were free to run it before then.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, the distinguished majority leader has made arrangements for me to speak at some length during morning business. I have indicated, as in the past, of course, to any Senator who comes on the floor who wishes to make a statement, or if the majority leader wants to transact business in the event of which, if such should occur, I ask unanimous consent that there be no interruption shown in the Record with respect to my statement.

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

THE UNITED STATES SENATE

THE SENATE, 1864-1892: WATERED YEARS

Mr. BYRD. Mr. President, at this address and the next in my continuing series on the history of the U.S. Senate, I shall deal with the last decade and half of the 19th century.

The late 1880's and the 1890's were a decade of informal leadership. The Senate's power base was shifting from the old big state southern Senators to the new midwest and west Senators.

For example, in 1888, the Senate had 132 members. The old South had 60, the new West and South had 44, the Midwes had 32, and the North had 16.

In November 1884, Century Magazine began a series of reminiscences by Union and Confederate soldiers, "Battles and Heroes of the Civil War." For the three years the series ran, Century's circulation soared to over 250,000—three times the former level. The popularity of U.S. Grant's Memoirs, published in 1885, was also enormous, in part because the Union commander adopted in his recollections a consistently magnanimous attitude toward his former Confederate foes.

Soon a new war would unite North and South, where the old war had divided them.

The statesmen of earlier years, the bearded James G. Blaines, Roscoe Conklin, and Oliver Morts, about whom I have spoken often, began to seem archaic and alien when contrasted to the new men with new methods like Bryan, Roosevelt, Robert La Follette and Arthur Gorman. The issues that had preoccupied the post-war generation—reconstruction, public lands, railroads—were also beginning to seem faded and old fashioned.

As the century waned, the problems confronting the Nation seemed as new and different as the new men called upon to grapple with them. The problems pushing so urgently to the fore were economic and social, immune to the old, familiar political resolutions.

Issues like reform and expansion jostled alongside persistent old issues, but the old orthodoxies were mute when solutions were needed.

Historian Harold Faulkner offers a vivid description of the perplexing problems with which the nation seemed suddenly confronted in these years:

The late eighties had brought hard times to the farmer, the workingman, and to many businessmen as well, and with hard
times doubts and disillusionment; in the
teenies came open revolt, a challenge to old
beliefs, a repudiation of old shibboleths, a
fragmentation of old parties. There was al-
most everywhere a feeling that somehow
the promise of American life was not being
fulfilled. . . . The continent had been con-
quered, and the frontier was no more, but the
frontier of exploitation, the front of
being one. Industry flourished, and the
new Nation was rapidly forging ahead of
her predecessors, but the issue of recreating
those class conflicts from which the United
States had heretofore been thought immune. Cities
grew and the nation boomed, they slums and
poverty, crime and vice. . . . In 1890, Ameri-
cans were reading Jacob Riis' How the Other
Half Lives: they had not supposed that
there was, in America, an "Other Half,"
except among the Negroes. The ruthless ex-
ploration of natural resources made the
people rich beyond the imaginings of its
founders, but the riches were gravitating
into the hands of the few, and the power of
wealth in politics caused the gravest misgiv-
ings. . . . Democracy flourished, and with it
corruption. 3

These conditions might have led to
revolt, as, indeed, they have in other
countries. But I believe that the testifying one to the flexibility of our
system of government as established
by the Constitution, instead, they led
gradually to reform. While much of
that reform took place on the local
and state level, some of the issues agi-
tating public life were fought out on
the national stage in Congress.

Today, in dealing with the first half
of the nineties, I think we need to un-
derscore the Senate's role in these
issues—how it solved, ignored, or exac-
terbated these problems. While many
of these years were practically devoid
of significant legislation, the calendars
of others were crammed full of mo-
mentous measures which continue to
affect us today. Old questions like the
tariff nagged and were dealt with by
the Dills tariff and the McKinley
tariff; desperate efforts to suppress it,
the continuing problem of black
voting rights in the South came to the
fore with the "Force Bill"; the ques-
tion of silver plagued these Congresses
as it had previous ones and was dealt
with, at least temporarily, by the
Sherman Silver Purchase Act; well-
meaning reformers tried to ameliorate
the conditions of the Indians with the
Dawes Act; other major reforms were
embodied in the Interstate Commerce
Act and the Sherman Antitrust Act.

Just discussing these major pieces of
legislation will more than amply make
a lengthy talk, so I shall save until my
next address discussion of the internal
changes taking place in the Senate and
the colorful personalities who filled
these same seats before us. The
internal reforms in the Senate and the
reform legislation passed by the
Senate are pieces of the same cloth.
Historian Robert Wiebe has character-
ized these years as ones in which
America was consumed by the "search
for order," and we shall follow the
Senate on this search in both this ad-
dress and the next.

We left the Senate, at the end of my
last address, in the hot summer of
1884, on the eve of the presidential
nominating conventions. The elections
of 1884 had given the Democrats a
majority in the House. The Re-
publicans held onto the Senate by just
four seats. Republican Chester A.
Arthur, the accidental President, sat
uneasy in these circumstances, doubting
that his party would offer him the
nomination. Nearly everyone agreed
that Arthur had been a better presi-
dent than expected, but his positive
accomplishments had been negligible.

Mounting tariffs, rising prices, and
a minor depression in 1882-1884 were
solely trying the patience of the elec-
torate. Disgruntlement with Republi-
can rule was widespread. Republicans
knew as well as Democrats that if the
Democrats could produce a reasonable
Presidential candidate in 1884, they
might well capture all the citadels of power in the
House, and the Senate—for the first time in over
a quarter century. The prospect made
for cautious euphoria in Democratic
circles and gloom in Republican ones.

As in previous election years, many
putative candidates were in positions to be "king
makers," or, in our democracy, "presi-
dent makers," and some were long
shots for the top position itself. The
Republicans met first that summer in
Chicago. Early it became clear that
James G. Blaine, the former senator
from Maine, whom I have mentioned
often, was the favorite. Blaine, how-
ever, remained aloof, and busied himself
with his memoirs, which, I might add,
shed light on important years in the
Senate's history. Despite his protests,
Blaine was the most popular Republi-
can in the country. More important,
with the Roscoe Conkling ignominiously
retired from the Senate, most Republi-
cans believed that Blaine was the man
who would represent their interests
better than anyone else.

On the fourth ballot, Blaine got over
300 votes; Arthur, 278. Minor candi-
dates, controlling over 200 votes, split
into roughly two groups: the civil serv-
cers, reformers who voted for Senator
George Edmunds of Vermont, whom
scandal had never touched, and the
mid-west professionals, chiefly the fol-
lower of Senators John Sherman of
Ohio and John A. Logan of Illinois.
The reformers, led by Carl Schurz,
former Missouri senator and secre-
tary of the Interior in the Hayes admin-
istration, were known as the Mug-
wumps—fencesitters, with their mugs
on one side, and their wumps on the
other.

On the fourth ballot, the midwest-
erners swung to Blaine, giving him the
nomination. The Republican campaign
would be managed by a powerful
group of current and future senators:
Don Cameron of Pennsylvania and
John Logan, then sitting in the cham-
ber, and Stephen Elkins of West Vir-
ginia and William "Machiavelli" Chan-
der of New Hampshire, soon to join them.

The Democrats, also meeting in Chi-
cago, had no outstanding leader but
a junior senator, James G. Blaine, by
the "force of expediency" and, as the
people liked to say, the "ání-
sity" and courage, and he was an advo-
cate of civil service reform, assets
Democrats knew would help lure away
disaffected Mugwumps. Though Sena-
tor William Barnum of Connecticut
was titular chairman of the Democratic
National Committee, the directing
genius behind Cleveland's campaign
was freshman Senator Arthur P.
Hanna, the "boss" of Pennsylvania
and Maryland, just

The contest between Blaine and
Cleveland was dirty and close. When
the votes were tallied, Cleveland
emerged the victor. Actually, com-
pared to the Democratic sweep in
1882, the Republicans hadn't done so
badly. They gained 22 seats in the
House, though still not enough to
retain the majority, and picked up one
seat in the Senate, making their slim
majority here more solid. The Demo-
crats, however, had won the presiden-
cy, making Cleveland the first Demo-
cratic President in a quarter century.

At the outset, Cleveland was regard-
ed by civil service reformers as one of
their own. He had announced that he
would not only faithfully execute the
Pendleton law (which I discussed in
my last address), but would refrain
from declassing or disinfecting office-
holders by it unless they had proved
themselves "offensive partisans." During
the nine months prior to the meeting of the 49th Congress, he dis-
covered 643 of the latter among the
643 of the latter among the
officeholders appointed by his predeces-
sors, and proceeded to suspend them.

Reformers deemed this number ex-
cessive. Carl Schurz wrote frankly
to the president: "Your attempt to
promise to both reformers and spoils-
mens has failed. I warned you more than once
that your principal danger was to sit
down between two chairs." The Repub-
lican Senate, with less worthy mo-
tives, emulated Schurz' indignation. It
requested the president to give specific
reasons for each of the 643 suspen-
sions. Cleveland refused to gratify
their request, citing the political prac-
tice of half a century. The conten-
dragged on so long that in the end the names of many of the suspended officials ex-
pired, and Cleveland was able to win a
practical victory by simply withdraw-
ing the names of his appointees and
then resubmitting the same names as
With the exception of Hoar's bill, little of importance transpired during the first session of the 49th Congress. So-called "pork barrel legislation," as you understand they knew all about it, was introduced that totalled nearly $18 million consumed much of the session, with Republicans and Democrats harmoniously supporting each other's pet projects.

Things really have not changed a lot, have they? The only thing is, a lot of people forget that this has been going on a long time. They assign it to this generation only, apparently.

An exception was thirty-year-old freshman Republican Representative Robert M. LaFollette of Wisconsin. Congressmen listened in amazement to a speech against the pork barrel by the audacious young man from Wisconsin, a State supposed to be safely controlled by the powerful machine run by Senators John C. Spooner and Philetus Sawyer. Sawyer, a millionaire ex-Congressman, so illiterately did he sign himself "P. Sawyer" because he could not spell "Philetus," but so powerful that, as La Follette said, he bought men "as he bought saw-logs." 8

Perhaps I should take a moment to look at the derivation of the term "pork barrel," because it was at this time in the Senate's history that it came into general use. The name, which evolved from "pork salt" which the army used to pay the Negro slaves rushing the pork barrel that the state of national treasury, into which government officials dip for "pork" or other favors, had always been too strong and none of these measures had passed. In the mid-1880's, however, powerful industrialists began to join those complaining about the railroads' monopolistic practices, and their voices carried far more weight than those of the farmers. 9

In March 1885, at the urging of Republican Shelby Cullom of Illinois, the Senate established a select committee to investigate rail abuses. Its members were Senators Cullom, Warner Miller of New York, and Orville Platt of Connecticut, Republicans; and Isham Harris of Tennessee and Arthur Gorman, Democrats. The five spent a year holding hearings. The combination of the farmers and the industrialists, backed as they were by powerful lobbies of the railroads, had already been rejected by state legislatures, both in the north and south. The stamina to resist such applications, backed as they were by such a powerful lobbying group, while lacking in either branch of Congress, was found in the president, who vetoed every one of the bills. 10

The second session of the 49th Congress, which convened in December 1886, was much more fruitful than the first. The most important fruit in Congress was the passage of the Interstate Commerce Act. For years, Groanges of farmers in the midwest has been agitating against discriminatory rates and other railroad abuses. Elsewhere there was resentment against rebates, unfair variations in rates, and a host of monopolistic practices by the lines. From the time Congress had held hearings that aired the public disaffection, and members of both houses had introduced regulatory bills. But the railroad lobby, distributing passes, bribes, and other favors, had always been too strong and none of these measures had passed. In the mid-1880's, however, powerful industrialists began to join those complaining about the railroads' monopolistic practices, and their voices carried far more weight than those of the farmers. 11

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Rail executives had reason for concern. The select committee drafted a bill that would penalize the railroads for the abuses its members had found, and Senator Cullom introduced the meas-

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those of nominees to now vacant offices. 7

The only constructive measure on which the Democratic House and the Republican Senate could agree during the first session of the 49th Congress was a bill introduced by Senator George Frisbie Hoar of Massachusetts to change the order of presidential succession. The Constitution provided that Congress should decide who was to succeed the president in the event that both the president and vice president died, resigned, or became disabled. In 1792, Congress provided for succession, after the vice president, of the president pro tempore of the Senate, then of the speaker of the House. This was, in turn, altered by Senator Hoar's proposal, the Presidential Succession Act of 1886, which changed the line of succession to run from the Speaker of the House to the Secretary of State, secretary of treasury, and so on through the cabinet in order of rank.

Senator Hoar argued persuasively that for much of a president's term, Congress was not convened and thus had no officers. He reminded his colleagues of the nine month gap that had just intervened between Cleveland's March inauguration and the 49th Congress' first meeting. At the time of Garfield's assassination, an event still then vivid in every senator's mind, Congress had not convened and did not for six more months. Even as Hoar argued, the nation was without a vice president and remained so throughout the 49th and 50th Congress. Vice President Thomas Hendricks, formerly a Senator from Indiana, had died on November 25, 1885. What if, Hoar asked, President Cleveland had died on November 26, when there was no vice president, no president pro tempore, and no speaker? 8

Another vexing problem with the 1892 election was the subsidence of the senators since 1881, when the Democrats controlled the Senate but the Republicans held the presidency, creating a situation where the president pro tempore, and hence the potential acting president, was not of the same party as the chief executive. Even as the senators debated, Democrat Cleveland sat in the White House, while Republican John Sherman presided over the Senate.

With many compelling arguments to recommend it, Hoar's bill passed the Senate and House without serious opposition and was signed by the president on January 15, 1886.

This was the line of succession which I studied in elementary school and in high school, and it remained established and unchanged until 1947, when a new act, still in force today, placed the Speaker and then the President pro tempore next in line to the Vice President.
ure in December 1885. It quickly ran into opposition from Republican Senator Nelson Aldrich of Rhode Island. In the ensuing debates, Aldrich established Congress's leading representative of finance capitalism. The bill, he argued, was tantamount to "revolution"; it would cripple both internal and external commerce. Though Cullom himself recollected that, in the end, the bill was "conservative legislation," Aldrich tried hard to convince his colleagues and the people that it was dangerously radical. Despite vigorous opposition, Cullom's bill passed the House on April 2, 1886.

Meanwhile, the House had passed a railroad regulation bill introduced by John Reagan, a Texas Democrat. The measure differed substantially from the Cullom bill in that it did not provide a commission to enforce the regulatory measures included in the proposed legislation. Since the Senate conferees insisted upon the commission and the House conferees would not dig in their heels, a deadlock ensued which remained unbroken at adjournment. By the following January, both sides were in a more conciliatory mood; a revised bill was hammered out and carried back to the respective chambers.

By that time, thanks to the industriousness of the railroads and their lobbyists, enthusiasm for the measure had begun to evaporate in the Senate. Exasperated, Cullom professed he was "greatly provoked, almost outraged, at the manner in which senators opposed the adoption of the conference report." Democrat John Tyler Morgan of Alabama, and Republicans William Evarts of New York and George Hoar joined Aldrich in attacking specific clauses of the measure and opposing regulation in general. 14

Forces in favor of regulation overcame the opposition, and on February 4, 1887, the Interstate Commerce Act finally passed and received the president's signature. The first important act in American history regulating interstate commerce thus became law. The act prohibited most of the objectionable railroad practices and created the Interstate Commerce Commission to oversee the enforcement of the act's provisions. For years the railroads' many devices to circumvent the provisions rendered the commission all but powerless. But, in the wave of reforms during the twentieth century, other congressional acts strengthened the commission's authority over all carriers of interstate commerce, and as the federal government's first regulatory body—able to act independently of the three branches of government but combining the functions of all of them—it served as a model for such future agencies as the Federal Power Commission, the Federal Trade Commission, and the Federal Communications Commission. 15

With the Interstate Commerce Act, Congress hoped to end the widespread railroad abuses. Another measure, passed early in 1877 as the 49th Congress's leading effort to solve another persistent problem—the status of Indians in the West.

By the late 1880s, the Indians were a mere remnant of one quarter million. Dispossessed of most of their lands and pacified by military force, most had been herded onto reservations west of the Mississippi. They were wards of the government, supported largely by its grudging bounty. In 1871, responding to the pressure of the railroads and other interests that wanted the Indian's land, the spottymen in Congress ended treaty making and the recognition of tribes as independent political entities. Thereafter aggendants, encouraged by congressional leaders such as Conkling, Blaine, and Garfield, and supported by troops and government agents, seized what they wanted, their aggressions leading to such desperate last stands of Indian resistance as the dramatic battle of the Little Bighorn in 1876.

By 1887, it was widely known that Indian affairs were inefficiently managed and the system riddled with abuses. The demand for reform coming from well-meaning humanitarians was growing stronger daily. To remedy the situation, the House and Senate passed a bill known as the General Allotment Act, or the Dawes Severalty Act, after Senator Henry L. Dawes of Massachusetts, its sponsor. The Dawes Act empowered the president to divide a reservation and allot to each head of a family 160 acres, with lesser amounts to bachelors, women, and children. What land was left over (and it was expected to be much of it) was to be resold to whites. Dawes and his supporters contended that the allotment plan was the first systematic effort to provide a stable home and community for Indian welfare and marked a revolution in the handling of Indian affairs. Unfortunately, it proved a disaster.

The purpose of the Dawes Act, in the eyes of well-meaning but misguided reformers, of whom Dawes was one, was to break up the tribal system and make the Indian a self-supporting citizen according to the white man's values. Many who supported the act, however, were land greedy and had in mind the acres and acres of land that would be open for settlement rather than the Indian's welfare.

For the Indians, the Dawes Act was a failure. As anticipated by the reformers, the Indians were unable or unwilling to change their way of life. It was wholly unrealistic to expect a people to abandon centuries-old traditions and embrace the acquisitive society of the white man based on private ownership of land. Furthermore, the land reserved for the Indians was often barely adequate to sustain a decent living. Modification of the Dawes Act during the 1890's brought little relief. Far from assimilating the Indians, the Dawes Act made poverty a fixture on the reservations, as the tribes of water rights, timber, and much of the land needed for viable economies. It was not until the administration of Franklin Roosevelt in 1934—the year I graduated from high school—that the Dawes Act plan was discarded and efforts were made to save the last vestiges of the Indians' cultural traditions. 17

The 49th Congress adjourned on March 1, 1887, just days after passing the Dawes Act. The election returns of the previous November weighed heavily on the minds of the Democrats returning to their constituents, but revised the moral of their Republican colleagues. The Democratic margin in the House had been substantially reduced from 42 to 18. With the 1888 presidential elections on the horizon, Democratic congressional leaders warned Cleveland that it was time to attempt some bold stroke to capture the public's lagging interest. Though still a minority, Senate Democrats had gained three seats, making the division 37-39 rather than 34-41.

The president took his congressional advisors up on their suggestion, but looked in a direction they had not foreseen. Cleveland turned to the steadily increasing treasury surplus. The nation's rigid system of budget and taxation had amassed a surplus of $150 million in gold, much of it owing to the heavy receipts from the protective tariff of 1883. This incredible surplus, labeled the "Treasury Octopus" by its enemies, was, in fact, becoming an acute embarrassment as agitation spread among hard-pressed farmers against "bloated bond holders" and the "Shylocks" of Wall Street.

By 1887, Cleveland was consulting the surplus on pensions, public works, harbor improvements, and fortifications. But Cleveland was unwilling to see federal revenues doled out to underwriting pensioners or invested in public works projects he believed unnecessary. He sought ways to diminish the ponderous surplus by reducing taxes and tariff rates on imports. Moreover, tariff cuts could be defended as helpful to consumers and as a means of preventing monopoly. Mugwumps, middle-western farmers, and powerful railroad interests were on his side. Cleveland decided to make the tariff his "Live Issue."

Cleveland's own party's canvassing experts warned him to "go slow." With the Senate in Republican hands and the thin Democratic majority in the House dwindled, his chances of obtaining a satisfactory bill in an election year seemed slim. William Whitney, his secretary of the
Navy, urges that "it was not the right time to push it." But Cleveland, with an honesty that reflected the best side of his character, foresaw the use of being elected or reelected if you don't stand for something." 18

The 50th Congress, convening in December 1887 and lasting until March 1889, came to be regarded as the most "do-nothing" Congress of all. While it ended in a whimper, however, it started off with a bang. Readers of Puck among the members of the 50th Congress were greeted by a wonderfully vivid Kepler cartoon. In it, an enormously bloated, leering dragon is spreading himself out over the Senate chamber. Senators are dashing for the doors, climbing over chairs, cowing under desks, anything to get away from this dread beast labeled "The Surplus." There was, in real life, no escape from the persistent problem of the bloated surplus, as the senators and representatives were to find out on December 6, when the president sent to the Hill his annual message which he devoted entirely to the tariff question.

Cleveland used harsh words to condemn the "iniquitous system." The tariff was, he claimed, "a burden upon those with moderate means and the poor, the unemployed and the underemployed, the sick and well, and the young and old . . . a tax which with relentless grasp is fastened upon the clothing of every man, woman and child in the land."

Aided by protec-tionists immediately attacked him. "The Democratic party in power is a standing menace to the industrial prosperity of the country," announced Blaine, who, though out of Congress, was still influential as the elder statesman of the Republicans.20

Rational tariff legislation could only be obtained if Congress would subordinate sectional and corporate interests to the general welfare of the nation, which was a likely occurrence in an election year. In April 1888, a new reduced tariff bill named for Roger Q. Mills of Texas, the short-tempered Democratic chairman of the Ways and Means Committee, was introduced in the House. Debate dragged on through July, long after the national conventions.

In the Senate, which they controlled, the Republicans, not surprisingly, rejected the Mills bill and decided to write their own version of a tariff revision, dubbed the "Senate Substitute," with no little aid from the iron and textile lobbies. Drawn up principally by Aldrich and William Boyd Allison from Iowa of the Finance Committee, the Republican's protectionist bill lowered only the tariff on sugar (which would cost them votes in the South) and the use of being elected or reelected if you don't stand for something?" 18

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20, when the Senate adjourned without voting on the bill.21 Other than the tariff, the chief interests of the Wisconsin machine headed by Senators Sawyer and John C. Spooner. On one occasion, as La Follette fainted against the appropriations desired by the machine, Sawyer came charging apocryphally onto the House floor, storming at La Follette, "Young man, young man, what are you doing? You are a boiler, sir, a boiler." La Follette held his ground, replying that the senator could not tell him how to vote, and Sawyer, realizing that he was violating congressional etiquette and House rules, vanished as abruptly as he had appeared.22

At the Democratic National Convention in St. Louis in 1888, Cleveland was unanimously renominated. The Republicans, meeting in Chicago, were much more divided. In March again, Blaine could have had the nomination, but again he professed disinterest. For the tariff battle, the party needed a midwesterner and many eyes, including Blaine's, turned to Sherman. Harrison, grandson of former president William Henry Harrison, who had just completed one undistinguished term in the Senate.

A warm personality was not among the Hoosier senator's political assets. A political ally once arranged a speaking engagement for him, then cautiously urged him to "warm up" with the crowd: "For God's sake be a human being down there. Mix around a little with the boys after the meeting." After the meeting, Harrison confessed failure. "I tried it, but I failed. I'll never try it again. I must be myself." The bloated surplus, as the senators and representatives were to find out on December 6, when the president sent to the Hill his annual message which he devoted entirely to the tariff question.

In their moment of exhilarating victory, the Republicans had dangerous internal problems, illustrated by confrontations between Senator Quay and the new president. Quay expected the president-elect's "fervent and grateful congratulations." Instead, Harrison calmly remarked that "Providence has given us the victory." Quay snorted to friends, "Providence hadn't a damned thing to do with it. Harrison would never learn how close a number of men were compelled to approach the gates of the penitentiary to make him president, where he could return thanks to the Almighty for his promotion," 22

The "lame duck" session of the 50th Congress held after the Republican victory was as barren of constructive legislation as the first. A hasty attempt to modify the tariff was defeated by Republicans eager to wait until the next Congress when they would hold the entire House. In South Dakota, Montana, and Washington were about to be admitted as states. This would boost the size of the Union to 42 states; increasing the Senate to 94 members; the House, after the census of 1890, to 357; and making the voice of the West in the councils of power far stronger. Also during this lame duck session, the Department of Agriculture was elevated to cabinet level. On March 3, 1889, the 50th Congress closed its books for good, and the next day, the Republicans reclaimed the seats of power. The 51st Congress, convening on December 2, 1889, proved to be as dramatic as the 50th had been lackluster. Important changes in procedure as well as milestone legislation such as the Sherman Antitrust Act awaited in...
the wings. The changes began in the House, where the session got off with a tremendous bang. I would like to look a bit at the action in the House at this point because it mirrored a new mood for change afoot in the Senate.

During the lame duck session just passed, business in the House had been frustrated by endless roll calls and filibusters. These dilatory tactics dismayed responsible legislators, notably Thomas Reed of Maine and Henry Cabot Lodge of Massachusetts. A Republican reformer, Lodge could hardly contain himself over the lowly state into which the House had fallen. Drastic revisions of the rules were needed, he said to "change the condition of the House from dead rot to vitality." 17

These calls for reform were echoed by Reed, who had been minority leader and was now chief candidate to become the Republican speaker in the 51st Congress. Reed, handsome Wllam McKinley of Ohio, and Joseph Cannon of Illinois, known as "foul-mouthed Joe," constituted a majority of the Rules Committee, and they immediately set out to draft new rules for the new session. Reed's principal goal was to end the precedent—observed since the 1st Congress—of establishing quorums by notifying members of them, rather than those who were actually present. With the House so evenly divided and the Democrats remaining silent for any roll call on a subject of which they disapproved, the Republicans would be hard put to get a quorum at any time during the session.

On January 29, 1890, the House began to consider contested elections. When the first one was reported, awarding a disputed seat to a Republican, a Democrat moved for reconsideration. When the roll was called no Democrat answered to his name, and the vote—enough to award the seat—was recorded in the roll but without a quorum. Reed, however, was ready. Having assured himself of the constitutionality of what he was about to do, he calmly said, "The chair directs the clerk to record the names of the following members present and refusing to vote." He then began to call out the names of every Democrat he could spy. After a moment of incredulity, the hall exploded in an uproar. Democrats leaped to their feet, shouting for the count to stop. Reed ruled that the names while Republicans applauded, whistled, and cheered. Reed's ruling that a quorum was present produced another tumult that lasted for three days. 18

Again and again furious Democrats demanded roll calls and each time the imperturbable "Czar" Reed read off the names of those present but not voting. After one climactic scene in which Reed ordered the doors of the chamber locked to prevent Democrats from escaping (enraged Democrats hid under desks, behind screens, and anywhere they could find to keep from being counted), enough Republicans showed up to constitute a quorum on their own—two were brought in on sickbeds—and Reed's rules were approved.

The House, thanks to Reed, could now conduct its business efficiently. In the next Congress, which the Democrats overwhelmingly controlled, their new leader, but in the Congress after that the Democrats, with a slimmer majority, saw the wisdom of his rulings, readopted them, and they became permanent. The new rules meant that party responsibility in the House had begun.

Mr. President, I mention these dramatic events in the House at length because much the same type of revolution in party control, a tightening, was brewing in the Senate. While it did not reach full flower for a few more years, until the period I will cover in my next talk, I think it is important to note that these activities had already begun in the House.

To a large extent, Reed's revolution in 1890 was motivated by the Republicans' determination—while they occupied the White House and possessed a majority—push through legislation, particularly a higher tariff. In his first message to Congress, Harrison took up the issue that had dominated much of the campaign and urged a reversal of Cleveland's tariff policy.

McKinley handled the measure in the House. He hoped to counteract the higher rates many powerful Republicans espoused with a nationally orientated measure, extending protectionism's favors to the West and South, and to the farmer in general. He held hearings that produced a fat volume of testimony and, each night, spread his papers out on the floor of his cramped papers out on the floor of his cramped hotel room to get a view of the whole task. His planning produced the usual rate increases, though few were as important or as high as critics making the first-rate --motion approved--charged. Whatever the bill's merits, however, they were lost in a flood of abuse and misrepresentation when McKinley reported the measure on April 16. At length, House Democrats decided to let the bill pass and use it to their advantage in the upcoming fall elections. They sent the bill on to the Senate on July 7, and the measure's nearly 500 amendments promised an endless struggle. Complicated with free silver and the election bill, which I shall mention shortly, it was that Aldrich predict a working Christmas. The windy silverites, filling pages with dull speeches on the gold conspiracy and the virtues of currency inflation, were the chief problem. They knew that they held the votes needed for the tariff. One of their number, William Stewart of Nevada, eager for high rates on wool, hides, ore, and lumber, praised the tariff extravagantly, but warned, "there will be
no tariff legislation this session unless a silver bill is passed." 43

Allen had considered invoking cloture but realized that he was outnumbered by those opposed to changing the sacred rules of free debate. He fell ill, no doubt of disgust, and Allison managed after all, while Lodge climbed amid the rolling of political logs. The hot summer wore on as the Senate endured discourses on nails, sulphur, and alcohol. The fruitless debates by businessmen, irritated the public, and played into Democratic hands. "Mills continue to fail and the Senate does about as much in a week as a set of men in business would do in half an hour," a correspondent angrily warned Senator Sherman. "You are killing the Republican party as fast as you can." Another was equally candid: "Just look at the Senate, please. There it sits, day after day, like a great big nincompoop or a knot on a log, unable to move or do anything." 44

The knot finally loosened in September when a conference committee set the seal on the House version. Inevitably, Sherman was involved, much to his disgust. "I have been hard at work for a week or more on this tariff conference committee," he wrote a friend, "I trust I will not live long enough to have any connection with another." Harrison signed the bill on October 1, and weary congressmen dispersed to campaign. The law satisfied most Republicans, but the Democrats, already publicizing each upward revision with the cry of "high tariff means high prices" predicted a GOP debacle. 45

As I mentioned, the tariff's passage was only procured after two other major issues had been dealt with: elections in the South and silver. Harrison's discussion of the tariff in 1888 did not excite southerners nearly as much as his promises of avenging the "rotten boroughs into the Union." Idaho, barely a respectable county, furnished two senators to betray the Republican party and the rights of the citizenship for silver. . . . We are punished for making too easy the pathway of rotten boroughs into the Union." One of Sherman's correspondents saw the debate's real significance: "This is but another sign that the inevitable is coming, and that the people are more interested in money matters than in election bills." 46

Stewart's free coinage issue tied the Senate in even more knots than had the election bill. A renewed economic depression and a steady drop in the price of silver had strengthened the agitation of the inflationists. A proposed program for the government's increased purchases of silver had been sent to the House by the Secretary of the Treasury and passed, but the Senate silverites were not quite satisfied. Silver's champions held the balance of power in the upper house, and were prepared to scuttle any measure, as they had the election bill, to prove their strength.

The movement for free coinage of silver was more than an effort by "Bonanza Kings," as the senators from the west were called, to raise the price of the metal they mined. It was far more widespread, embracing farmers, whose income was dwindling, and businessmen by increasing industrialization. There was no easy political solution, but silverites were determined to keep the Senate in session until a measure, good or ill, that they favored was passed. Congressional tempers mounted and public patience grew thin. But it was clear that silver was the key—no other bill could pass the Senate before its adherents were satisfied. Powerful men attended quiet conferences, leaving the floor to those who liked debate. Sherman, Allison, Aldrich, and Platt all preferred reason and persuasion. The silverites were holding the tariff hostage and they were determined to liberate it. Sherman recalled the words of Mark Hanna, a powerful Ohio Republican: "Pass the McKinley tariff and a conservative silver bill and we are all right this fall." 47

The resulting Sherman Act required the treasury to buy 4 million ounces of silver a month—the estimated American production—at market value. Treasury notes issued in payment of silver coins amounted to the word "coin." Most silverites accepted the compromise. As Senator Henry Teller of Colorado said, they would take "the next best thing" to free coinage. When the news reached Stewart, he cried, "Good! and good will be the verdict of the country." 48

You might think that, with the Sherman Silver Bill, the Force Bill, and the tariff debates, the Congress had done more than enough for one session and could go home. But such was not the case. Exhausted senators still had to face the antitrust crusade before they rested.

Throughout the country, public indignation had been growing against the monopolistic power of industry,
stemming from the development, under finance capitalism, of pools, holding companies, and trusts that controlled commodities. Many states had tried to cope with the trusts, but their laws were generally powerless since they could not deal with combinations engaged in interstate commerce.

When Congress convened that winter of 1889, antitrust bills filled the hoppers, with "plenty more in the brains of state men seeking popularity." Sherman offered his own first draft to the Senate on December 4. After he wrangled with George Edmonds of Vermont over proper assignment, the measure passed through the Judiciary Committee and under many amendments. The measure passed through the Senate. The Populists pointed out that "this is a billion-dollar country," and the ruin of the McKinley tariff, which not only was keeping prices high for consumers in the hard times, but was causing a decline in federal revenues from imports. At the same time, Cleveland, a strong advocate of the gold standard, gained support from eastern bankers and industrialists by campaigning against the Sherman Silver Purchase Act, which was increasing the circulation of redeemable paper currency and causing a dangerous drain on the federal reserve. On election day, the Democrats came back into power, even winning the Senate. The Populists polled a surprising one million votes. For the first time since 1859, the Democratic party controlled the White House and both branches of Congress.

Mr. Reed indulged in that happy note, I shall end here for today, leaving the Democrats in their moment of triumph. With the House, Senate, and White House all in their hands, the future looked rosy and promised the opportunity to make sweeping changes. But, as we shall see in my "The Senate, 1884-1892: Watershed Years," there being no objection, the notes were ordered to be printed in the Record, as follows:

NOTES TO "THE SENATE, 1884-1892:
WATERSHED YEARS"

3. Paulkner, p. x.
7. Ibid.

H. Wayne Morgan, From Hayes to McKinley (Gyracuse, 1909), chapter VII; Josephson, chapter 27.

Josephson, p. 279.

Morgan, p. 284.

Bates, p. 300.

Morgan, p. 319.

Josephson, p. 279.

Morgan, p. 333; Josephson, p. 276; William Robinson, Thomas B. Reed (New York, 1938).

Morgan, pp. 335-336; Josephson, pp. 344-349; Josephson, p. 276; Robinson.

Morgan, p. 339.


Muzzy, p. 446; Morgan, p. 350.

H. Wayne Morgan, "Western Silver and the Tariff of 1892," New Mexico Historical Review, (April, 1940), pp. 118-126.

Morgan, p.352.

Ibid., p. 339.

Ibid., p. 342.

Ibid., p. 342-345.

New York Sun, February 3, 1890; Paulkner, pp. 99-102.

Mr. BYRD. Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The time for morning business is concluded.

AUTHORIZED FOR FURTHER U.S. PARTICIPATION IN MULTINATIONAL PEACEKEEPING FORCE IN LEBANON

The PRESIDING OFFICER. The clerk will state Senate Joint Resolution 159.

The assistant legislative clerk read as follows:

A Senate Joint Resolution (S.J. Res. 159) to authorize the further participation of U.S. Armed Forces in the multinational peacekeeping force in Lebanon (together with minor or supplemental resolving provisions).

Mr. BAKER. Now, Mr. President, this is the war powers resolution, and under the act it becomes the pending business when filed. It was filed this moment. There are 3 calendar days of debate. May I inquire of the Chair, is that interpreted to mean 72 hours of debate?

The PRESIDING OFFICER (Mr. Wilson). Yes; it is.

Mr. BAKER. Am I correct also, may I ask the Chair, that that 72 hours is to be divided equally between the proponents and opponents?

The PRESIDING OFFICER. That is correct.

Mr. BAKER. Is there, may I further ask the Chair, a designation of how that time is controlled and by whom?

The PRESIDING OFFICER. There is not an agreement that designates the division of time.
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Mr. BAKER. Very well. For the time being, Mr. President, I assume that the action that is taken by the majority and minority leader or the two managers would be interpreted to be for the proponents and opponents for the purposes of recordkeeping.

The PRESIDING OFFICER. That is correct.

Mr. BAKER. I thank the Chair.

Mr. President, I will say for the benefit of Senators that an effort is being made to arrive at a unanimous-consent request to regularize this proceeding and to render it certain, but for the time being we will proceed on this basis.

Mr. President, first I think it would be appropriate to spread of record both the resolution and the report, and I ask unanimous consent that the resolution and report be printed at this point in the Record.

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

Mr. BAKER. Very well. I amend my request so that it would be the resolution and pertinent excerpts of the report.

There being no objection, the resolution and excerpts were ordered to be printed in the Record, as follows:

SHORT TITLE

Sec. 1. This joint resolution may be cited as the “Multinational Force in Lebanon Resolution”.

FINDINGS AND PURPOSE

Sec. 2. (a) The Congress finds that—

(1) the removal of all foreign forces from Lebanon is an essential United States foreign policy objective in the Middle East.

(2) in order to restore full control by the Government of Lebanon over its own territory, the United States is currently participating in the multinational peacekeeping force (hereafter in this resolution referred to as “the Multinational Force in Lebanon”), which was established in accordance with the exchange of letters between the Governments of the United States and Lebanon dated September 25, 1982; and

(3) the Multinational Force in Lebanon better enables the Government of Lebanon to establish its unity, independence, and territorial integrity;

(4) progress toward national political reconciliation in Lebanon is necessary; and

(5) United States Armed Forces participating in the Multinational Force in Lebanon are now in hostilities requiring authorization of their continued presence under the War Powers Resolution.

(b) The Congress determines that the requirements of section 4(a)(1) of the War Powers Resolution became operative on August 29, 1982. Congress shall, by action on section 5(b) of the War Powers Resolution, the purpose of this joint resolution is to authorize the continued participation of United States Armed Forces in the Multinational Force in Lebanon.

(c) The Congress intends this joint resolution to constitute the necessary specific statutory authorization under the War Powers Resolution for continued participation by United States Armed Forces in the Multinational Force in Lebanon.

AUTHORIZATION FOR CONTINUED PARTICIPATION OF UNITED STATES ARMED FORCES IN THE MULTINATIONAL FORCE IN LEBANON

Sec. 3. The President is authorized, for purposes of section 5(b) of the War Powers Resolution, to continue participation by United States Armed Forces in the Multinational Force in Lebanon, subject to the provisions of section 6 of this joint resolution. Such participation shall be limited to performance of the functions, and shall be subject to the limitations, specified in the agreement establishing the Multinational Force in Lebanon as set forth in the exchange of letters between the Governments of the United States and Lebanon dated September 25, 1982, except that this shall not preclude such protective measures as may be necessary to ensure the safety of the Multinational Force in Lebanon.

REPORTS TO THE CONGRESS

Sec. 4. As required by section 4(c) of the War Powers Resolution, the President shall report periodically to the Congress with respect to the Multinational Force in Lebanon, but in no event shall he report less often than once every three months. In addition to providing the information required by that section, such reports shall describe in detail—

(1) the activities being performed by the Multinational Force in Lebanon;

(2) the present composition of the Multinational Force in Lebanon, including a description of the responsibilities and deployment of the armed forces of each participating country;

(3) the results of efforts to reduce and eventually eliminate the Multinational Force in Lebanon;

(4) how continued United States participation in the Multinational Force in Lebanon is advancing United States foreign policy interests in the Middle East; and

(5) what progress has occurred toward national political reconciliation among all Lebanon groups.

STATEMENTS OF POLICY

Sec. 5. (a) The Congress declares that the participation of the United States in other United Nations countries in the Multinational Force in Lebanon is essential to maintain the international character of the peacekeeping function in Lebanon.

(b) The Congress believes that it should continue to be the policy of the United States to promote continuing discussions with Israel, Syria, and Lebanon with the objective of bringing about the withdrawal of all foreign troops from Lebanon and establishing an environment which will permit the Lebanese Armed Forces to carry out their responsibilities in the Beirut area.

(c) It is the sense of the Congress that, not later than one year after the date of enactment of this joint resolution and at least once a year thereafter, the United States should discuss with the other members of the Security Council of the United Nations the establishment of a United Nations peacekeeping force to assume the responsibilities of the Multinational Force in Lebanon. An analysis of the implications of the continued United States participation in the Multinational Force in Lebanon shall be included in the reports required under paragraphs (3) of section 4 of this resolution.

DURATION OF AUTHORIZATION FOR UNITED STATES PARTICIPATION IN THE MULTINATIONAL FORCE IN LEBANON

Sec. 6. The participation of United States Armed Forces in the Multinational Force in Lebanon shall be authorized for purposes of the War Powers Resolution until the end of the eighteen-month period beginning on the date of enactment of this resolution unless the Congress extends such authorization, except that such authorization shall terminate sooner upon the occurrence of any one of the following:

(1) the withdrawal of all foreign forces from Lebanon, unless the President determines and certifies to the Congress that continued United States Armed Forces participation in the Multinational Force in Lebanon is required after such withdrawal in order to accomplish the purposes specified in the September 25, 1982, exchange of letters providing for the establishment of the Multinational Force in Lebanon; or

(2) the assumption by the United Nations of the Government of Lebanon of the responsibilities of the Multinational Force in Lebanon; or

(3) the implementation of other effective security arrangements in the area.

INTERPRETATION OF THIS RESOLUTION

Sec. 7. (a) Nothing in this joint resolution shall preclude the President from withdrawing United States Armed Forces participation in the Multinational Force in Lebanon if circumstances warrant, and nothing in this joint resolution shall preclude the Congress by joint resolution from directing such withdrawal.

(b) Nothing in this joint resolution modifies, limits, or supersedes any provision of the War Powers Resolution or the requirement of section 4(a) of the Lebanon Emergency Assistance Act of 1983, relating to congressional authorization for any substantial expansion in the number or role of United States Armed Forces in Lebanon.

CONGRESSIONAL PRIORITY PROCEDURES FOR AMENDMENTS

Sec. 8. (a) Any joint resolution or bill introduced to amend or repeal this act shall be referred to the Committee on Foreign Affairs of the House of Representatives or the Committee on Foreign Relations of the Senate, as the case may be. Such joint resolution or bill shall be considered by such committee within fifteen calendar days and reported out, together with its recommendations, unless such House shall otherwise determine by the yeas and nays.

(b) Any joint resolution or bill so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents) and shall be voted on within three calendar days thereafter, unless such House shall otherwise determine by the yeas and nays.

(c) Such a joint resolution or bill passed by one House shall be referred to the committee of the other House named in subsection (a) and shall be considered by such committee together with its recommendations within fifteen calendar days and shall thereupon become the pending business of such House and shall be voted upon within three calendar days, unless such House shall otherwise determine by the yeas and nays.
shall make and file a report with respect to such joint resolution within six calendar days after a report is referred to the committee of conference. Notwithstanding any rule in either House concerning the printing of conference reports in the Record or concerning the consideration of such reports, such report shall be acted on by both Houses not later than six calendar days after the report is filed. In the event the conference are unable to agree within 48 hours, they shall report back to their respective Houses in disagreement.

Amend the title so as to read:

Joint resolution providing statutory authorization under the War Powers Resolution for continued United States participation in the multinational peacekeeping force in Lebanon in order to obtain withdrawal of all foreign forces from Lebanon.

CALENDAR NO. 405—REPORT NO. 242, TOGETHER WITH MINORITY AND SUPPLEMENTAL VIEWS

[To accompany S.J. Res. 159]

The Committee on Foreign Relations, to which was referred the joint resolution (S.J. Res. 159) having considered the same, reports favorably thereon with amendments and recommends that the joint resolution as amended do pass.

PURPOSE

The purpose of this joint resolution is to authorize the continued participation of United States forces in the Multinational Force in Lebanon by making the determination called for in Section 4(a)(1) of the War Powers Resolution of 1973 and providing the specific statutory authorization required by Section 5(b) of that Resolution.

BACKGROUND

The Administration decided in August 1982 to send a contingent of U.S. Marines to Beirut as part of a multinational force to help facilitate the PLO's evacuation from the Lebanon capital. On August 20, 1982, following consultations with President Reagan on the use of U.S. forces in such a role, Senators Percy and Pell wrote to the President, recommending that he expedite this deployment under Section 4(a)(1) of the War Powers Resolution. On August 21, 800 French troops arrived, the following day American forces landed in Beirut. President Reagan reported to the Congress "consistent with the War Powers Resolution" but stated the Marines would not be in a hostile situation and would be withdrawn within 30 days. On September 1, President Reagan announced his Middle East Peace initiative. On September 11, the Marines were withdrawn.

On September 12, President Bush Ge- mans of Lebanon was assassinated, and on September 16-18, a massacre took place at the Sabra and Shatila Palestinian refugee camps. President Reagan announced on September 21 that U.S. Marines would return to Lebanon as part of an international force. On September 24, Senators Percy and Pell again wrote to the President recommending that the reintroduction of U.S. troops be reported under Section 4(a)(1). On September 27, President Reagan introduced a report "consistent with the War Powers Resolution" but insisting that the mission was "expected to be engaged in hostilities." On December 15, 1982, 14 Committee Members wrote to the President to say they "would expect Congress to be involved at the earliest possible stage. . . ." The necessary authorization would be sought before undertaking long-term or expanded commitments or extending indefinitely the present level of operations.

On March 1, 1983, Senator Percy introduced the Lebanon Emergency Assistance Act, which provided $100 million in military aid loans and $150 million in economic aid to Lebanon. The Committee reported that bill on May 2. On May 6 and 7, the Senate adopted S.J. Res. 159 authorizing "any substantial change in the number or role of United States Armed Forces in Lebanon." On May 17, Israel and Lebanon signed the Israeli withdrawal agreement. On May 20, the Senate passed the Committee's bill. The House passed it on June 1 in a slightly modified form, and President Reagan signed it into law on June 27.

In mid-August of this year, fighting broke out between Lebanese Army units and Moslem milita men in South and West Beirut and on August 26, U.S. Marines at the Beirut airport fired upon for the first time. They returned fire, but there were no Marine casualties. However, on August 29 and August 30, 2 and 14 were wounded by hostile shelling. The Marines returned fire, including the use of a helicopter gunship. On August 31, the Senate received a report from President Reagan consistent with Section 4 of the War Powers Resolution, explaining the circumstances of the Marine casualties but expressing the view that the danger to U.S. forces would be temporary.

On September 3, Israel began its re-deployment in the Awali River. On September 4, heavy fighting broke out between Druze and Christian militia for control of the Beirut airport. On September 8, U.S. Navy ships were used to fire back on guns shelling Marine positions.

On September 12, Senator Mathias introduced S.J. Resolution 159, triggering the expedited procedures of Section 6 of the War Powers Resolution. On September 13, following heavy attacks by Druze, Syrian and Palestinian forces on strategic heights overlooking Beirut, the White House said the Marines are now authorized to call on naval and air power not only to defend themselves directly but also to aid other MNF forces and the Lebanese Army in certain circumstances. On September 14, Senator Byrd introduced S.J. Resolution 163, making a congressional determination that Section 4(a)(1) of the War Powers Resolution applied to the situation in Lebanon. On September 19, U.S. Navy ships fired several hundred 5-inch howitzer rounds on the Lebanese Army in Beirut to back attacks on Sugh al Gharb, a mountain village on a strategic ridge near Beirut. On September 20, following negotiations with the PLO, representatives of leaders, Senators Baker and Percy introduced S.J. Resolution 168. A companion measure was introduced in the House.

Following the reconvening of the Senate, the Committee held a hearing on September 13 to discuss the situation in Lebanon with official representatives of the State Department, Assistant Secretary of State Nicholas Velligotes, State Department Legal Advisor Davis Robinson, Director of Political-Military Affairs Jonathan Howe, and Marine Commandant Paul X. Kelly testified before the Committee. On September 23, the Committee met to consider the pending resolutions on Lebanon and the War Powers Resolution: S.J. Res. 159, S.J. Res. 163, and S.J. Res. 166, offered by Senator Byrd, and S.J. Res. 168, offered by Senator Baker. Prior to voting, Senator Pell requested that Senator Byrd's resolution not be voted on by the Committee at that time.

Senator Mathias' resolution, S.J. Res. 159, was the first order of business. He offered two amendments to his own resolution, one dealing with more frequent reporting requirements and one concerning expedited procedures for future resolutions related to authorizations within the War Powers Resolution framework. Both were adopted by a vote of 9 to 7. Senators voting for the Cranston amendment were Pell, Biden, Glenn, Sarbanes, Zorinsky, Cranston, and Dodd. Senators voting against the amendment were Percy, Baker, Helms, Lugar, Mathias, Kassebaum, Bosch- witz, Pressler, and Murkowski. Senator Baker's amendment was then adopted by the reverse vote of 9 to 7.

Senator Pell then offered an amendment to reduce the duration of the authorization from 18 months to 6 months. That amendment was adopted by a vote of 9 to 8, with the following Senators voting for Senate and against Senate: Mathias, Pell, Biden, Glenn, Sarbanes, Zorinsky, Tsongas, Cranston, and Dodd. Senators voting in the negative were Ford, Baker, Heftebaum, Dole, Bentsen, Boschwitz, Pressler, and Murkowski. After some discussion, Senator Mathias joined with those voting against the Pell amendment voting for reconsideration of that amendment. With the exception of Senator Mathias, those Senators who had voted for the Pell amendment voted against the motion. The vote was 9 to 8. On reconsideration, the Pell amendment was then defeated by a voice vote.

The Committee then ordered S.J. Res. 159, as amended by the modified text of S.J. Res. 166, reported favorably to the Senate on September 28. On September 26, when, in accordance with the requirements of Section 6 of the War Powers Resolution, it becomes the pending business before the Senate and must be voted on within three calendar days. This report contains the recommendations of the Committee on that resolution, as required by law.
Middle East. The Committeeconcurs in Secretary Shultz's assessment that "progress toward a peaceful solution in Lebanon...cannot result in a period of peace unless set-backs in Lebanon will make the broader effort that much harder."

In his debate, Senator Boschwitz emphasized that the Administration had articulated consistent policy objectives in Lebanon even since the Marines were first deployed in August 1982. Specifically, in a letter to the Congress on August 24, President Reagan stated that the deployment of the Marines would not in itself resolve the problems of Lebanon. Nevertheless, the Marines would improve the prospects for realizing our objectives in Lebanon; a permanent cessation of hostilities; establishment of a strong, representative central government; withdrawal of all foreign forces; restoration of control by the Lebanese Government throughout the country; and establishment of conditions under which Lebanon no longer can be used as a launching point for attacks against Israel.

These objectives remain the basis of our policy in Lebanon as outlined by Secretary Shultz before the Senate Foreign Relations Committee on September 21, 1983. Similar objectives are cited in the resolution reported out by the Committee.

The resolution notes that a number of steps are being taken to attain these broad policy objectives. American participation in the multinational force is only one of these. Diplomacy remains the principal component, and the diplomatic efforts are supported by the peacekeeping efforts of the Multinational Force. While progress has not been as rapid as hoped for during the past year, important steps have been taken. In May, the Government of Israel and Lebanon with the assistance of the United States reached agreement on the withdrawal of Israeli forces from Lebanon. Unfortunately, Syria has not been willing to discuss the withdrawal of its forces despite a formal request from the Government of Lebanon. The Lebanese Government, with our support, also has requested the Arab League to arrange the withdrawal of the Syrians, and is working with moderate Arab countries to achieve this objective.

However, as Senator Boschitz pointed out, the Government of President Gemayal has begun the process of reconciliation with dis-sident Lebanese forces. On August 31 President Gemayal, with his multi-confessional cabinet, issued an appeal to key supporters and opponents to join in a dialogue on national reconciliation and unity. Although the initial appeal was rejected and the Syrians blocked the participation of some top Muslim political leaders. American Ambassador McFarlane and others are still pressing efforts to reach an agreement.

The Committee supports these attempts and believes the Government of Lebanon must represent fairly all communal and ethnic groups. Injustice and privilege must be eliminated, and security concerns alleviated if the Lebanese will ever reassess national sovereignty.

The resolution also supports efforts to rebuild national institutions which were fractured by eight years of civil conflict and foreign occupation. Foremost of these institutions is the military, which has been made in a relatively short period of time. Significant American aid has helped finance equipment for a mechanized brigade and American personnel have helped train the Lebanese Army. As a consequence, the Lebanese Army, which is divided almost evenly between Christians and Muslims, has performed well in recent difficult operations. In particular, it has seized control of the streets of Beirut several weeks ago, for the first time in a decade the Lebanese Army was able to reassert its authority. In the mountains, the Lebanese Army has faced a force composed of Palestinians, Syrians, Iranians and Lebanese who consider this a chance to assert their presence. The MNF has performed well. The Committee recognizes the difficulty of rebuilding a national Army in such a fragmented society and has no illusion that the task will be easily accomplished. The MNF provides important symbolic and other support for this task.

The role of the multinationals. The Multinational Force, which includes a contingent of the Marines, is another vehicle for implementing our broader policy objectives in Lebanon. The Committee agrees with Secretary Shultz's assurances that "it is not the mission of our Marines, or of the MNF as a whole, to attempt to create a force in Lebanon by themselves... They are an important deterrent, a symbol of the international backing behind the legitimate Government of Lebanon..."

The Committee understands that the role of the Marines is limited. The authorization for their presence does not determine nor remove previous limitations on their deployment. Marine activities are restricted to the "Beirut area" and the number of Marine combat troops based onshore will remain approximately 1,200. The Resolution specifically states that it does not modify Section 4 of the Lebanese Emergency Assistance Act of 1983 which require congressional authorization for any substantial expansion in the number or role of the U.S. peacekeeping forces.

18-month authorization. The Committee voted to authorize the continued presence of U.S. forces for an additional 18 months rather than for a shorter period of 6 months. The debate centered on three issues: (1) would the shorter period place the U.S. in a political position; (2) how would American policy objectives be affected by the shorter period; and (3) how would the congressional prerogatives be affected by the shorter period.

The Executive Branch opposed any reference to a specific time period. The 18-month period was part of a compromise reached by the Majority Leadership of the Senate and with the House with the Executive Branch.

A strong concern was expressed that the compromise might fall apart if Congress imposed a shorter period. This concern prevailed in the Committee's deliberations. Senator Mathias observed that "we are dealing with a very delicate process here."

The Senator expressed concern that the broad principles of the War Powers compromise could be lost if the floor debate was limited to a shorter period. If the shorter 6-month period was adopted by the Committee, Senator Mathias, who has directed his amendment, nevertheless said he felt the issue should be ultimately resolved on the floor.

During the Committee's hearings and debate, there was expressed fear that a shorter time period could result in increased hostile fire on the Marines and complicate the efforts to negotiate a cease-fire and peace process.

Marine Corps Commandant Paul X. Kelley testified to the Committee on September 13 that a shorter time limit might stimulate more attacks on the Marines in an effort to engage a public outcry for their withdrawal. He concurred that we could impose what could prove to be a dangerous time constraint on negotiations. "We are concerned that our potential adversaries... This period has passed. We are now concerned that the United States might send a false signal which might encourage and place great incentive on the part of the Syrians to make attacks." Members warned that attacks might be increased in an effort to alter American opinions in advance of another debate over the extension of the forces, or to cut the Marines off from financial and political support. Senator Percy said a 6-month time period "might send a false signal which might encourage and place great incentive on the part of the Syrians to make attacks."

A short time period also might encourage the anti-government forces to drag their feet in negotiations. The United States has been building the government of President Gemayal to take part in talks aimed at forming a broader government of conciliation. President Gemayal's main concern is the international backing behind the legitimate Government of Lebanon.

In the Committee debate, Senator Boschwitz pointed out that "the U.S. presence has made it possible for President Gemayal to work with moderate Arab countries to achieve this objective. But the Syrians have been blocking these efforts, even vetoing the proposed participation of the Lebanese Prime Minister on the security Council, hostile forces have to be encouraged and placed great incentive on the part of the Syrians to make attacks."

Assistant Secretary of State Nicholas Veliotes described the diplomatic problem in the September 13 hearing, saying, "There would be no incentive on the part of those who oppose our policy in Lebanon to seek anything other than a series of violent confrontations, thinking to wait for the time to pass and then influence opinion in the Congress. We think that a six-month period would be a grave error.

The Committee also approved a 18-month time period shows that the United States is willing to exercise patience as well as diplomacy, to give the peacekeeping efforts and negotiations a chance. Secretary of State Shultz testified of September 21 that "the 18-month period seemed like enough period so that you had some room for maneuver, and it had the effect of allowing people who were concerned both on the Congressional side of this constitutional issue and the Presidential side both to keep their principles intact."

None of the Members of the Committee expects that the problems in Lebanon will be solved quickly or easily. But it is the view of the majority that a 6-month time period would reduce prospects for success even further.

In acting on the Resolution, the Committee also approved two amendments by Senator Mathias which provide Congress with ongoing reports from the Administration every 3 months on the current situation. More importantly, the procedural view, the Resolution was amended to ensure that in the event a resolution to repeal the authorization is reported by this committee or the
W AR POWERS

Applicability of theWar POWERS Resolution

(1) Actual or imminent hostilities. - Section 5(b) of this Resolution includes a Congressional determination that actual or imminent hostilities involving U.S. Armed Forces clearly came into being on August 29, 1983.

The President's report to Congress described the circumstances surrounding the heavy exchanges of fire on that date:

On August 29, sporadic fighting between Lebanese Armed Forces and various armed factions took place in South Beirut from time to time during the course of this fighting, positions in the vicinity of the Beirut airport marked by U.S. Marines of the MNF carried under small arms fire (without injury to U.S. personnel), and this fire was returned. On August 29, fighting erupted again, this time under rocket, and small-arms fire, with the result that two Marines were killed and fourteen wounded. In addition, there were 30 days earlier, on August 30, without injury to U.S. personnel.

Such exchanges have continued, with additional casualties and fatalities, until the present. Naval gunfire support on specific locations has been carried out in an effort to protect our forces on the ground. In addition, tactical air support and reconnaissance has been authorized. Although there have been continuing efforts to arrange a cease-fire and to achieve a broader, more permanent arrangement which would reduce the occurrence or imminence of hostilities, there is no immediate indication that this situation will change anytime soon.

Therefore, the hostile situation has been a continuing one.

In enacting the War Powers Resolution in 1973, Congress made little effort to go beyond the "plain meaning" of key terms such as "hostilities" and "situations where imminent involvement in hostilities is clearly indicated by the circumstances." These terms originated in the original Senate version of the Resolution and prompted little subsequent discussion. The House Foreign Affairs Committee later substituted them for its original phrase, "armed conflict," because that term "hostilities" was considered "somewhat broader in scope." In addition to a situation in which fighting actually has begun, the Committee wrote, "hostilities also encompass a state of confrontation in which no shots have been fired but where there is a clear and present danger of armed conflict."

In short, the exchange of fire with hostile forces would indicate an outbreak of hostilities, and a high probability of such exchanges which the President may need to keep the peacekeeping and diplomatic efforts and the institutional requirements of both branches of government.

Arguments have been made, that a hostile situation was not indicated by the present circumstances because the Marines:

(a) Only returned rather than initiated fire;
(b) Acted only in self-defense;
(c) Remained essentially in one location, rather than moving;
(d) Performed a mission of "peacekeeping," "presence," or "interposition."

However, there is nothing in the legislative history to indicate that any of these considerations would alter the fact that "hostilities" are indicated. For the same reason, it is not conclusive that an area commander may have decided, as in the present situation, to make his men eligible for "hostile fire pay." Nor is it necessary or sufficient that fatalities occur in order to conclude that hostilities are involved.

(2) Need for authorization or extension. - The requirements of Section 5(b) of the War Powers Resolution speak for themselves.

(b) Within 60 calendar days after a report is submitted or is required to be submitted pursuant to section 4(a)(1), whichever is earlier, the President shall terminate any armed forces that that hostilities involving United States Armed Forces, (3) has extended by law such 60-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States. Such 60-day period shall be extended for not more than an additional 30 days if the President determines and certifies to the Congress in writing that unavoidable military necessity respecting the safety of United States Armed Forces requires the continued use of such armed forces in the course of bringing about a prompt removal of such forces.

Two points about this language should be emphasized, however. First, the actual submission of a report by the President is not a prerequisite to the operation of the requirement for an authorization. The language "submitted or is required to be submitted" was obviously intended to cover situations in which the President's report is either not submitted at all or is submitted late. In such cases the President determines and certifies to Congress that hostilities involving United States Armed Forces, (2) has extended by law such 60-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States. Such 60-day period shall be extended for not more than an additional 30 days if the President determines and certifies to Congress in writing that unavoidable military necessity respecting the safety of United States Armed Forces requires the continued use of such armed forces in the course of bringing about a prompt removal of such forces.

Second, the available 30-day extension of the deadline is not simply a matter of Presidential discretion. The President must certify that he is in the course of withdrawing U.S. forces and needs the extra time in order to do so safely because of "unavoidable military necessity."

(3) Legislative procedures. - Assuming that hostilities involving U.S. forces can be said to have begun on August 29, the 60-day period began on that date and ended September 26, 1983, the date of the President's report to Congress.

Under Section 8 of the War Powers Resolution, the Committee Resolution becomes the pending business in the Senate as soon as it is reported, after which the Senate has up to three calendar days to vote on it. Further procedures are prescribed to assure the Committee and floor consideration by the Senate and a House-Senate Conference prior to the 60-day deadline. The House Foreign Affairs Committee approved a nearly identical resolution on September 22 by a vote of 36-1.
gress go in defining the authority being granted to the President in a situation of hostilities, it is appropriate for the Congress to try to predict, and to protect legislatively against, every foreseeable risk which our forces might encounter in their mission, or to determine each and every potential, that the President's constitutional flexibility to respond to events? Or is it part of the responsibility which Congress is assuming for itself under the Constitution? In other words, do the possible risks and costs of any foreign military involvement—and to accept such risks as part of its decision to approve its initiation or continuation?

Scope of Senate Joint Resolution 159

The authorization recommended by the Committee takes a middle ground on the question of general approval and specific limitations. While confining its terms to the mandate of the Multinational Force and preserving existing statutory provisions relating to any substantial expansion in the number of U.S. forces, the resolution recognizes the possible need for "protective measures to ensure the safety of the Multinational Force."

As the Chairman of the Committee, Senator Percy, has argued, any suggestion that the terms of this authorization resemble the "blank check" for Presidential actions is simply unfounded. The resolution is limited and specific in a number of respects:

1. **Duration.**—Attention has focused on the 18-month duration of this proposed authorization, as if time limitations are the only effective measure of statutory restraints. Six months has become the benchmark of those who regard this proposal as a "blank check." In fact, however, any time limit is an arbitrary choice, having little to do with the events in Lebanon or the policy choices involved in maintaining a Multinational Force. If Congress is to decide in the future against further U.S. participation, it could just as easily make such a judgment in 3 months or 10 months.

2. **Active oversight.**—Whatever the time limits, the test of Congressional responsibility will be the degree to which Congress actively participates in the Lebanon situation. If necessary, takes steps to adjust this authorization once it is enacted. Senator Mathias offered two amendments in the Committee on Foreign Relations seeking to grant the ability to Congress to play such as active role. His amendment to Section 4 requires the President to report to Congress every 3 months, rather than every 6 months, on the situation in Lebanon and the steps being taken to fulfill the objectives of the Multinational Force. His amendment added a new Section 8 to the resolution, providing for expedited procedures in the consideration of any amendment or repeal of this authorization.

Even with these additions, of course, Congress must follow through in the exercise of its responsibilities through oversight and amendment. Such an approach is far preferable to restrictions which avoid the difficult choice of the President and the possibility of decision through practice.

3. **Limited mandate.**—The authorization contained in this resolution is limited to the function actually assigned to the U.S. by the Multinational Force in Lebanon. Section 6 of the resolution provides that U.S. participation "shall be subject to the limitation, specified in the agreement establishing the Multinational Force in Lebanon." " operate in the Beirut area in support of the Lebanese Government, and they are not expected to perform a combat mission, 외부에서의 헌법적 기회를 피할 수 있는 방법이 없기 때문에. Senate Majority Leader Robert Dole, in his testimony of September 21 before the Committee, the number of Marine personnel on the ground in Lebanon has been closer to 1,500, since about 300 support personnel are rotated on- shore at any given time. The size, location, and mission of U.S. forces have not substantially changed, despite the outbreak of active hostilities last month.

(4) **Protective measures.**—The Committee recognizes that performing the role of peacekeeping forces is a new and unfamiliar role, not only for the troops themselves, but also for the Congress. The general authorization once it is enacted. Senator SARGENT. I think the President, or perhaps any of you if you were President, thinking about your role, your constitutional role as Commander in Chief, would be very reluctant to tie your hands and say to the American people that your forces will do something or other after the Congress had authorized it.

Senator SARGENT. So it is your position, then, that the President should be able to expand them without a Congressional authorization?

Three principal limitations on the U.S. role are contained in that agreement: the number of U.S. troops will be approximately 1,200, they will operate in the Beirut area in support of the Lebanese Government, and they are not expected to perform a combat mission, as described by Secretary of Defense Caspar W. Weinberger, in his testimony of September 21 before the Committee, the number of Marine personnel on the ground in Lebanon has been closer to 1,500, since about 300 support personnel are rotated on-shore at any given time. The size, location, and mission of U.S. forces have not substantially changed, despite the outbreak of active hostilities last month.

(5) **Limitations on expansion.**—Any subsequent modification of the Lebanon mandate of the Multinational Force or the limitations of the Lebanon Emergency Assistance Act of 1983.

From the outset of the Multinational Force, it has been the various national contingents are part of a common effort. Therefore, not only do they have the usual right to defend themselves, as recognized in the September 25 agreement, but also a general responsibility to come to each other's assistance when called upon to do so. The resolution therefore acknowledges the possible necessity of actions "to ensure the safety" of other contingents of the Force.

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MINORITY VIEWS

We strongly oppose the joint resolution on Lebanon sponsored by Senators Baker and Percy and approved in Committee by a vote of 9-7. In our judgment, its enactment would constitute (1) a dereliction of congressional responsibility; (2) a failure to require the Administration to submit a statement of the mission which the U.S. Marines have been deployed in Lebanon to implement; and (3) a 18-month "blank check" under which the Administration could pursue hitherto unspecified military objectives in Lebanon while asserting that it is operating with full Congressional sanction. These grave serious flaws warrant elaboration:

(1) Dereliction of congressional responsibility relating to the War Powers Resolution.—The Baker-Percy language has been presented as a "bipartisan compromise" which, in effect, dispute over "legalisms," would allow Congress and the executive to affirm principles which are in conflict. This would present, it is argued, a united front regarding U.S. policy in Lebanon.

We do not believe that the issues sur-rounded by the introduction of the War Powers Resolution are mere "legalisms." At issue are constitutional questions of immense gravity. The War Powers Resolution is law, a law passed over President Nixon's veto by overwhelming majorities in both houses. The reservations expressed by the executive branch about the resolution's constitutionality do not diminish or compromise its legal standing. In the absence of a Supreme Court ruling, only Congress can change or nullify that law. But by failing to demand adherence to obligations prescribed in the Resolution, Congress would abdicate its responsibility to uphold the law. In any event, Congress must not concede to the executive branch the contention that the War Powers Resolution is not binding in all of its particulars.

One approach, first proposed by Minority Leader, Byrd and advocated in Committee by Senator Cranston, is to limit any joint resolution to a simple declaration that key provisions of section 4(a) of the War Powers Resolution were triggered by necessity. This approach, however, was defeated in Committee by a vote of 8-7.

The determined unwillingness of the administration to recognize that the process of joint resolution prescribed by this Resolution are now in fact required became starkly evident during the Secretary of State's testimony before the Committee. Under question by Chairman Cranston on September 21 about the relationship between the Baker-Percy resolution and future U.S. actions in Lebanon, Secretary Shultz was assiduously careful to re-iterate that "for U.S. military forces in Lebanon, it would be a very difficult decision to accomplish, consequently, the effect of the resolution is to provide Congressional acquiescence in a policy involving American soldiers in a commitment the scope of which has yet to be defined even by its proponents.

A major advantage of the Byrd-Cranston proposal to invoke section 4(a)(1) of the War Powers Resolution is that it would require the Administration to submit for Congressional approval a clear statement of its military mission. This the Baker-Percy resolution would not. It is not an example of an "extremely broad—almost infinitely elastic—interpretation of the mission associated with the presence of the U.S. forces in Lebanon. The "purposes" cited in Section 2 include "the removal of all foreign forces from Lebanon" and the restoration of "full control by the Government of Lebanon over its own territory." Thus, over the period of 1 year, the stated mission of the U.S. forces in Lebanon is limited from a limited role, the feasibility of which Congress could evaluate, to a role too nebulous for Congress to evaluate and too far-fetched for U.S. military forces to possibly accomplish. Consequently, the effect of the resolution is to provide Congressional acquiescence in a policy involving American soldiers in a commitment the scope of which has yet to be defined even by its proponents.

The Administration and the Congress have each gained a major point in the proposed compromise on the War Powers Resolution. Congress has established the proposition that it may set the clock running under the resolution even if the President does not trigger it by giving the appropriate notice under the proper section of the resolution when U.S. troops are deployed abroad into hostilities or the imminent threat of them. The President has gained the point that, for the situation in Lebanon the authority Congress gives him to continue their involvement in the resolution even if the President does not settle the issue, it is an important step along the way.

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technical a moot point. Practically, however, a shorter "authorization" would at least require that the Congress face again the issue of constitutional law and policy which Congress faces now but which the Baker-Percy formulation would allow it negligently to defer. Accordingly, we suppose—but failed in a 9–8 vote to achieve—the substitution of a 6-month "authorization" period, after which this issue would again necessarily be joined if U.S. forces remain in Lebanon. We reject the argument that a time period shorter than 18 months will endanger the lives of American soldiers by inviting hostile action against them intended to sway U.S. public opinion against a continued U.S. presence. If the Administration had offered a clearly-defined mission in Lebanon for the U.S. Armed Forces and had also acknowledged its legal obligations under the War Powers Resolution, such a limited "authorization" might be unnecessary. But if the Baker-Percy formulation is to be adopted, it should certainly stipulate a duration short enough to require Congress to review soon the crucial questions surrounding the United States involvement in Lebanon. In any case, the failure to pass this resolution would represent a grave abdication of congressional responsibility.

CLAIBORNE PELL
JOSEPH R. BIDEN, JR.
JOHN GLENN
PAUL S. SARABANES, JR.
EDWARD ZODENSKY
PAUL TSONGAS
ALAN CRANSTON
CHRISTOPHER J. DODD

SUPPLEMENTAL VIEWS OF SENATOR AIDEN

In concur with the basic arguments against the Baker-Percy resolution expressed in the Minority Views, I want to emphasize, however, that I would not support any authorization for troops in Lebanon of any duration absent much more clearly defined goals and a reasonable prospect of attaining those goals.

JOSEPH R. BIDEN, JR.

APPENDIX

THE LEBANON EMERGENCY ASSISTANCE ACT OF 1983

Sec. 4. (a) The President shall obtain statutory authorization from the Congress with respect to any substantial expansion in the number or role in Lebanon of United States Armed Forces, including any introduction of United States Armed Forces into Lebanon in conjunction with agreements providing for the withdrawal of all foreign troops from Lebanon and for the creation of a new multinational peacekeeping force in Lebanon.

AGREEMENT BETWEEN THE UNITED STATES AND LEBANON ON UNITED STATES PARTICIPATION IN A MULTINATIONAL FORCE IN BEIRUT EFFECTED BY EXCHANGE OF NOTES AT BEIRUT SEPTEMBER 25, 1982, ENTERED INTO FORCE SEPTEMBER 28, 1982

Beirut, September 25, 1982.

His Excellency Fouad Boutros,
Deputy Prime Minister and Minister of Foreign Affairs, Beirut.

Your Excellency: I have the honor to refer to Your Excellency’s note of 25 September 1982 requesting the deployment of an American Force to the Beirut area. I am pleased to inform You on behalf of my Government that the United States is prepared to deploy temporarily a force of approximately 1,200 personnel to the Beirut area, subject to the following terms and conditions:

The American military force shall enjoy both the privileges and immunities accorded the administrative and technical staff of the American Embassy in Beirut, and shall be exempt from immigration and excise taxes and from any restrictions on entering or departing Lebanon. Personnel, property and equipment of the American Force introduced into Lebanon shall be exempt from any form of tax, duty, charge or levy.

I have the further honor to propose, if the foregoing is acceptable to Your Excellency’s Government, that Your Excellency’s reply to that effect, together with this Note, shall constitute an agreement between our two governments.

Please accept, Your Excellency, the assurances of my highest consideration.

Fouad Boutros,
Deputy Prime Minister, Minister of Foreign Affairs,

[Following are the texts of three resolutions considered by the committee on September 23, 1983.]

S.J. Res. 159
Whereas the achievement of peace and stability in an independent Lebanon is an important national objective of the United States and a vital interest in the Middle East; and
Whereas United States Armed Forces, in conjunction with forces of the United Nations and Great Britain have performed a constructive role in assisting the Government
Whereas under article 4, section 5, of the Constitution of the United States, the Congress has the responsibility to make decisions on the commitment and maintenance of United States Armed Forces abroad, as recognized by the War Powers Resolution of 1973 (Public Law 93-148); and

Whereas the circumstances of the United States Armed Forces in Lebanon, beginning with the fatal attack on United States Marines on August 29, and the further exchanges of fire which have resulted in continuing United States casualties, clearly indicate a situation of hostilities or imminent involvement in hostilities by United States forces, as contemplated by section 4(a)(1) of Public Law 93-148; and

Whereas this situation requires congressional authorization to continue the presence of United States Armed Forces in a situation of hostilities or imminent involvement in hostilities for longer than sixty days, as provided in section 5(b) of Public Law 93-148: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This joint resolution may be cited as the "Lebanon Peacekeeping Resolution".

FINDINGS AND PURPOSE

Sec. 2. (a) The Congress finds that:

(1) The withdrawal of all foreign forces from Lebanon is essential to United States foreign policy objective in the Middle East.

(2) In order to restore full control by the Government of Lebanon over its territory, the United States is currently participating in the multinational peacekeeping force (hereafter in this resolution referred to as the "Multinational Force in Lebanon") established by the Security Council of the United Nations on September 25, 1982.

(3) The Multinational Force in Lebanon better enables the Government of Lebanon to establish its unity, independence, and territorial integrity:

(4) Progress toward national political reconciliation in Lebanon is necessary; and

(5) United States forces participating in the Multinational Force in Lebanon are now in hostilities requiring authorization of their continued presence under the War Powers Resolution.

(b) The Congress determines that the requirements of section 4(a)(1) of the War Powers Resolution became operative on August 29, 1983. Consistent with section 5(b) of the War Powers Resolution, the purposes of this joint resolution is to authorize the continued participation of United States Armed Forces in the Multinational Force in Lebanon.

(c) The Congress intends this joint resolution to constitute the necessary specific statutory authorization under the War Powers Resolution for continued participation by United States Forces in the Multinational Force in Lebanon.

AUTHORIZATION FOR CONTINUED PARTICIPATION OF UNITED STATES ARMED FORCES IN THE MULTINATIONAL FORCE IN LEBANON

Sec. 3. The President is authorized, for purposes of section 5(b) of the War Powers Resolution, to continue participation by United States Armed Forces in the Multinational Force in Lebanon, subject to the provisions of section 6 of this joint resolution.

Pursuant to this authorization, the President shall maintain a continuous report to the Congress on the status, scope, and duration of hostilities involving United States Armed Forces, such reports shall describe in detail:

(1) The activities being performed by the Multinational Force in Lebanon;

(2) The present composition of the Multinational Force in Lebanon, including a detailed statement of the responsibilities and deployment of the armed forces of each participating country;

(3) The results of efforts to reduce and eventually eliminate the Multinational Force in Lebanon;

(4) How continued United States participation in the Multinational Force in Lebanon is advancing United States foreign policy interests in the Middle East; and

(5) What progress has occurred toward national political reconciliation among all Lebanese groups.

STATEMENTS OF POLICY

Sec. 5. (a) The Congress declares that the participation of the armed forces of other countries in the Multinational Force in Lebanon and the United States is consistent with the multinational character of the peacekeeping function in Lebanon.

(b) The Congress believes that it should continue to be the policy of the United States to promote continuing discussions with Israel, Syria, and Lebanon with the objective of bringing about the withdrawal of all foreign troops from Lebanon and establishing an environment which will permit the Lebanese Armed Forces to carry out their responsibilities in the Beirut area.

(c) It is the sense of the Congress that, not later than one year after the date of enactment of this joint resolution, and at least once a year thereafter, the United States should discuss with the other members of the Security Council of the United Nations the establishment of a United Nations peacekeeping force to assume the responsibilities of the Multinational Force in Lebanon.

DURATION OF AUTHORIZATION FOR UNITED STATES PARTICIPATION IN THE MULTINATIONAL FORCE IN LEBANON

Sec. 6. The participation of United States Armed Forces in the Multinational Force in Lebanon shall be authorized for purposes of the War Powers Resolution until the end of the eight-month period beginning on the date of enactment of this resolution unless the Congress extends such authorization, except that such authorization shall terminate sooner upon the occurrence of any one of the following:

(1) The withdrawal of all foreign forces from Lebanon, unless the President determines and certifies to the Congress that continued United States Armed Forces participation in the Multinational Force in Lebanon is required after such withdrawal in order to accomplish the purposes specified in the September 25, 1982, exchange of letters providing for the establishment of the Multinational Force in Lebanon;

(2) The assumption by the United Nations or the Government of Lebanon of the responsibilities of the Multinational Force in Lebanon; or

(3) The implementation of other effective security arrangements in the area.
September 26, 1983

CONGRESSIONAL RECORD—SENATE

25755

INTERPRETATION OF THIS RESOLUTION

SEC. 7. (a) Nothing in this joint resolution shall preclude the President from withdrawing United States Armed Forces participation in the Multinational Force in Lebanon if circumstances warrant, and nothing in this joint resolution shall preclude the Congress by joint resolution from directing such a withdrawal.

(b) Nothing in this joint resolution modifies, limits, or supersedes any provision of the War Powers Resolution or the requirement of section 4(a) of the Lebanon Emergency Assistance Act of 1983, relating to congressional authorization for any substantial expansion in the number or role of United States Armed Forces in Lebanon.

Mr. BAKER. Mr. President, I am advised that a portion of the unanimous-consent request to deal with the debate times has now been approved by the distinguished minority leader, and I will put this request at this time. I am asking for unanimous consent for debate on this resolution, which began at 2 p.m. today, extend until not later than 5 p.m. today, and that the time between 2 p.m. and 5 p.m. today will be under the control of the majority and minority leaders or their designees.

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

Mr. BAKER. Mr. President, I hope we can clear a unanimous-consent request for the handling of this matter for tomorrow, Wednesday, and perhaps Thursday later in the day.

Mr. President, I now designate the distinguished chairman of the Foreign Relations Committee (Mr. Peretz) to manage the time on this side. Mr. President, I believe that the distinguished chairman of the committee is prepared now to assume the management of this resolution. I have a statement that I will make shortly after the chairman makes whatever statement he wishes and after the manager on behalf of the minority makes whatever statement he wishes.

Mr. BYRD. Mr. President, if the majority leader will yield just briefly, I, for today, designate the distinguished Senator from Delaware (Mr. Biden) to control the time on this side, or his designee.

Mr. BAKER. Mr. President, I now yield the floor so that the distinguished chairman of the Foreign Relations Committee may proceed.

The PRESIDING OFFICER. The Senator from Illinois is recognized for that purpose.

Mr. PERCY. Mr. President, I, first of all, would like to express deep appreciation to the distinguished majority leader for his leadership in the development of this resolution. I support him fully in his efforts and am proud to cosponsor the resolution to achieve an accommodation on this issue. I therefore joined with him in introducing the resolution and supporting it in committee.

I would also like to bring to the attention of the Senate the distinguished work of the minority leader. He has felt very, very deeply about the War Powers Act. It is one of the most important single things the Congress has accomplished in its 207-year history. It deals with a fundamental, constitutional principal, a principle which when not observed in the Vietnam war and the South Korean war divided this country as it has never before been divided. This no way we can carry out a foreign policy unless the people of the United States are behind it, and there is no way we can carry it out without the support of Congress, particularly when it involves war. What the framers of the Constitution clearly intended when they said "declare war" was "make war," and "that the Congress and only the Congress can make war." That problem is: We found ourselves in a situation where it was just out of style to declare war. We have not declared war since World War II; 60,000 young men engaged in Vietnam. Was that not a war? It certainly was by the definition of the framers of the Constitution, and certainly that was the view of John McCloy, an eminent international lawyer, former chairman of Chase Manhattan Bank, former High Commissioner in Germany, who testified for hours before the committee. He told months of research work. His testimony should be read by every single Senator and by every President and by every member of the executive branch, the State Department, and Defense Department if they have any doubt about what the framers of the Constitution really intended.

What the distinguished minority leader and the distinguished majority leader have done is brought us back to square one; right back to what our Founding Fathers debated and deliberated and in their wisdom determined how and when and under what conditions this country should engage in war.

So what we have done for the past several years is simply go back into history and reconstruct and update the Constitution through a statute. I was so troubled by this that I introduced the first resolution of many resolutions into the Congress; 30 days later, in his infinite wisdom, Senator Javits joined together with Senator Stevens and many of us as cosponsors in proposing not just a sense-of-the-Senate resolution but a law. It became, over the veto of President Nixon, the War Powers Act.

These are momentous days in the history of the Senate. The distinguished minority leader has put on the record the history of the Senate as it has never been portrayed before, updating it in every nuance, every history, every action, important and unimportant, that has occurred in this body. Certainly I hope he will write that final chapter and talk about what this Congress has done to give full flow and full implementation to the true meaning of the Constitution and tell the Congress what its duty and responsibility is in connection with war. Never again let us get into a war and have it renounced by half, or maybe two-thirds of the country and have the Congress of the United States being dragged, kicking, and screaming deeper, and deeper, and deeper into the quicksands of a war thousands of miles removed. Let us know exactly what we are doing. Let us know exactly who is taking us into war, and which borders or agreements, or whatever it is, exactly that we are following the intent and purpose of the framers of the Constitution. The War Powers Act does exactly that.

As the Secretary of State implied to us in testimony the other day, any of us that might be President—and he hinted several Members at the podium hope to be President—would want any restraints placed on them. They would want a Constitution.

But I can report that in the President's home State, the people of Illinois, are following this matter with tremendous interest. We came into a war, Civil War, a war between the States, that divided this Nation, but we did it knowingly and in accordance with the provisions of the Constitution. We went into Vietnam, a war that divided the country, burdened us with debt, gave us rampant inflation, divided us as we have never been divided before. This put us in a position where we were not proud of the way we finally extracted ourselves by a mandate, a mandate of the Congress of the United States, 50,000 lives later.

All we are trying to do is to present it. What the President is doing is now reaching out to find a way to do with us.

The provision before us is not perfect, but it moves us a long way in the direction of sharing the responsibility, that awesome responsibility, which cannot and must not be assumed only by the President of the United States. Congress must take most of that responsibility.

Mr. President, none of the members of the committee believes that choices facing us in Lebanon are easy. The problems of Lebanon are complex and do not lend themselves to quick or simple solutions. Many of the Lebanese difficulties are self-inflicted but we must not overlook external forces which have interfered for a decade in internal Lebanese affairs. The Syrian Army is the single largest military force in Lebanon. PLO guerrillas, Iranians, and Libyans are all active in Lebanon.

Mr. President, I pause at this moment to make note of the fact that the President did make a remarkable
statement to the United Nations a few hours ago.

Several of us—Senator Cohen and I, joined by Senator Moynihan—heard the President give that message. It was a remarkable message—an intelligent, unemotional message to the world—and many aspects of it could be commented upon.

At the conclusion of my comments, I ask unanimous consent to have printed in the Record at this point in the proceedings. I ask unanimous consent to have printed in the Record an extract from the President's speech, where he refers to the trouble in the Middle East.

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

In Lebanon, we, along with France, Italy and the United Kingdom, have worked for a cease-fire, for the withdrawal of all external forces, and for restoration of Lebanon's sovereignty and territorial integrity.

Mr. Percy. The United States has a national interest in seeing that stability is returned to Lebanon and to assist the Lebanese in reestablishing their own sovereignty. A failure to work for these goals could seriously undermine American interests throughout the region. We must not lose sight of the fact that the problems of Lebanon cannot be isolated from the broader issues of peace and security in the Middle East.

Since August 1982, the administration has articulated consistent policy objectives.

I cite these because there have been intimations from some of our colleagues that we have not had a policy, that we have not had a consistent policy, that we have not had a steady policy, that we are just going day by day, hour by hour. Mr. President, these administration policies have been there from the outset. They have been updated; they have been improved upon; but, in essence, they are the objectives with which we have started. They are as follows:

A permanent cessation of hostilities; establishment of a strong, representative central government; withdrawal of all foreign forces; restoration of control by the Lebanese Government throughout the country; and, establishment of conditions under which Lebanon no longer can be used as a launching point for attacks against Israel.

A couple of years ago, I stood on the Israeli northern border, traveled from one end to the other, saw at the end of the 7 months what a difference a cease-fire made.

Up to that point, not one, single life had been lost; not one injury had been inflicted in 7 months. Yet, before that cease-fire, children had attended schools in bomb shelters. Bomb shelters constituted the largest part of the cost of every hospital built in the northern areas of Israel.

The widows with whom I spoke and the maligned soldiers with whom I spoke were testimony to the repeated harassment and bombardment they suffered from southern Lebanon.

We did achieve in that cease-fire a goal, but it was limited. When the cease-fire ended, tragically, once again, an all-out war began in that area.

Today, at 1 o'clock this morning Beirut time; midnight eastern standard time; 11 p.m. last night, Chicago time—a cease-fire went into effect, to halt the current fighting.

Many vehicles are being employed to obtain these goals.

The presence of the American marines as part of the Multinational Force in Beirut is one and only one of these vehicles.

The first component of the administration's strategy is to promote Lebanese national reconciliation. Important steps have been taken in that direction. On August 31, President Gemayel called for a national reconciliation meeting. Yesterday, a cease-fire was announced and Lebanese leaders agreed to a meeting in Saudi Arabia. We must not delude ourselves. Resolving Lebanese differences will not be easy or without setbacks; nevertheless, steps are being taken in the right direction.

We must also support the legitimate Government of Lebanon. President Gemayel was elected last year by 77 of 92 members of Parliament. A majority of both Muslims and Christian Deputies supported him and continue to do so.

We must support President Gemayel's efforts to rebuild national institutions. Most important of these institutions is the Lebanese Army. In 9 months considerable progress has been made in reconstituting a truly national military force which is half Muslim and half Christian. Not all of the problems have been resolved; nevertheless, multiconfessional units have fought well for the national interest of Lebanon. Those who attack the Army are seriously damaging the future of Lebanon. We have helped train and equip this force and we will continue to do so.

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The role of the marines: Let us get clearly fixed in mind what the role of the marines is, as expressed to us in the agreements last year. The role of the marines is, as expressed to us in the agreements last year.

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The American Force will not engage in combat. It may, however, exercise the right of self-defense.

Mr. President, I fully recognize that the cost is too costly and the House wants to discuss our understanding of these terms and conditions, and some of the uncertainties which are undoubtedly present in implementing the language on protective measures. However, I think all Members will have to agree that this authorization is not an open-ended blank check.

Second, there is already in law a provision of the Lebanon Emergency Assistance Act which effectively places a lid on the level of U.S. involvement. It requires that any substantial expansion in the number or role in Lebanon of U.S. Armed Forces would require a further authorization. That requirement is not affected by the resolution being introduced today and would continue to apply. The President has said that he wants to go beyond the present level of U.S. involvement in any case.

Finally, Mr. President, I want to emphasize that in providing an authorization with a fixed period, we are not simply dropping out of the picture until the spring of 1985. The resolution itself provides for continuing reporting and consultations to assure that the situation is being handled carefully. We may, at some point, want to consider amendments to this authorization if the circumstances should justify it. That is why I would prefer no deadlines for such an authorization, because they have a tendency to confuse the ongoing nature of our responsibilities. But I support the basic elements of this authorization and I think it deserves the support of my colleagues in the Senate.

At this point, Mr. President, I ask unanimous consent that two editorials in support of this resolution in the Washington Post this morning and an excerpt from the New Republic, be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

**STRENGTHENING THE AMERICAN HAND**

Is the compromise resolution of the Marines in Lebanon in trouble in Congress? Possibly. Last Tuesday the administration and the congressional leadership of both parties accepted a compromise initially proposed by Speaker O'Neill: Congress would pass a joint resolution authorizing the use of U.S. Armed Forces in Lebanon, but also authorizing the President to continue deploying the Marines in Lebanon as part of a multinational force for eighteen months. On Thursday the House Foreign Affairs Committee—normally prone to accept executive leadership in foreign policy—voted 20-16 to cut off funding for the Marines in Lebanon. On Friday its Senate counterpart, after some vote switching, did the same by a 50-48 vote. Everyone expects the Republican Senate ultimately to approve the resolution. The question is what the Democratic House will do. It will hold a meeting this week. The speaker will likely allow votes on amendments, and, while most people expect the leadership to drop the compromise, some respected legislators favor the Appropriations Committee result.

Many members are uneasy. They would like the president to acknowledge more explicitly the legitimacy of Congress' role. Some want to put pressure on him to withdraw the Marines soon. Some believe that any set period, long or short, is dangerous because it might give one or another of the Lebanese parties an incentive to refuse to reach agreement; by delaying invoking of the War Powers Act until Dec. 1, they hope to give the president a chance to move the parties to agreement without setting any specific deadline now. The monkey of responsibility in any case would remain on the president's back. But could Congress, when the Senate—the 60-vote margin—sets conditions or promote discussions any more deftly than it can now?

We think the approach of the leadership compromise is better. It does invoke the War Powers Act. It forces Congress—including the Democratic House—to join the president in taking responsibility for a policy about which everyone has qualms but for which few have a palatable alternative. No one's hands are tied, the resolution calling for withdrawal of the Marines now. The danger is that the House will indulge too far the politician's instinct for compromise by cutting the 18-month leash period to six or nine months. This would weaken, rather than strengthen, the American hand in negotiations, and could involve Congress in a series of fractious disputes over a policy that most members, if they had to take the responsibility directly, would almost surely support.

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(From the New Republic, Oct. 10, 1983)

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(From the New Republic, Oct. 10, 1983)
minds, if the events of the weekend had not transpired, that we were involving ourselves in a quagmire for which the end could not be seen and that it would do nothing but escalate and escalate and get worse and worse every single day, and they would be voting in a polar way, to speak. We have been working for days, and really for weeks, on a cease-fire.

There have been effective cease-fires before in Lebanon. Our aim was to have now another even more effective and far more necessary cease-fire.

The good offices of Saudi Arabia were sought by our administration, and Prince Bandar, the newly appointed, and Prince Bandar, the newly appointed, and Prince Bandar, the newly appointed, and highly influential, articulate, and intelligent Ambassador to the United States from Saudi Arabia has been personally devoting a tremendous amount of attention and thought to this, as have our own representatives. They include Ambassador Robert McFarland from the National Security Council, Ambassador Richard Fairbanks and, of course, Secretary Shultz, Deputy Secretary Ken Dam, and others, and, of course, the President of the United States, who has been this matter a great deal of serious thought.

It was our Government's feeling that a cease-fire was essential as a step toward political reconciliation in Lebanon. The cease-fire and the announcement that a national reconciliation meeting will occur offers any doubting Thomas an opportunity to say they now are voting on a resolution that has a far greater chance of success.

I would like to read a few extracts from an article in this morning's Washington Post, as follows:

Earlier this month when Israel withdrew its forces from the Chouf to new positions in the Qadita and Qana areas, a vicious cycle of new fighting broke out in the Chouf and in Beirut, with the Syrians arming and encouraging the Druze and other groups like the Shiite Moslems to attack the Lebanese army.

As one U.S. official put it, "Asaad believed the Gemayel government would fold, and he could just walk down the Damascus-Beirut highway behind his surrogates to take control." According to U.S. officials, a key element in the Syrian strategy was to instigate attacks on the Marines in the hope that domestic pressure would force Reagan to pull them out and rob Gemayel of U.S. support. But, despite misgivings in Congress over Marine casualties, the officials said it has been made clear to Syria that the Marines will not be withdrawn and that the United States is prepared to use the massive firepower it has arrayed off the Lebanese coast in carefully calibrated responses to attacks against the Marines.

In addition, the officials stressed, the Lebanese army, benefiting from months of intensive training by U.S. advisers, proved able to hold its own in this month's fighting and to withstand fierce Druze assaults, aided by Syrian arms and Syrian-influenced Palestinian fighters, and to keep control of the permission areas around Beirut.

And I go on to quote from another section of the same story:

Shultz said, however, that Druze leaders participated in negotiations leading to the cease-fire.

Asked what had been the key to the cease-fire, an on-and-off proposition for more than a week, Shultz replied:

"The key must have been the sense that people real if further bloodshed and fighting was not going to be productive and that the time for national reconciliation had really come."

In the last two weeks, the administration has stepped up pressure for a cease-fire as congressional and public concern mounted about the increasing number of Lebanese in the spreading civil war in Lebanon.

Mr. President, I ask unanimous consent that the articles by John Goshko in the Washington Post and Bernard Gwertzman of the New York Times be printed in the RECORD, as follows:

SYRIA DISRUPTED NEW RISE, U.S. SAYS

U.S. officials yesterday gave credit for the Lebanese cease-fire to Syria's realization that it cannot win the civil war in Lebanon there without increasing its military involvement to the point where it would risk direct clashes with the United States and possibly provide a new war with Israel.

Specifically, the officials said, Syria's hopes of winning control in Lebanon through force have been thwarted by President Reagan's peace initiative in the Middle East and by the unexpectedly strong showing of the Lebanese army during bitter fighting in the Beirut area. That, the officials continued, has created a military stalemate that Syrian President Hafez Assad could not break unless he increased his aid to the Druze militia and other dissident groups by throwing Syrian forces directly into the fighting.

But that would mean confrontation with the American-supported Lebanese army units forming the multinational force in Beirut and, even more threatening to Assad, force Israel to consider whether it has to go to war again to prevent Syria from gaining control over Lebanon.

For these reasons, the officials said, the Syrians apparently have decided to put aside the military option, at least for the moment, and try to win greater Syrian influence in Lebanese affairs through a process of political negotiation between Gemayel and the Syrian-backed factions in the Lebanese civil war.

The officials, echoing the caution expressed publicly yesterday by President Reagan and his senior advisers, acknowledged that the cease-fire is a very fragile achievement that could unravel into renewed fighting, especially if there is not quick movement toward the negotiations on "national reconciliation."

As Reagan said yesterday in New York, the cease-fire accord is only "a first step" and there is still "a long way to go" in solving the bitter religious and political feuds that have plagued Lebanon with warfare for a decade and that threaten to dismember the country into antagonistic, foreign-domated enclaves.

The officials, who declined to be identified, noted that, as of late yesterday, Beirut was still the scene of fighting.

They expressed skepticism about the cease-fire going into effect at 6 a.m. today in Beirut (midnight EDT). Even Reagan, in announcing the accord, pointedly told reporters: "You see my fingers are crossed."

The president's caution underscored how much the intractability of Middle East tensions has caused him to revise his expectations since Sept. 1, 1982, when he went on national television to announce an ambitious plan for resolving the Arab-Israeli conflict.

In the ensuing 13 months, the Reagan initiative has not been realized and he faces a Middle East peace that has looked like a desperate effort to keep a military toehold in Beirut on behalf of a Lebanese government whose authority barely extends beyond the city limits.

Still, Reagan administration officials insisted yesterday that, with luck and skill, the cease-fire agreement marks a turning point in U.S. efforts to put Lebanon back on the road to stability and allow a renewed effort to tackle the larger problems of the region.

They said a cease-fire covering both the area and the nearby Chouf region, where Marines and Christian militiamen have fought each other in recent weeks, is the necessary first step in implementing the diplomatic strategy that has been pursued for the past month by Reagan's special Mideast envoy, Robert C. McFarlane, with the aid of Saudi Arabia's ambassador-designate to the United States, Prince Bandar bin Sultan.

The strategy can only succeed if Syria stops obstructionist activities inside Lebanon and cooperates in patching together an accord that will satisfy the political aspirations of the various contesting factions, allow Gemayel to extend his government's authority throughout the country and permit the withdrawal of Israeli, Syrian and Palestine Liberation Organization forces occupying large portions of Lebanon.

The administration had hoped that it was on the way to achieving that objective in May when Secretary of State George P. Shultz helped to work out an agreement for the withdrawal of Israeli troops.

But that effort was derailed when Syria, which earlier had led the United States to believe it cooperated in an accord and began agitating Druse and certain Moslem factions to oppose Gemayel's Christian-dominated government.

Earlier this month when Israel withdrew its forces from the Chouf to new positions in southern Lebanon, a vicious cycle of new fighting broke out in the Chouf and in Beirut, with the Syrians arming and encouraging the Druze and other groups like the Shiite Moslems to attack the Lebanese army.

As one U.S. official put it, "Asaad believed the Gemayel government would fold, and he could just walk down the Damascus-Beirut highway behind his surrogates to take control." According to U.S. officials, a key element in the Syrian strategy was to instigate attacks on the Marines in the hope that domestic pressure would force Reagan to pull them out and rob Gemayel of U.S. support. But, despite misgivings in Congress over Marine casualties, the officials said it has been made clear to Syria that the Marines will not be withdrawn and that the United States is prepared to use the massive firepower it has arrayed off the Lebanese coast.
September 26, 1983

CONGRESSIONAL RECORD—SENATE

25759

In carefully calibrated responses to attacks against the Marines, the Israelis and the United Nations, by integrating their forces into the Lebanese militia, the Syrian forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces into the Lebanese militia, the Israeli and Lebanese forces, by integrating their forces 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I think our will is what our adversaries were testing. We had the will. They saw it and they decided to sign a cease-fire. Without that kind of backup, support, and effort, we could not achieve what we are achieving today.

None of us can predict with any accuracy how long this cease-fire will last. All we can do is say today the Mideast is a safer place than it was yesterday; today, our marines are in a much safer position than they were. Each day must show progress.

All the same, this is an area that has been in turmoil for centuries. This is an area where religion has been the cause for war after war. In the name of God, inhumanity has wreaked on man and woman. We say, "Let's end the cease-fire. Without that kind of backup, support, and effort, we could not achieve what we are achieving today."

The first bold creative steps were taken by Prime Minister Begin and President Sadat. None of us who were in the East Room of the White House the night that they came down from Camp David—that glorious Sunday night—can forget it. They embraced each other and we in turn embraced a weeping Prime Minister Begin and a weeping President Sadat of Egypt—weeping possibly with hope that had continued for years, the bitterness between these two countries was at an end.

No one could say it would be permanent. There have been setbacks. The hopes for commercially open borders have never been realized. The Egyptian Ambassador to Israel has been withdrawn. These setbacks must be reversed and the search for peace resumed. President Mubarak is coming here. We hope to sit down with him and discuss with him the future of the peace process.

I was reminded of the opera, Aida, which I saw again on Friday at the Lyric Opera. This opera is a reminder of the glories of Egypt that passed and the challenge of the Egypt of the future.

The future hope is that somehow, in some way, the Egyptians can live better than their fathers and their forefathers and can live in peace. I share that hope. And I am certain it will never leave Foreign Minister Shamir if he is confirmed as the Prime Minister by the Knesset of Israel. Certainly no Nation on earth has paid a greater price in war than Israel. No nation on earth has faced greater challenges since its birth, than has Israel.

One of Israel's four Arab neighbors has signed a peace treaty. The second, Lebanon, has signed an agreement that has yet to be implemented and can only be fully implemented with the withdrawal of all foreign forces—those of Syria, the Palestinians, and of Israel itself.

When the Lebanon question is settled, it is my hope that we can then approach King Hussein and say, Your Majesty, the opportunity how exists for you to bring peace at long last to your beleaguered nation, to sit down face to face with the Prime Minister of Israel, and to work out, and develop, and create the conditions that would resolve Arab-Israeli issues, including the future of the Palestinians.

To do so, you must recognize Israel's right to exist behind definable and defensible borders and the right of its people to live in peace.

That will give peace to Jordan. It will remove a threat from Jordan. It will give peace that is essential to future generations of Arabs and Israelis. Peace in the Middle East is part of what is at stake in Lebanon.

In the specific Lebanon situation we are striving to find and define a relationship with the President through the War Powers Act. I hope we can, in true partnership, join with the President, the President as Commander in Chief, not trying to become the executive branch of Government, but reaffirming the Constitution which says that only Congress can declare war.

We share that responsibility with the President and do so in a spirit of comity, not of confrontation, of fellowship and a desire to work together with this administration in resolving this important issue.

I have been proud of the steps the President has taken to bring peace to the Middle East.

I trust that the Syrians will recognize they are the fourth element of this jigsaw puzzle that must come together to bring peace to the Middle East. They have no advantage in becoming more and more dependent upon the Soviet Union. With the Lebanon cease fire they have said, in effect, "We will observe this cease fire. We will find a way to cease the senseless killing and see if we cannot, through negotiation, resolve this problem."

If they have any hope of getting the Golan Heights back, this is the road. If they ever wish to rebuild some of those devastated towns in Syria, this is the way to do it. If they ever wish to have the esteem and respect of their fellow Arabs, as well as the world, this is the route they should follow.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I thank my colleague and chairman of the Foreign Relations Committee for his statement.

He mentioned at the outset that this is a historic occasion. It is my sincere desire that the Senate will be capable of living up to this historic occasion. The U.S. Senate, on occasion, over its past nearly 200-year history has sometimes not risen to the occasion. I hope this debate will be one of those instances in which we, as a body, rise to the level of the historical occasion we are representing it to be.

This is the first time the Senate has debated a war powers resolution authorizing the commitment of troops under the War Power Act. It is my fear we are not going to debate the war powers resolution; that we are going to debate policy in Lebanon and not the war powers resolution.

I assume, when the Senator from Illinois and other Senators have said, off the floor, that this is an historic occasion, they are referring to the fact that there are momentous events in the Middle East, particularly in Lebanon, where we have witnessed similar events that have been equally historic, unfortunately, and, unfortunately, I suspect, we will witness further developments in the Middle East which could be characterized as historical at that moment.

One should assume the historic significance of this debate or not this is an historic debate. I believe it was Professor Corwin who said that the Constitution is little more than an invitation for the Executive and the Congress to do battle over the formulation of foreign policy. So, I think our will is what our adversary sees, and whether it be the Soviet Union or others, they have any hope of getting the Lebanon issue settled.

Quite frankly, many of us thought that this debate on the War Powers Act should have occurred a year ago when the Marines first went into Lebanon to supervise the PLO withdrawal, or when they were reintroduced into Lebanon as an "interposition force" in the "Beirut area" with "no intention or expectation that they would become involved in hostilities.

Those are quotations from the President of the United States of America.

Some of us thought, at that point, we should have debated the applicability of the War Powers Act. Some of us argued that our Marines were in jeopardy; that this was an area of hostility; that notwithstanding the fact that a government which was the best wishes to succeed invited us—some of us thought that that did not in any way alleviate the prospect of hostilities because it was a government that did not control all of its own country. Some of us argued that could not go with this, that we have no assurance, even remote assurance, that it would be able to prevent hostilities from occurring.
That is why we were there, to help that government.

It was then an agonizing dilemma of whether we withdraw those troops or defend those troops by introducing an even greater force.

Now the evidence of hostilities is, I think, clear and unmistakable. Four marines have died within the past month; the South has 300 troops wounded, and we have increased our troop presence in Beirut by a third. U.S. ships and aircraft have attacked suspected enemy positions; we have offered a protective umbrella for our multinational-force partners and perhaps even for the Lebanese army, and with the deployment of the carrier Eisenhower, the giant assault ship Tarawa, with 2,000 marines on board, and a battleship called the New Jersey, we have the capacity, though not the intention, to wage a much wider war.

Unfortunately, my concern is that the action that we take this week may be totally irrelevant. The administration's advocacy of the congressional stamp of approval, which I think is a worthwhile objective—because I hope what we have learned from our encounters in South Asia is that a foreign policy, absent the consent of the governed, is not likely to last very long, so it is best to get as many people on board at the outset—the administration wants our stamp of approval and is, interesting enough, unwilling to commit itself to our laws. Thus it does not really matter, in my humble view, whether or not the legislation which the distinguished Senator from Illinois, the chairman of the committee, and the majority leader, Senator Baker, propose, if the legislation carries with a time limit of 18 months, 20 months, 24 months, or any other duration.

The administration, in fact, has indicated that it does not plan on abiding by it. They say they are not bound by it, and that they can, in fact, exercise independent judgment that they should stay longer if need be. The way I look at that is it is asking the Congress to jump in on the commitment. They want us as partners in the front end but are not looking for that partnership at the other end, at the tail end.

This administration is embarked on an open-ended commitment in support of—this, I think, is the key to the dilemma—what I would characterize, notwithstanding the articulate statement by the Senator from Illinois, as very vaguely defined objectives, which are highly uncertain in terms of their achievability.

For example, Mr. President, if I may paraphrase this: I believe the Senator said that there are clear policy objectives. He is right. The policy objectives are, No. 1, that there should be permanent cessation of hostilities; the second one is that there should be a central government which has control of Lebanon throughout Lebanon; Third, there should be withdrawal of all troops from Lebanon; Fourth, that there be control by the Gemayel government, that is, the central government; and Fifth, that conditions be established so that Israel's foreign border is not in jeopardy. Those are laudable objectives.

My question is, which I have asked of everybody in the committee, and I shall ask of anybody who will listen to me, is this: Is the presence of the military force of the United States of America in Lebanon and its continued presence conditioned upon the accomplishment of these goals? Is that the policy objective? If, in fact, there is not withdrawal of all troops; if, in fact, the Gemayel government is not able, in 18 months, to exercise its control over all of Lebanon; if, in fact, there is not a permanent cessation of hostilities, does that mean that the objective has not been met? Does that mean the Marines will stay there until that occurs?

That seems to me, Mr. President, to be a fairly vague definition.

Mr. CHILES. Mr. President, if I do not want to interrupt the Senator's statement, but I would like to ask the Senator, if, in fact, there is a permanent cessation of hostilities, does that mean that the objective has not been met? Does that mean the Marines will stay there until that occurs?

Mr. BIDEN. The answer is, a little of both. Technically, these are the Congress determination of what we believe his objectives are. We say, in the joint resolution's finding and purpose, section 1, that there are these objectives. Then we go on to suggest removal of all forces from Lebanon in order to restore full control, and so forth—all the things I just named.

In fairness to the administration, they sent up to the Congress the Secretary of State, who told the Congress what the objectives are. Under the leadership of the Senator from Illinois and the Senator from Tennessee, they wrote down on a piece of paper what they were told by this administration, and we were all told by the administration that these were their objectives. The problem is, since the War Powers Act was not triggered or not agreed to have been triggered by the administration, the administration has not officially reported to us as to what the objectives are.

I might make a point here of what I am trying to drive at. I would argue that there is a distinction between objective and mission. The objective, for example, of the U.S. foreign policy is that there be a free and open Poland. That is an objective; we would love that to occur. But the question to be asked is, is the mission of the NATO forces stationed nearest Poland in West Germany to guarantee that there be a free and open Poland? I would suggest that that is probably not the mission. That requires affirmative action.

We have been unable to get from anyone in the administration or anyone on the committee who supports this resolution is whether or not the objective and mission are synonymous. For if, in fact, the mission of the Marines is to guarantee that the objectives be met, then I would argue that we are in for a long haul that cannot be accomplished by 1,200 or 1,800 marines and we are buying a pig in a poke.

Notwithstanding the fact that my friend from Illinois is very, very positively impressed by the cease-fire—as I am—I would suggest that one cease-fire a peace does not make in the Middle East. So I would wonder whether or not, if the cease-fire breaks down and there are 40, or 400, or however many more marines killed, I wonder whether or not we are saying we will stay there.

One of the reasons why I am about to argue—and I shall yield for more questions—that the War Powers Act is the mechanism that should be triggered here is that the War Powers Act would require the President within 48 hours to come up and say: "Look, ladies and gentlemen of the Congress, this is what I plan to do," with some specificity.

Mr. CHILES. That is exactly the question I really wanted to ask the Senator from Delaware: Had that been done?

Mr. BIDEN. No.

Mr. CHILES. If the response he gave me was the President's request in writing from him and that maybe this is what he wants or something, whether we are really debating on what the mandate of the troops is. That is my understanding of what the War Powers Act was to be about, not just for us to indulge ourselves but so that,
Mr. BIDEN. I can only tell the Senator—and I honestly believe it—maybe the Senator from Illinois will listen to me. If he does not want to misrepresent anybody’s position, but in response to the Senator’s question, I think a reasonable person, listening to the debate that has taken place in the Senate, would have to conclude that the only time in which to use the phrase of the Senator from Florida, we can claim victory is when the four objectives are met. That is when in fact there is permanent cessation of hostilities, there is withdrawal of all foreign troops, there is de facto control of the country by central government, and Israel’s northern border is secure.

Now, I would assume that if I were to interpret the objective as not having been met or anything short of the stated objective, a Senator would be able to stand up and say: “Look, Mr. Biden, when you voted for that resolution, it was reasonable for you to understand, any reasonable person would have understood I was going to keep it up until all of the troops were out; I was going to keep it at until there was a central government in Lebanon that controlled all of Lebanon, and I was going to keep it at until Israel’s northern border was secure.”

That is what I would think he would have a right to say to me and to this Congress.

What do we say, if for example, 18 months from now, God forbid, the objectives have not been met? What do we say if, for example, 18 months from now Lebanon is like it has been for much of its tragic history? Do we say: “All right, you gave it a good try, now bring them home, now come back, now stop?”

Well, I do not know. I do not think that is the way we work in the Senate. I think the way we work, although the Senator was here a little before I was in the Senate—I was going to college and law school through that entire Vietnam era, and I observed a strange phenomenon, as we all did, in this country: that the more havoc that was caused by the enemy upon American boys the more it stiffened the resolve, understandably, of a number of Americans that started to ask the logical question: “Is this in vain? Did all these folks die for nothing? Are we now going to cut and run? My son died. My son lost his arm. Now you are telling me, John Q. Citizen, you are going to say come home? Why did my son die? What was the cause?”

And so I suspect, if this cease-fire does not last, if the objectives are not met, and there are more casualties over the next 18 months, when we rise on the floor and say: “Well, now it is time, we cannot reasonably reach that objective,” there are going to be people, understandably, who are going to say: “No, we cannot just let that go all for naught.”

The Senator from Florida has made a private resolve to himself. The Senator from Illinois made reference to his deep feelings about the issue of war and peace with regard to previous wars.

Well, this is, I guess, a purging of our souls. I also made a promise to myself, as we all do when we come here. One of the things I resolved was that I was never going to do to a generation that followed me what I believed was done to my generation. I was never going to vote to send a woman or a man into a situation where their life was at stake with the endorsement of American policy, without the full faith and credit of the U.S. Government and its military behind it. I was not going to do that. And here I am on the floor of the Senate 11 years later, voting on a resolution having been met or anything short of the stated objective, is a vague resolution, saying: “I am going to commit American forces. I do not know how long it is going to take. I am not quite sure what the objective is. I am not sure how many lives will have to be lost, and I promise you I am not going to go too far.”

My view is that if in fact the President believes it is necessary to commit significant forces to clear out the mountains around Beirut, I would rather him say “do it” and I will support him. If the alternative is this resolution or going in there completely, I will say, “Go in.”

Those are only two alternatives. We have a third reasonable alternative, which I will speak to in a moment. But if they are the only two alternatives, as one Senator, I am not buying on to incremental bleeding. That is not what I am signing on for. I think that is what we are doing. We are signing on to an incremental bleeding.

We have some of my liberal colleagues on my side saying one of the problems with the resolution is that it gives a blank check.

That is not my problem with the resolution. My problem with the resolution is that I do not know when we accomplish our end, what the definition is. If in fact we do not accomplish our end, I, like the Senator, suggest that we not have any time on it and we not put a limitation on the military. If the military says they need 50,000 troops, if we conclude we are going to sign on to the objective, then let us sign on. But I do not want to sit back and say our objective is as follows, and then the military says in order to accomplish that objective we have to increase our presence tenfold.
They have not said that yet. But if they said that, for us to sit here and say: "Now, wait a minute, we only said you could have 1,200 troops, we only said you could have this many troops," that is not the point as far as I am concerned. If we go in to accomplish the objective, I think we should sign on to go in.

Mr. PERCY. Will the Senator yield?

Mr. BIDEN. For a question; yes, I yield.

Mr. PERCY. I would like to put a question to my distinguished colleague because we are in a sense dealing with that time-worn phrase "the real world." We are interested in responding to responsible people who say these objectives worthy, do we have a chance to achieve them, and will what you are asking for in authority help us toward that goal?

Now, we know our ultimate goal differs from the goal for tomorrow. What we are doing is reaching in a sense for a star. We may never get it, but if we reach for it, we never will end up with a handful of mud.

What we set down were goals and objectives with which the Lebanese have thoroughly concurred. I do not know whether or not Syria concurs, but I think they know the commitment on the part of others.

We had an objective in the Camp David process, and it was scoffed at by some. But on balance, the Camp David process has led to what none of us believed in our lifetime we would ever see—a peace treaty signed between Egypt and Israel, an exchange of ambassadors, open borders, exchange of personnel, and removing the largest single Arab military ground force from the possibility of direct, head-on conflict with Israel, and a return of the Sinai over作品内容 and gruesome objections. So we have accomplished something.

We saw two men, Begin and Sadat, awarded the Nobel Peace Prize. Since then, we have been deteriorating. We have not met dashed hopes. But the Camp David spirit still exists. You will never turn the clock back to the dark days when we had no hope.

Here again, we are establishing these four goals that my distinguished colleague enunciated, they are goals; they are objectives. Maybe they cannot all be achieved in the immediate future. But they are worthy of trying to be achieved. You will notice that we did not even have a cease-fire in one of them and we achieved a cease-fire. We do not know how long it will last. I think the administration has carefully worked out its goals and has sat down and consulted with the parties—

Mr. BIDEN. Mr. President, since this is our last time, does the Senator have a question?

Mr. PERCY. Are we on controlled time?

The PRESIDING OFFICER. The time is being charged to the Senator from Illinois.

Mr. BIDEN. I thought the Senator had a question. I have not finished my statement yet.

Mr. PERCY. My question is this: Are there any better goals or objectives? Is there any suggestion the Senator would make to the administration as to how it can improve the approach it is now taking?

Does not the Senator concur with the Senator from Illinois that it is probably better to have no timeframe and no limitations but it is the will of Congress and the will of the people that we do put some framework on there? Certainly, that itself serves a useful purpose, because it says to the Lebanese: "You don’t have a blank check from the United States. You have limited time, limited forces, and you have to take over."

That does put pressure on them. The Lebanese have never had an army that could unify and bring stability and peace to their own country. Now they have that objective.

I would be rather reluctant to give them too quick of a blank check and say, "We will stand there, and you can hold our coat while we do your battle."

We are saying, "You have to do the fighting. You have to bring this country together. We are there for a short period of time, relatively speaking—a year and a half—with a limited number of people to help you."

What better incentive can we have for them to do something about it—as they are doing it now—and not as the Vietnamese ended up doing—holding our coats while we carried the load with 600,000 combat troops?

Mr. BIDEN. Mr. President, if I may respond, and then finish my statement, the Senator makes the understandably fallacious argument of appeasing to authority, once again, which has been made for so many years in this body, and that is that so many responsible people have suggested this course.

I respectfully suggest that so many responsible people suggested the course of our foreign policy through the decade of the 1960’s and 1970’s, which I do not think turned out to be all that sound. I also suggest that maybe our problem is that we are in Washington.

They are worthy objectives. All of the objectives stated are worthy objectives.

The next question that the Senator said we should be asking is, Do they have a chance of succeeding? I suggest that the chance of succeeding along the lines this administration is pursuing those objectives is less than even and that what we are doing is putting a relatively small force of marines in the untenable position of having, in fact, to attempt to achieve objectives which their size and scope and the extent of their authority limits their prospect of being able to do.

The Senator said, "What is our goal for tomorrow? That is my question: What is the administration's objective? What is tomorrow's goal? I have heard what the goal forever in Lebanon is: To have peace and tranquillity, a central government, no foreign powers, and so forth. That, again, is a laudable goal. I do not disagree with the goal. But is it the mission of the marines to achieve that goal, and must they stay until that goal is achieved?

I think the resolution before us is flawed, constitutionally and practically. It tries to establish the applicability of the War Powers Act, when we already have foreknowledge that the President will disavow that act; and for the sake of control, it sidesteps the fundamental question. It is creating a regrettable precedent, in my view, and it asserts time limits which we know the President will not be bound by. He has already told us he will not be bound by.

It pretends to limit our troops to a peacekeeping mission but permits such protective measures as may be necessary to insure their safety. It endorses our declared policy objectives, though we all know that no one really knows when they are going to be achieved or, in fact, if they will end up being achieved. This resolution, in my view, does not back up our marines. It leaves them in grave uncertainty, because our policy is so ill defined that they cannot know what is really expected of them.

Because we are divided over that unclear policy and over the constitutional issue, we are not united on the issue and, therefore, we are not unified behind them. Because the risks of that policy has been so minimized, the confidence that we will stand fast and when the future is uncertain.

As a result, we sound a very uncertain trumpet while their lives are on the line.

The fact is that we still do not know what the objective is, what the mission is.

We get back to the resolution. The resolution is a resolution providing authority under the War Powers Act for continued U.S. participation in Multinational Peacekeeping Force in Lebanon in order to obtain withdrawal of all foreign forces from Lebanon.

The Senator from Illinois, when he gets his turn again, is going to tell me that the title does not control. If it does not control, why do we say that?

Are we saying that all foreign forces have to leave Lebanon before the Americans leave? If we do, we should tell the world that we are signing on for. That is what we are telling the world we are signing on for.
That means, obviously, that Syria and Israel have a veto power over whether or not the marines leave—if that is what we are saying—and, I might add, the PLO.

The resolution states:

This joint resolution may be cited as the "Multinational force in Lebanon resolution."

The Senator says he is about to cure that deficiency. But what happens if the Multinational Force becomes the unilateral force? What happens if France, Italy, and England say they have had enough and they are going home? Do we go home?

The resolution says:

FINDINGS AND PURPOSE

The Congress finds that—

Then they go through what the Senator from Illinois read:

(1) the removal of all foreign forces from Lebanon is an essential United States foreign policy objective in the Middle East.

(2) in order to restore full control by the Government of Lebanon over its own territory, the United States is currently participating in the multinational peacekeeping force (hereafter in this resolution referred to as the "Multinational Force in Lebanon") which was established in accordance with the exchange of letters between the Governments of the United States and Lebanon dated September 25, 1982.

(3) the Multinational Force in Lebanon better enables the Government of Lebanon to establish its unity, independence, and territorial integrity;

(4) progress toward national political reconciliation in Lebanon is necessary; and

(5) United States Armed Forces participating in the Multinational Force in Lebanon are now in hostilities requiring authorization of their continued presence under the War Powers Resolution.

This administration says it is not going to be bound by that, anyway. Now, I do not quite understand again how we have such a clearly defined objective. The Senator from Maryland has just come to the floor. I hope when he speaks he is going to do as artfully here as he did in the committee hearing between what in fact real definitions of mission are and what is a lack of a mission in this legislation.

Mr. SARBANES. Mr. President, will the Senator yield?

Mr. BIDEN. I have not finished my statement, unless he wants to speak to that point for a moment.

Mr. SARBANES. If the Senator will yield at this point, I want to ask another one of those questions on this question of the mission and purpose of our forces as part of the Multinational Force. I think the Senator is absolutely on point in stressing that the mission of our troops has not been clearly defined and in fact is being expanded and broadened almost daily.

Now the Senator has quoted very effectively from the language of the resolution that is not before the Senate for approval. He quoted first the title which states that the participation in the Multinational Peacekeeping Force in Lebanon is in order to obtain withdrawal of all foreign forces from Lebanon. Then he quoted the findings and purpose section of the joint resolution which in order to restore full control by the Government of Lebanon over its own territory, the United States is currently participating in the Multinational Peacekeeping Force.

The Senator says he is about to cure that deficiency. But what happens if the Multinational Force becomes the unilateral force? What happens if France, Italy, and England say they have had enough and they are going home? Do we go home?

The resolution says:

WALKING.—Secretary of State George P. Shultz said yesterday that the mission of the U.S. marines and other Western forces should continue in Lebanon until there is stability in that country, which he indicated should include the withdrawal of Israeli, Syrian and Palestine Liberation Organization forces.

Given the chaotic situation in Lebanon, a senior administration official acknowledged, this could mean an indefinite commitment to remain in Lebanon, "until nobody knows if the Syrians will ever agree to pull out."

Mr. Shultz's comments, which came in an interview over the Cable News Network, were likely to cause further concern in Congress, as he did when he testified last Wednesday before two congressional committees, the secretary refused to guarantee that the marines now in Lebanon would be pulled out in 18 months or that the size of the mission would not be expanded.

The article reporting on the interview later stated:

At one point in the interview, the secretary refused to provide details on the conditions for pulling out the approximately 5,500 American, British, French and Italian members of the multinational force. But under questioning:

"We have to judge the situation, and we want to have the marines continue their mission, and the other multinational forces as well. In support of that, in the case of Lebanon, we want to go beyond the emergence of stability in Lebanon. If we can find a situation in Lebanon that has stability and the structure of the government and removal of foreign forces, that's the objective."

When asked if that meant it would not be possible to achieve "stability" without the removal of the foreign forces, he agreed, saying: "I think that if you have a country with, say, 75 percent or so occupied by foreign forces, it's hard to see how the government of that country has control of it, and it has stability."

Then, and listen carefully as our role in Lebanon gets carried step by step further and further.

Mr. Shultz also said that even if the foreign forces are withdrawn eventually, he could foresee the multinational forces being there: "another on instead of being stationed in the Beirut area, "we've always had it in mind that if withdrawal of all foreign forces could be brought about and the Lebanon peacekeeping forces begin to take over, we've been helping, a train can move in and take charge in those areas, that the multinational force, not just our marines, might occupy some strategic position in Lebanon."

So that even if the foreign forces are withdrawn he is contemplating a further mission for the Multinational Force.

This is what we mean when we say the mission and purpose of this force has not been defined in a way that Congress can make a reasonable judgment about whether it makes sense, whether it is feasible, whether it is achievable, what the risks are, what the benefits are and whether we want to commit under those circumstances. The Senator has put his finger on an extremely important point. In fact our colleague, Senator Nunn, who was on "Meet The Press" on Sunday was questioned about our involvement there and massive.

I do not believe we ought to be debating a time limit. I think we ought to be debating our role in Lebanon.

I think the Senator from Delaware has pinpointed the crucial issue very well and I commend the Senator. It is an extremely important point that is being discussed.

Mr. BIDEN. I thank the Senator and I hope he will develop it more.

I add that I am not as我知道on going not on and even reading further in that article. Where he left off it says:

A senior official said that there has been planning for the Western forces to be stationed in such key areas as Beirut-Damascus highway to ensure that Syrian or PLO forces do not reenter Lebanon. They also might be sent to port areas and other regions to serve as a political support to the Lebanese.

I really admire the candor of the administration with the press. I wish they would be as candid with us. That is what we are looking for. We are trying to figure out what they are all about. They do not say as much to us. When you press them they say it is a limited role, and that it is only so many people.

I was eating lunch in the Senate dining room with several of my Republican colleagues who have a different ideological disposition on most issues than I and I said "I am worried, that is, if the October 18, 1984, is not going to be with them. That is what we are looking for. We are trying to figure out what they are all about. They do not say as much to us. When you press them they say it is a limited role, and that it is only so many people.

I want to, and I want to make it clear to those marines that if we sign on to send them there we are signing on to stay with them. We are either going to be with them or not going to be with them. That is the fundamental argument I was trying to articulate before. We never knew before were you in or out. The only way you know you are in is, if that is the position this administration has for our marines, then let him send it up to us within the context of the War
Powers Act. Let us debate it here on the floor of the Senate, and let us vote and let us be on record as to whether or not that mission was accomplished.

We all line up and the likelihood is that if we all line up, we all sign on, we are likely to stay there. We are not going to have another generation that has the rug pulled out from under it when it is sitting there.

We are not going to then find that there is a majority on the floor of the Senate saying, “I didn’t know you meant to do that,” therefore cut off aid, cut off the money, cut off the appropriations.”

You have to give them some security, some surety. If that is the mission let us make it the mission. A problem facing our marines is pretty well illustrated by a statement by one of the platoon commanders quoted in Sunday’s Post. He said, “It is pretty hard to find out who is shooting at you. You have no idea who are the good guys and who are the bad guys. That is what I am trying to find out.”

I want to make sure when that discussion takes place—2 months or 6 months or 18 months from now, in Lebanon among marines, they are not deciding whether we are the good guys or the bad guys, not just who is shooting at them but back here is the good guy and the bad guy, who is with them and who is against them, who signed on and who signed off. I do not see anything in this resolution that says that.

Now if every Senator who is going to vote for this resolution is saying, “Mr. President, we are signing on with you for 18 months, to accomplish the mission that you have cited as objectives, and we are not going to pull out on you, we are going to stick with you,” then fine, wonderful.

I happen to think that would be a mistake. But, wonderful, we know what about the rest of the world?

But, mark my words what is going to happen. People are going to sign on for the 18 months, which this resolution does, even though it has a review after 6 months, they are going to sign on for 18 months and then, God forbid, which I do not hope, if things get real bad, public pressure starts to build, these same folks who voted for that resolution are going to be on the floor of the U.S. Senate saying: “I didn’t know it meant this. That ole President, he is doing something he said he wasn’t going to do. We didn’t know it meant that. We only thought such and such.”

And they will be able to say that because they can say, “I didn’t know that was the military objective that we were signing onto.”

Now, let us ask the question before it, it seems to me, is, first and foremost, does the War Powers Act apply? The Senator from Illinois quoted or made reference to Camp David and talked about how that was a chance and a historical occasion. All true. Only one little difference: We did not send American marines to assure Camp David was accommodated. We did not do that. We are here. Again, a laudable objective, but we are sending American troops, I assume, to stay with it until the objective is accomplished.

I do not understand how we can, as we seem to be trying to do, disconnect the presence of the marines from the objective. If they are not there to meet these broad objectives, why are they there? And if they are there for that reason, does not the President need a broader grant of authority than we are giving him in order to accomplish those objectives?

The President of the United States, in an address to the Nation back on November 29, 1982, started off by saying:

My fellow Americans, the scenes that the whole world witnessed this past weekend are among the most heart-rendering in the long nightmare of Lebanon’s agony.

Then he went on to get to this phrase:

Secretary Shultz, on my behalf, has also reiterated our views to the Government of Israel through its Ambassador in Washington.

Continuing to quote:

Unless Israel moves quickly and courageously to withdraw, it will find itself ever more deeply involved in problems that are not of its own and which it cannot solve.

Now, I wonder why the President seemed so confident that we can solve the dilemma that has plagued Lebanon for centuries. In terms of U.S. national interests, to what degree is that interest jeopardized if, in fact, there is not a unified Lebanon? And if you assume that the objective, that we will have a significant diminution of our security interests in the region absent a united Lebanon, we must then ask whether the project force sufficiently to secure Lebanon, are we willing to go head to head and run the risk with that other superpower that is just across the line?

Mr. President, there are Soviet soldiers across the way—not 500, 5,000 or 8,000 miles away; they are miles away.

Now, what are we signing onto? Is it so important in our interests that we cannot have a situation that, in effect, is a situation where the Syrians are in the east, the Israelis in the south, and the Lebanese Government in the Beirut area while diplomacy works or attempts to make it work?

We are said to be protecting Israel’s northern border. I thought Israel did a pretty good job of that all by itself. For the last 30 some years, we have not had to interdict any American forces in the Middle East to protect Israel. They do a pretty credible job.

Why is it that we think that the American public and the world, that understandably was outraged when Israel was shelling Beirut and other population centers to get after the PLO and innocent civilians were being killed? Why is it that now, the world will not think that of us when the battleship New Jersey is firing off into the Shuf?

Do we think somehow we are going to be able to do it with great precision and only (a) the bad guys, who ever they are, and (b) military bad guy types are going to be hit? This notion that on paper seems so compelling and reasonable that all we have to do is put together a Government of Lebanon or allow one to blossom—which it will do if it only has time—and then, with a little bit of help from their friends, all the bad guys will leave and everybody will be in harmony and, therefore, if they do it more East is more secure and that in turn is positive in terms of United States interests and so on and so on and so on, all sounds reasonable. It is compelling, except it defies history. It does not see that happening in any short time.

And yet, we are going to nickel and dime, apparently, the Marines to death while we seek that goal in an incremental way that is designed to produce this unified Lebanon that, in fact, has a central government that is in control of all Lebanon, absent the presence of foreign forces, all foreign forces.

I do not know. It sounds very good. The President could have just as easily come up here and said, through his Secretary of State, “Our objective is to secure the Beirut area”—at least that would have been more circumscribed—and define what constitutes the Beirut area. But we are going a little bit further than that. We are not just waiting for this Gemayel government to get its wings, we want it to be able to fly, but we say, it has been rated, and that is fly over all of Lebanon, unite all of Lebanon.

And how long do we stay? How long does the multinational force stay? As I said, do we stay beyond what the rest of the multinational force stays?

Well, I think the mission in Lebanon is changing the same incremental way that the mission in Southeast Asia changed. In August of 1982, the Marines were deployed in Beirut for less than 3 weeks to help supervise the PLO withdrawals. Then on September 25, 1982, the Marines reentered Beirut according to the United States agreement with Lebanon. “They are said to be temporarily to establish an environment which will permit the Lebanese Armed Forces to carry out their responsibilities in the Beirut area.” The United States “will then be able to restore the Lebanese Government, sovereignty and authority over the Beirut area.”

And a U.S. Government statement said, “This agreement was to provide
appropriate assistance to the GOL's (the Government of Lebanon)'s efforts to restore order, safety, and control in Beirut.

Then on September 29, 4 days later, President Reagan informed Congress: The Marines' "mission is to provide an interposition force at agreed locations and, therefore, provide the multinational presence requested by the Lebanese Government."

The President also reported that "All armed elements in the area have given us assurances that they will refrain from hostilities and will not interfere with the activities of the multinational force."

In recent weeks that mission has been expanded. In his report to the Congress on August 30 President Reagan said the multinational force, including Marines, "was designed to facilitate the restoration of the Lebanese Government's sovereignty and authority," thus omitting the previous limiting condition, that is, "in the Beirut area."

The President also said, "The continuing stalemate of U.S. forces in Lebanon is essential to the objective of helping to restore the territorial integrity, sovereignty and political independence of Lebanon."

And then we heard quoted September 21 of this year, Secretary Shultz described the mission in broader and vaguer terms: "Peacekeeping mission to provide sense of security an added measure of stability in the overall equation 'one crucial pillar in the structure of stability' an important deterrent, a symbol of the international backing behind the legitimate government of Lebanon, an important weighing of the scales."

He also described the important objectives: One, withdrawal of all external forces; two, restoration of control by the Lebanese Government; three, securing an armistice with or without the multinational force; four, recognition of the legitimate government of Lebanon, an important weighing of the scales."

Minority views signed by all Democratic members of the Foreign Relations Committee.

MINORITY VIEWS OF ALL DEMOCRATIC COMMITTEE MEMBERS

We strongly oppose the joint resolution on Lebanon sponsored by Senators Baker and Percy and approved in the Foreign Relations Committee so that as people go through this first day of comment and debate on this issue they will have up front the minority views set out.

I would like to take just a moment to read them, if I may.

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Minority views signed by all Democratic members of the Foreign Relations Committee.
Mr. SARBANES. Mr. President, I thank the Senator from Delaware for yielding.

This is the first and opening day of debate on this very grave and serious issue. I think it is reasonable to expect that, before the Senate finally votes on the matter, each Member will understand just how important the decision we are making here is.

Mr. BIDEN. Mr. President, will the Senator let me interrupt him for 60 seconds?

Mr. SARBANES. Surely, Mr. President.

Mr. BIDEN. Earlier, when I was referring to Camp David, I made reference, in reference to a comment by the Senator from Illinois, that we did not have American troops there assuring that it would be upheld. The fact of the matter is that, as the Senator knows, as we all know, there are U.S. troops to police the Sinai withdrawal. They are part of the Camp David peace treaty. But there are three significant elements. First, the Administration specifically requested legislation, the mission of troops was governed by the Israeli and Egyptian treaty and the Sinai situation was one where hostilities were clearly not expected to develop and did not develop.

Mr. SARBANES. I might add that was a mission that was very clearly defined. I was a member of the committee when the request was made and we were able to have put before us exactly what was expected of the Americans involved, the responsibilities that they would be carrying out, and the circumstances in which those responsibilities would be carried out.

Mr. President, that brings me to the first point I want to make in considering this resolution. That goes to the fact that the nature and mission of the American presence in Lebanon is not only not clearly defined, but is in the constant process of being expanded—of being started in broader, more general terms. I am going to have more to say on this, Mr. President, and I hope Members will have an opportunity to look at it. It shows the administration moving to an expanded, unclearly defined commitment.

When the American marines were first put in in the late August as part of the multinational force, they went into Lebanon under a plan for the evacuation of the PLO from West Beirut. That commitment was very carefully defined. The President made a statement on the 20th of August in the course of which he said:

Our purpose will be to assist the Lebanese Armed Forces in carrying out their responsibility for insuring the departure of PLO leaders, offices, and combatants in Beirut from Lebanese territory under safe and orderly conditions. The presence of U.S. forces will facilitate the restoration of the sovereignty and authority of the Lebanese Government over the Beirut area. In no case will our troops stay longer than 30 days.

Mr. President, I ask unanimous consent to have the full statement of President Reagan quoted at line 30, from which I have just quoted, be printed in the Record at this point.

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

Passports, Mr. President, will the Senator from Delaware for yielding.

Mr. BIDEN. Thank you all and let me just say in advance I'll be taking no questions because Secretary Shultz, a little later in the day, will be having a full press conference, so you can take everything up with him.

Ambassador Habib (Philip C. Habib, President's special emissary to the Middle East) has informed me that a plan to resolve the west Beirut crisis has been agreed upon by all the parties involved. As part of this plan, the government of Lebanon has requested, and I have approved, the deployment of U.S. forces to Beirut as part of a multinational force (MNF). The negotiations to develop this plan have been extremely complex and have been conducted in the most arduous circumstances. At times it was difficult to imagine how agreement could be reached, and yet it has been reached.

The statesmanship and the courage of President Sarkis and his colleagues in the Lebanese government, and their ability to carry out this mission, the President's special emissary to the Middle East, as does the magnificent work of Ambassador Habib, Phil never lost hope and in the end, his spirit and determination carried the day. We all owe him a debt of gratitude.

The parties who made this plan possible have a special responsibility for insuring its successful completion, or implementation. I expect its terms to be carried out in good faith and in accordance with the agreed timetable. This will require meticulous adherence to the cease-fire. Violations by any party would imperil the plan and bring renewed bloodshed and tragedy to the people of Beirut, and under no circumstances must that be allowed to happen. As you know, my agreement to include U.S. forces in a multinational force was essential for our success. Indeed, as days ahead, the role of France and Italy is playing an important but carefully limited noncombatant role. The parties to the plan have agreed to its terms and have provided assurances on the safety of our forces.

Our purpose will be to assist the Lebanese Armed Forces in carrying out their responsibility for insuring the departure of PLO leaders, offices, and combatants in Beirut from Lebanese territory under safe and orderly conditions. The presence of U.S. forces will facilitate the restoration of the sovereignty and authority of the Lebanese Government over the Beirut area. In no case will our troops stay longer than 30 days.

The participation of France and Italy in this effort is further evidence of the sense of responsibility of these good friends of the United States.

Successful resolution of the west Beirut crisis by responsible implementation of the plan we agreed will set the stage for the urgent international action required to restore Lebanon's full sovereignty, unity, and territorial integrity; and the withdrawal of all foreign forces from that country; and help insures the security of northern Israel. We must also move quickly in the context of Camp David, to resolve the Palestinian issue in all its aspects, as well as the other unresolved problems in the Arab-Is-
raell conflict. Only when all these steps are accomplished can true and lasting peace and security be achieved in the Middle East.

Mr. SARBANES. Mr. President, that introduction of troops was pursuant to a departure plan which had been very carefully worked out. That plan set out the procedure in great detail and provided among other things for the schedule of departures, the mandate of the multinational force, the duration of the multinational force—let me just quote that paragraph:

**DURATION OF MNF**

It will be mutually agreed between the Lebanese Government and the governments contributing forces to the MNF that the forces of the MNF will depart Lebanon not later than 30 days after arrival, or sooner at the request of the Government of Lebanon, or at the direction of the individual governments in other countries, in accord with the termination of the mandate of the MNF provided for above.

The departure plan goes on to set out the role of the International Committee of the Red Cross, provides for liaison and coordination, provides for matters governing the transit through Lebanon of PLO elements, and so forth and so on.

1. The continued consent that the departure plan and the factsheets on the departure be printed at this point in the Record.

There being no objection, the departure plan and factsheets were ordered to be printed in the Record, as follows:

**DEPARTURE PLAN**

**PLAN FOR THE DEPARTURE FROM LEBANON OF THE PLO LEADERSHIP, OFFICES, AND COMBATANTS IN BEIRUT**

1. **Basic Concept.** All the PLO leadership, offices, and combatants in Beirut will leave Lebanon peacefully for prearranged destinations in other countries, in accord with the departure schedules and arrangements set out in this plan. The basic concept in this plan is consistent with the objective of the Government of Lebanon to ensure that foreign and domestic military forces withdraw from Lebanon.

2. **Cease-fire.** A cease-fire in place will be secured by the United Nations, and observed by all in Lebanon.

3. **U.N. Observers.** The U.N. Observer Group stationed in the Beirut area will continue its functioning in the Record.

4. **Safeguards.** Military forces present in Lebanon—whether Lebanese, Israeli, Syrian, Palestinian, or any other—will in no way interfere with the safe, secure, and timely departure of the PLO leadership, offices, and combatants. Law-abiding Palestinian noncombatants left behind in Beirut, including the families of those who have departed, will be subject to Lebanese laws and regulations. The Governments of Lebanon and the United States will provide appropriate guarantees of safety in the following ways.

The Lebanese Government will provide its guarantees on the basis of having secured assurances from armed groups with which it has been in touch.

The United States will provide its guarantees on the basis of assurances received from the Government of Israel and from the leadership of certain Lebanese groups with which it has been in touch.

5. **Departure Day.** Departure day is defined as the day on which advance elements of the multinational force (MNF) deploy in the Beirut area, in accordance with arrangements worked out in accord with all concerned, and on which the initial group or groups of PLO personnel commence departure from Beirut in accordance with the schedule not later than 30 days after arrival.

6. **The Multinational Force.** A temporary multinational force, composed of units from France, Italy, and the United States, will have been in place by the request of the Lebanese Government—to assist the Lebanese Armed Forces in carrying out their responsibilities. The Lebanese Armed Forces will assure the departure from Lebanon of the PLO leadership, offices, and combatants, from whatever organization in Beirut, in a manner which will:

(A) assure the safety of such departing PLO personnel;

(B) assure the safety of other persons in the Beirut area; and

(C) further the restoration of the sovereignty and authority of the Government of Lebanon over the Beirut area.

7. **Schedule of Departures and Other Arrangements.** The attached schedule of departures is subject to revision as may be necessary based on requirements and schedules, and because of any necessary shift in the setting of Departure Day.

8. **MNF Mandate.** In the event that the Departure from Lebanon of the PLO personnel referred to above does not take place in accord with the agreed and predetermined schedule, the mandate of the MNF will terminate immediately and all MNF personnel will leave Lebanon forthwith.

9. **Duration of MNF.** It will be mutually agreed between the Lebanese Government and the governments contributing forces to the MNF that the forces of the MNF will depart Lebanon not later than 30 days after arrival, or sooner at the request of the Government of Lebanon or at the direction of the individual governments concerned, or in accord with the termination of the mandate of the MNF provided for above.

10. **The PLO leadership will be responsible** for the organization of the assembly and the final departure of PLO personnel, from beginning to end, at which time the leaders also will all be gone. Departure arrangements will be coordinated so that departures from Beirut take place at a steady pace, day by day.

11. **Lebanese Armed Forces Contribution.** The Lebanese Army will contribute between seven and eight army battalions to the operation, consisting of between 500-3,500 men. In addition, the internal security force will contribute men and assistance as needed.

12. **ICRC.** The International Committee of the Red Cross (ICRC) will be able to assist the Government of Lebanon and the Lebanese Armed Forces in various ways, including in the organization and management of the evacuation of wounded and ill Palestinian and Syrian personnel to appropriate destinations, in the charting and movement of commercial vessels for use in departure by sea to other countries. The Liaison and Coordination Committee will insure that there will be proper coordination with any ICRC activities in this regard.

13. **Departure by Air.** While present plans call for departure by sea and land, departures by air are not foreclosed.

14. **Liaison and Coordination:** The Lebanese Armed Forces will be the primary point of contact for liaison with the PLO and with the U.N., and with the representatives of the MNF participating governments and the Lebanese Armed Forces. The Liaison and Coordination Committee will carry out close and effective liaison with, and provide continuous and detailed information to, the Israeli Defense Forces (IDF). One behalf of the committee, the Lebanese Armed Forces will continue to carry out close and effective liaison with the PLO and other armed groups in the Beirut area. For convenience, the Liaison and Coordination Committee will have two essential components:

(A) Supervisory liaison; and

(B) Administrative and technical liaison and coordination.

The Liaison and Coordination Committee will act collectively; however, it may designate one or more of its members as primary liaison contact who would of course act on behalf of all.

Liaison arrangements and consultations will be conducted in such a way as to minimize misunderstandings and to forestall difficulties. Appropriate means of communications between the committee and other offices will be developed.

The Liaison and Coordination Committee will continually monitor and keep all forces informed of the implementation of the plan, including any revisions to the departure schedule as may be necessary because of logistical requirements.

15. **Duration of Departure.** The departure period shall be as short as possible and, in any event, no longer than 2 weeks.

16. **Transit Through Lebanon.** As part of any departure arrangement, all movements of convoys carrying PLO personnel must be cleared by the Government of Lebanon. While present plans call for convoying overland from Beirut to Syria, the convoys should cross the border into Syria with no stops en route. In those instances when convoys will clear the route for the temporary period in which the convoy is running. Similar steps will be taken by other armed groups located in the area of the route the convoy will take.

17. **Arms Carried by PLO Personnel.** On their departure, PLO personnel will be allowed to carry with them personal side weapon (pistol, rifle, or submachine gun) and ammunition.

18. **Cargo and Spare Weaponry and Munitions.** The PLO will turn over to the Lebanese Armed Forces as gifts all remaining weaponry in their possession, including heavy, crew-served, artillery and equipment, along with all munitions left behind in the Beirut area. The Lebanese Armed Forces may seek the assistance of the MNF in the loading and disposing of the military equipment. The PLO will assist the Lebanese Armed Forces by providing, prior to their departure, full and
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MNF COMPOSITION, AREA OF OPERATIONS, AND FORCE COMPOSITION. The multinational force, which will be deployed to the Beirut area at the request of the Government of Lebanon, will consist of approximately 400 Italian, 800 French, and 800 U.S. military personnel. The U.S. portion of the MNF will be comprised of Marines of the 32d Marine Amphibious Unit presently serving with elements of the Sixth Fleet on duty in the eastern Mediterranean.

Area of Operations. The MNF will operate in and around the Beirut area. It will take up positions and operate from locations determined by mutual agreement between the various national contingents and the Lebanese Armed Forces through the mechanism of a Liaison and Coordination Committee.

Mission. The multinational force will assist the Lebanese Armed Forces in carrying out its responsibilities for insuring the safe and orderly departure from Lebanon of the PLO personnel, as well as the PLO forces from West Beirut currently in and around the Beirut area. It will take up positions and operate from locations determined by mutual agreement between the various national contingents and the Lebanese Armed Forces through the mechanism of a Liaison and Coordination Committee. The multinational force will also provide detailed information as to the location of mines and booby traps to the Lebanese Armed Forces. The Syrian military forces will take all munitions left behind in the Beirut area. They and the Arab Deterrent Force will also redeploy from Beirut during the period of the MNF deployment.

21. Turnover of Prisoners and Remains. The PLO will, through the ICRC, turn over to the Lebanese Armed Forces any former prisoners of war or other persons in the area, and which will be in the form of an exchange of notes signed by Ambassador Dillon on behalf of the U.S. Government and Deputy Prime Minister and Minister of Foreign Affairs of Lebanon, with regard to the release of any still-remaining prisoners of war over the Beirut area.

Duration of the Mandate. It has been mutually agreed between the Government of Lebanon and those governments contributing forces to the MNF that these forces will depart Lebanon not later than 30 days after arrival, or sooner at the request of the Government of Lebanon or at the discretion of the multinational force concerned. There is also provision for the immediate termination of the mandate of the MNF and for its withdrawal from Beirut in the event that the MNF forces do not take place in accord with the predetermined schedule.

ROLE AND MISSION OF U.S. FORCES IN BEIRUT. U.S. forces will be deployed to Beirut as part of the multinational force based on an agreement between the U.S. Government and the Government of Lebanon.

The U.S. contingent of the multinational force will provide appropriate assistance to the Lebanese Armed Forces as they carry out their responsibilities concerning the withdrawal of PLO personnel in Beirut from Lebanese territory under safe and orderly conditions. The presence of U.S. forces will also facilitate the restoration of Lebanese Government sovereignty and authority over the Beirut area.

U.S. forces will enter Beirut after the evacuation is well underway (probably 5 or 6 days thereafter) in concert with the Italian MNF contingent and the remainder of the French force. Approximately 800 Marines from Sixth Fleet units will be deployed. Command authority for the Marines will be exercised by the National Command Authority (NCA) through normal American military channels (EUCOM). These forces will not engage in combat but may exercise self-defense rights to the right of it. They will have freedom of movement and the right to undertake actions necessary to perform their mission to support the personnel. U.S. personnel will be armed with usual infantry weapons.

Close coordination will be maintained with the MNF. There will be an exchange of liaison officers among the elements of the MNF and the Lebanese Armed Forces. A Liaison and Coordination Committee will be set up to represent the MNF forces from the U.S., French, Italian, and Lebanese armed forces will assist this process. The Government of Lebanon and the Lebanese Armed Forces are taking measures necessary to insure the protection of U.S. forces including having secured assurances from armed elements that they will comply with the cease-fire and cessation of hostilities.

The U.S. contingent will be in Beirut for no more than 30 days.

WAR POWERS RESOLUTION

The War Powers Resolution requires a report to Congress within the 60-day period following the introduction of U.S. Armed Forces: (1) into foreign territory while equipped for combat; (2) into hostilities or situations where imminent involvement in hostilities is clearly indicated by the circumstances.

There is no intention or expectation that U.S. forces will become involved in hostilities in Lebanon. They will be in Lebanon at the formal request of the Government of Lebanon; we will have assurances regarding the safety and security of the multinational force. Although we cannot rule out isolated acts of violence, all appropriate precautions will be taken to assure the safety of U.S. military personnel during their brief assignment to Lebanon.

These matters will, in any event, be kept under constant review, and the President will report to Congress consistent with the reporting requirements of the War Powers Resolution.

AGREEMENTS AND ASSURANCES

U.S. forces will participate in the multinational force in Beirut pursuant to an agreement between the U.S. Government and the Government of Lebanon that the ICRC in the form of an exchange of notes signed by Ambassador Dillon on behalf of the U.S. Government and Deputy Prime Minister and Minister of Foreign Affairs of Lebanon, for the transfer of PLO personnel from Beirut.

The agreement describes the missions of the multinational forces in Lebanon and the U.S. forces participating in the MNF. It contains provisions concerning command authority for U.S. forces, coordination with the Lebanese Armed Forces and immunities of U.S. personnel. Annexed to the agreement is the schedule for the PLO departure from Beirut... to assure the safety of U.S. military personnel during their brief assignment to Lebanon.

In accordance with the agreement, the Government of Lebanon has secured assurances from all armed elements not now under the authority of the Lebanese Government that they will comply with the cease-fire and cessation of hostilities. The Government of Israel has provided appropriate assurances.

ROLE OF THE ICRC IN MOVING THE PLO FROM WEST BEIRUT

The role envisaged for the International Committee of the Red Cross (ICRC) in moving the PLO from west Beirut is still being finalized on the basis of discussions in Geneva and Beirut.

In accordance with its charter, the ICRC will be expected to care for the sick and wounded PLO personnel while in transit. It will be expected to deliver food and medical supplies and provide medical care for the sick and wounded PLO personnel on their arrival in Greece.

FINANCING THE DEPARTURE OF THE PLO FROM WEST BEIRUT

The cost of chartering transport of the PLO combatants to receiving countries will be funded through international organizations. The United States is prepared to provide initial funding from State Department funds.

Estimates regarding the cost of evacuating PLO forces from West Beirut currently

...
range from $2 to $4 million. This figure could be increased, however, as the number of people to be transported and their ultimate destinations are finalized.

(Mr. COCHRAN assumed the chair.)

Mr. SARBANES. I want to underscore again, Mr. President, that the development that I have referred to is a very carefully prepared plan, thoroughly defining the circumstances under which our troops were first introduced into Lebanon. They went in on August 20. The mission was accomplished on September 11, and they came out ahead of schedule.

I ask that the schedule of departures related to this plan be printed in the Record at this point.

There being no objection, the schedule was ordered to be printed in the Record, as follows:

**SCHEDULE OF DEPARTURES**

**AUGUST 21, 1982—DEPARTURE DAY**

The advance elements of the MNF (approximately 1,600 personnel) will land at the Beirut port area at about 0600 and deploy in the Beirut port area in preparation for the initial departures of PLO groups by sea.

Meanwhile the Lebanese Armed Forces deployed to previously agreed positions in the Beirut area, primarily in the so-called demarcation line area, to assist in the departure of PLO personnel. The Lebanese Armed Forces will take over positions occupied by the PLO.

The PLO will ensure that National Movement Forces (collection of Lebanese militiamen) which had occupied these positions following with the PLO will also withdraw.

As the day proceeds, the Lebanese Armed Forces will take up such other positions as necessary to assist in the departure of PLO personnel.

Meanwhile, the initial group of PLO personnel assemble in preparation for departure by sea later in the day (or on August 22). The vessel or vessels to be used for this purpose will arrive at pier on August 21.

The initial groups could include the wounded and ill, who would be transported in accordance with agreed arrangements—by sea or land, or both—to their destinations in other countries.

The initial group or groups of PLO personnel destined for Jordan and Iraq would move from their assembly point to the waiting commercial vessel or vessels for onward transport by sea.

**AUGUST 22**

All groups destined for Jordan or Iraq will have boarded ship and will have sailed from Beirut.

Duplicating the model followed on August 21, PLO groups destined for Tunisia assemble and move to the Port of Beirut for departure by sea.

**AUGUST 23**

All PLO personnel destined for Tunisia complete their assembly and embark on commercial vessel for Tunisia. The personnel destined for South Yemen assemble and move to a vessel for departure then or on August 24.

**AUGUST 24-25**

Assembly and departure by sea of PLO personnel destined for North Yemen.

**AUGUST 25**

Provided that satisfactory logistical arrangements have been completed, the initial groups of PLO personnel destined for Syria assemble and move overland via the Beirut-Damascus highway to Syria.

The advance French elements of the MNF already in the port area will have taken up such other agreed positions on the land route in this area as necessary to assist in the overland departure of the PLO personnel for Syria.

The Lebanese Armed Forces join with the French in these operations.

If it should be agreed that these initial groups should go by sea to Syria rather than by land, this departure schedule also is subject to amendment to assure that logistical requirements are met.

**AUGUST 26-28 (APPROXIMATELY)**

The remaining forces of the MNF (from the United States, France, and Italy) arrive in the Beirut area and deploy to agreed locations as determined through the Liaison and Coordinating Committee. This movement may be accompanied by the transfer of the advance French elements previously in the port area and elsewhere to other locations in the Beirut area.

**AUGUST 28-30**

PLO groups destined for Syria continue to move—by land or sea—to Syria.

**AUGUST 30-SEPTEMBER 1**

Turnover to the Lebanese Armed Forces of PLO weaponry, military equipment, and ammunition in a continuing and orderly fashion.

**SEPTEMBER 1-2**

Completion of the departure to Syria—by land or sea—of all PLO or Palestine Liberation Army personnel destined for Syria.

**SEPTEMBER 2-5**

Assembly and departure by sea of all PLO personnel destined for the Sudan. Assembly and movement by sea of all PLO personnel destined for Algeria.

**SEPTEMBER 4-21**

The MNF assists the Lebanese Armed Forces in any agreed inter-agency agreements between governments concerned, to insure good and lasting security throughout the area of operation.

**SEPTEMBER 21-26**

Departure of MNF.

Mr. SARBANES. This schedule of departure sets out the projected time line, beginning with August 21, 1982, the departure day, and going right through to September 21 to 26, the dates of departure of the MNF. Actually, the multinational force departed ahead of those dates, the evacuation of the PLO having been accomplished. I also ask that the exchange of notes dated August 18 and August 20, 1982 governing the U.S. contribution to the multinational force be printed at this point in the Record.

There being no objection, the exchange of notes were ordered to be printed in the Record, as follows:
the protection of the American force's personnel, to include securing the assurances from all armed elements not now under the authority or control of the multinational force. Accordingly, they will comply with the cease-fire and cessation of hostilities.

The American force will enjoy both the degree of freedom of movement and the right to undertake those activities deemed necessary for the performance of its mission or for the safety of its personnel. Accordingly, it shall enjoy all facilities necessary for the accomplishment of these purposes. Personnel of the American force shall enjoy the privileges and immunities accorded the administrative and technical staff of the American Embassy in Beirut, and shall be exempt from immigration and customs requirements, and restrictions on entering or departing Lebanon. Personnel, property and equipment of the American force introduced into Lebanon shall be exempt from any form of tax, duty, charge or levy.

I have the further honor to propose, if the foregoing is acceptable to your Excellency's government, that your Excellency's reply to that effect, together with this note, shall constitute an exchange facilitating the entry of the governments, to enter into force on the date of your Excellency's reply.

Please accept, Your Excellency, the assurances of my highest consideration.

FaoD BouTrOus,
Deputy Prime Minister
Minister of Foreign Affairs.

U.S. Reply to Lebanese Note Requesting U.S. Contribution to MNF

August 20, 1982.

I have the honor to refer you to your Excellency's note of 18 August 1982 requesting the deployment of an American force to Beirut. I am pleased to inform you on behalf of my government that the United States is prepared to deploy temporarily a force of approximately 800 personnel as part of a Multinational Force (MNF) to provide appropriate assistance to the Lebanese Armed Forces (LAF) as they carry out their responsibilities concerning the withdrawal of Palestinian personnel in Beirut from Lebanese territory under safe and orderly conditions, in accordance with the schedule annexed to your Excellency's note. It is understood that the presence of such an American force is necessary in the restoration of Lebanese Government sovereignty and authority over the Beirut area, an objective which is fully shared by my government.

I have the further honor to inform you that my government accepts the terms and conditions concerning the presence of the American force in the Beirut area as set forth in your note, and that your Excellency's note and this reply accordingly constitute an agreement between our two governments.

Robert S. Dillion
Ambassador of the United States of America.

Mr. SARBANES. That exchange of notes, I would point out, stated, among other things, that in carrying out its mission the American forces would engage in combat. Furthermore it provided that "the American force will depart Lebanon not later than 30 days after its arrival, or sooner at the request of the President of Lebanon or at the request of the U.S. government, or according to the termination of the mandate provided for above."

Mr. President, the President sent a letter to the Secretary General of the United Nations on August 20 concerning this matter. I ask unanimous consent that it be printed in the Record. And there is no objection. The letter below was ordered to be printed in the Record, as follows:

President's Letter to the U.N. Secretary General, August 20, 1982

Letter dated August 20 from the Charge d'Affaires a.i. of the U.S. Permanent Mission to the United Nations addressed to the Secretary General.

I have the honor to transmit the following message from the President of the United States:

"Dear Mr. Secretary-General: As you know, the Government of the Republic of Lebanon has requested the deployment of a multinational force in Beirut to assist the Lebanese armed forces as they carry out the orderly and safe departure of Palestinian personnel now in the Beirut area in a manner which will further the restoration of sovereignty and authority of the Government of Lebanon over the Beirut area. The Lebanese Government has asked for the participation of its own military personnel in this force, together with military personnel from France and Italy.

"I wish to inform you that the United States Government has agreed, in response to this request from the Lebanese Government, to deploy a force of about 800 personnel to Beirut for a period not exceeding 30 days. It is my firm intention and belief that these troops will not be involved in hostilities during the course of this operation.

"The deployment of this United States force is consistent with the purposes and principles of the United Nations as set forth in Articles 1 and 2 of the Charter. It further the goals of Security Council resolutions 508 (1982) and 509 (1982) adopted in June at the beginning of the Lebanon conflict. The force will plan to work closely with the United Nations observer group stationed in the Beirut area.

"The agreement will support the objective of helping to restore the territorial integrity, sovereignty and political independence of Lebanon. It is part of the continuing effort of the United States to bring lasting peace to that troubled country, which has too long endured the trials of civil strife and armed conflict.

"I have the honour to request that the present letter be circulated as an official document of the General Assembly, under Item 34 of the provisional agenda, and of the Security Council.

Kenneth L. Adelman, Ambassador.

Mr. SARBANES. And then on August 24, 1982, the President sent a letter to the Congress. In the course of that letter, he says as follows—and I am now quoting excerpts from his letter and then I will ask unanimous consent that the full text be included in the Record:

"I want to be very clear about the use of complaint missions for the U.S. forces. The U.S. forces will not be engaged in combat. They are in Lebanon at the formal request of the Government of Lebanon. Our agreement provides that in Beirut the U.S. forces will merely rule out any combat responsibilities for the U.S. forces. All armed elements in the area have given assurances that they will take no action to interfere with the implementation of the departure plan or the performance of the U.S. forces.

"(The departure has been underway for some days now and thus these assurances have been fulfilled). Finally, the departure plan makes it clear that the multinational force in Lebanon will not be involved in hostilities.

"I would note that the United States government has not been asked to undertake those activities deemed necessary to secure the necessary conditions for the withdrawal of the multinational force from Lebanon.

"I have the further honor to propose, if the foregoing is acceptable to your Excellency's government, that your Excellency's reply to the President's note of 20 August 1982 be circulated as an official document of the General Assembly, under Item 34 of the provisional agenda, and of the Security Council.

"Mr. President, I ask unanimous consent that the full text of that letter be printed in the Record.

"There being no objection, the letter was ordered to be printed in the Record, as follows:

President's Letter to the Congress, Aug. 24, 1982.

On August 18, 1982, the Government of Lebanon established a plan for the departure of the French and Italian forces from and the multinational forces in Beirut. The Government of Lebanon has not, as of yet, accepted the plan. The French and Italian forces have not, as of yet, accepted the plan. The French and Italian forces have not been deployed in Lebanon. The multinational forces have not been deployed in Lebanon.

On August 21, in accordance with the departure plan, approximately 350 French military personnel—the advance elements of the multinational force—were deployed in Beirut together with elements of the Lebanese Armed Forces, and the departure of Palestinian personnel began. To date, Palestinian personnel have departed Lebanon in accordance with the terms of the plan.

On August 25, approximately 800 Marines began to arrive in Beirut. These troops are equipped with weapons consistent with their non-combat mission, including usual infantry weapons.

Under our agreement with the Government of Lebanon, these U.S. military personnel will assist the Government of Lebanon in carrying out its responsibilities concerning the withdrawal of these personnel under safe and orderly conditions. This will facilitate the restoration of Lebanese Government sovereignty and authority over the Beirut area.

In response to the formal request of the Government of Lebanon, and in view of the requirement for such a force in order to secure the acceptance by concerned parties of the departure plan, I have authorized the Armed Forces of the United States to participate on a limited and temporary basis. In accordance with my desire that the Congress be fully informed on this matter, I have requested the Armed Forces of the United States to participate on a limited and temporary basis. In accordance with my desire that the Congress be fully informed on this matter, I have requested the Armed Forces of the United States to participate on a limited and temporary basis. In accordance with my desire that the Congress be fully informed on this matter, I have requested the Armed Forces of the United States to participate on a limited and temporary basis. In accordance with my desire that the Congress be fully informed on this matter, I have requested the Armed Forces of the United States to participate on a limited and temporary basis.

I have the honour to request that the present letter be circulated as an official document of the General Assembly, under Item 34 of the provisional agenda, and of the Security Council.

Ronald Reagan."
and 400 Italian military personnel in the multinational force. Transportation of the personnel departing is being carried out by commercial air transport by land. According to our agreement with the Government of Lebanon, the United States military personnel will be withdrawn from Lebanon.

I want to emphasize that there is no intention or expectation that U.S. Armed Forces will be involved in hostilities. They are in Lebanon at the formal request of the Government of Lebanon. Our agreement with the Government of Lebanon expressly rules out any combat responsibilities for the U.S. forces. All armed elements in the area have given assurances that they will take no action to interfere with the implementation of the departure plan or the activities of the multinational force. (The departure plan was underway for some days now, so that these assurances have been fulfilled.) Finally, the departure plan makes it clear that in the event of a breakdown in its implementation, the multinational force will be withdrawn. Although we cannot rule out isolated acts of violence, all assurances have thus been taken to assure the safety of U.S. military personnel during their brief assignment to Lebanon.

The deployment of the United States Armed Forces to Lebanon is being undertaken pursuant to the President's constitutional authority with respect to the conduct of foreign relations and as Commander-in-Chief of the United States Armed Forces. This step will not, by itself, resolve the situation in Lebanon, but it will take the United States one step closer to a lasting solution. The United States supports a political solution that meets the needs of all Lebanese people, including Christians, Muslims, and Druzes. The deployment of U.S. forces will be a stepping stone towards a comprehensive peace agreement for the region.

Mr. President, as a reading of the motion will indicate the reference is primarily to the role that the forces were going to play in the Beirut area. I ask unanimous consent that that exchange of notes be printed in the RECORD.

There being no objection, the notes were ordered to be printed in the RECORD, as follows:

9. AGREEMENT BETWEEN THE UNITED STATES AND LEBANON ON UNITED STATES PARTICIPATION IN A MULTINATIONAL FORCE IN BEIRUT.

Effect of exchange of notes at Beirut September 25, 1983.


Beirut, September 25, 1982.

No. 100

YOUR EXCELLENCY: I have the honor to refer to Your Excellency's note of 25 September 1982 requesting the deployment of an American Force to the Beirut area. I am pleased to inform you on behalf of my Government that the President of the United States is prepared to deploy temporarily a force of approximately 1200 personnel as part of a Multinational Force (MNF) to establish an environment which will permit the Lebanese Armed Forces (LAF) to carry out their responsibilities in the Beirut area. It is understood that the presence of such an American Force will facilitate the restoration of Lebanese Government sovereignty and authority over the Beirut area, an objective which is fully shared by my Government, and thereby further efforts of the Government of Lebanon to assure the safety of persons in the area and bring to an end the violence which has tragically recurred.

His Excellency
Foud Boutros,
Deputy Prime Minister and Minis-
ter of Foreign Affairs, Beirut.

I have the further honor to inform Your Excellency that my Government accepts the terms and conditions concerning the presence of the American Force in the Beirut area as set forth in your note, and that Your Excellency's note and this reply accordingly constitute an agreement between our two Governments.

BEIRUT, the 25th of September 1982.

His Excellency Mr. Robert Dillon, Ambassador of the United States, Beirut.

Your Excellency,
I am honored to refer to the urgent discussions between representatives of our two governments concerning the recent tragic events which have occurred in the Beirut area, and to consultation between my government and the Secretary General of the United Nations pursuant to United Nations Security Council Resolution 521. On behalf of the Republic of Lebanon, I wish to inform Your Excellency's Government of the determination of the Government of Lebanon to restore its sovereignty and authority over the Beirut area and thereby to assure the safety of persons in the area and bring to an end violence that has recurred. To this end, Israeli forces will withdraw from the Beirut area.

In its consultations with the Secretary General, the Government of Lebanon has noted that the urgency of the situation requires immediate action, and the Government of Lebanon, therefore, is, in conformity with the provisions of United Nations Security Council Resolution 521, proposing to several nations that they contribute forces to serve as elements of a Multinational Force (MNF) in the Beirut area. The mandate of the MNF will be to provide an interposition force at agreed locations and thereby provide the Multinational presence requested by the Lebanese Government to assist it and the Lebanese Armed Forces (LAF) in the Beirut area. This presence will facilitate the restoration of Lebanese Government sovereignty and authority over the Beirut area, and thereby further efforts of my government to assure the safety of persons in the area and bring to an end the violence which has tragically recurred. The Multinational force will undertake other functions only by mutual agreement.

In the foregoing context, I have the honor to propose that the United States of America deploy a force of approximately 1200 personnel to Beirut, subject to the following terms and conditions:

The American military force shall carry out appropriate activities consistent with the mandate of the MNF.

Command authority over the American Forces will be exercised exclusively by the United States Government through existing American military channels. The MNF and the Multinational Force (MNF) will form a liaison and coordination Committee, composed of representatives of the MNF participating governments and chaired by representatives of my Government. The Liaison and Coordination Committee will have two essential components: (A) Support for the MNF (MNF) and (B) Military and technical liaison and coordination.

The American Force will operate in close coordination with the LAF. To assure effective coordination with the LAF, the American Force will assign liaison officers to the LAF and the Government of Lebanon will assign liaison officers to the American Force. The LAF liaison officers to the American Force will, inter alia, perform liaison with the civilian population and with the U.N. observers and manifest the authority of the Lebanese Government in all appropriate situations. The American Force will provide security for LAF personnel operating with the U.S. contingent.

In carrying out its mission, the American Force will not engage in combat. It may, however, exercise the right of self-defense.

It is understood that the presence of the American Force will be needed only for a limited period to meet the immediate requirements imposed by the current situation. The MNF contributors and the Government of Lebanon will consult regarding the duration of the MNF presence. Arrangements for the departure of the MNF will be the subject of special consultations between the Government of Lebanon and the MNF participating governments. The American Force will depart Lebanon upon any request of the President of Lebanon or upon the decision of the President of the United States.

The Government of Lebanon and the LAF will take all measures necessary to ensure the protection of the American Force's personnel, to include securing assurances from all armed elements not now under the authority of the Lebanese Government that they will refrain from hostilities and not interfere with any activities of the MNF.

The American Force will enjoy both the degree of freedom and movement and the right to undertake those activities deemed necessary for the performance of its mission for the support of its personnel. Accordingly, the MNF contributors and the United States military personnel accorded the American military personnel access to all areas of Lebanon. The American military personnel shall be exempt from immigration and customs requirements, and restric-
September 26, 1983

CONGRESSIONAL RECORD—SENATE

Section 2(a), the resolution states:

The Congress finds that—

(1) the removal of all foreign forces from Lebanon is an essential United States foreign policy objective in the Middle East.

(2) in order to restore full control by the Government of Lebanon over its own territory, the United States is currently participating in the multinational peacekeeping force (hereafter in this resolution referred to as the "Multinational Force in Lebanon") which was established in accordance with the exchange of letters between the Governments of the United States and Lebanon dated September 25, 1982;

(3) the Multinational Force in Lebanon is critical in establishing the unity, independence, and territorial integrity of Lebanon.

Mr. President, we see a clear progression. We see the following movement:

The mission of the U.S. Marines and other forces to cover the evacuation of the PLO was very carefully and specifically defined; the reintroduction of the forces governed by two notes which were vague about its role, although it included the withdrawal of Israeli, Syrian, and Palestine Liberation Organization forces.

The distinguished Senator from Delaware and I had a discussion earlier about the comments of the Secretary of State over the weekend, in an interview, in which he said that the mission of the U.S. Marines and other Western forces should continue in Lebanon until there is stability in that country, which he indicated should include the withdrawal of Israeli, Syrian, and Palestine Liberation Organization forces.

The article went on to say:

Mr. Shultz also said that even if the foreign forces are eventually, he could foresee the multinational force's being given another mission. Instead of being stationed in the Beirut area, "we've always had it in mind that if withdrawal of all foreign forces could be brought about and the Lebanese armed forces, which we've been helping train, can move in and take charge in those areas, that the multinational force, not just our marines, might occupy some strategic positions in Lebanon."

A senior official said that there has been planning for the Western forces to be stationed in such key areas as the Beirut-Damascus highway to ensure that Syrian or PLO forces do not reenter Lebanon. They also might be sent to port areas and other regions to serve as a political support to the Lebanese.

Mr. President, I ask unanimous consent that the entire article be printed in the RECORD.

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

(From the Baltimore Sun, Sept. 25, 1983)

SHULTZ TIES WITHDRAWAL TO LEBANON'S STABILITY

WASHINGTON—Secretary of State George P. Shultz said yesterday that the mission of the multinational force in Lebanon should continue in Lebanon until there is stability in that country, which he indicated should include the withdrawal of Israeli, Syrian, and Palestine Liberation Organization forces.

Given the chaotic situation in Lebanon, a senior administration official acknowledged, this could mean an indefinite commitment to remain there because "nobody knows if the Syrians will ever agree to pull out."

Mr. Shultz's comments, which came in an interview over the Cable News Network, were likely to cause further concern in Congress because, as he did when he testified last Wednesday before two congressional committees, the secretary refused to guarantee that the Marines now in Lebanon would be pulled out in 18 months or that the size of the contingent or the scope of its mission would be expanded.

A resolution pending before Congress that President Reagan has promised to sign is meant by its congressional sponsors to put definite limits on the role of the Marine mission over the authority of the 1973 War Powers Act.

When asked if he would guarantee that the size of the force would not be enlarged, Mr. Shultz said yesterday that, although there was no plan for an increase, he would not provide a "guarantee, which is a flat, unambiguous, non-contingent type of thing."

He said in defending his refusal to give a pledge of no change that "you can't foresee what the situation may be."

"And I don't want to be in the position of acting as though I know exactly what the situation will be," he said.

At one point in the interview, the secretary refused to provide details on the conditions for pulling out the approximately 5,500 American, British, French, and Italian members of the multinational force. But under questioning, he added:

"We have to judge the situation, and we can't have a mission that's constrained by the withdrawal of Israeli, Syrian, and the other multinational force elements continue their mission, in supporting the emergence of stability in Lebanon, should include the withdrawal of all foreign forces, he agreed, saying: "I think that if you have a country with, say, 75 percent or so occupied by foreign forces, it's hard to see how the government of that country has control of it, and has stability.""

Mr. Shultz also said that even if the foreign forces are withdrawn eventually, he could foresee the multinational force's being given another mission. Instead of being stationed in the Beirut area, "we've always had it in mind that if withdrawal of all foreign forces could be brought about and the Lebanese armed forces, which we've been helping train, can move in and take charge in those areas, that the multinational force, not just our marines, might occupy some strategic positions in Lebanon."

A senior official said that there has been planning for the Western forces to be stationed in such key areas as the Beirut-Damascus highway to ensure that Syrian or PLO forces do not reenter Lebanon. They also might be sent to port areas and other regions to serve as a political support to the Lebanese.

Mr. President, I ask unanimous consent that the entire article be printed in the RECORD.

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

(From the Baltimore Sun, Sept. 25, 1983)
PLO forces do not reenter Lebanon. They also might be sent to port areas and other regions to serve as a political support to the Lebanese.

U.S. officials said yesterday they were not considering sending any U.S. troops to Lebanon. But one official estimated there are about 15,000 Israelis in southern Lebanon, about 40,000 Syrians in eastern and northern Lebanon, 11,000 to 15,000 Palestinian forces, some of them attached to the Syrian army and others on their own. There also are some 20,000 members of Transjordanian and Libyan forces in support of the anti-government forces in Lebanon.

Senator Charles McC. Mathias, Jr. (R, Md.), when told of Mr. Shultz's comments yesterday, said that he felt the administration was being "ungenerous" and "unresponsive," given the desire of Congress to be cooperative. But he said that although the administration does not want "to waive any of its rights," he believed that once the resolution had been passed and signed, the administration probably would be "willing to live with it."

Mr. SARBANES. Mr. President, I think it is becoming more and more apparent that we do not have a clear definition of what the role of our men in Lebanon is to be; that, in effect, what is happening is that we are being drawn into an open-ended commitment.

The joint resolution, in fact, even states in section 6 that the withdrawal of all foreign forces from Lebanon will not necessarily mean that our troops will come out, because the President could determine and certify that their continued participation in the multinational force is required.

So, even if the foreign forces are taken out—which is in itself a tremendous expansion of our responsibility and role—but even if that is achieved, the administration has made it clear that it may continue to keep the troops there. That is the point the Secretary made in his interview over the weekend.

Mr. President, before Senators focus too much on the 18-month versus the 6-month question—and that has been portrayed by some as critical in this matter—it is more important to focus on the role and scope of our troops. By way of comparison, we have people in the Sinai carrying out a role that was carefully defined, whose risks could be evaluated, whose benefits could be evaluated, and that role has continued over a lengthy period of time.

I agree with the distinguished Senator from Georgia (Mr. Nunn), who said yesterday on "Meet the Press":

"I do not believe we ought to be debating a time limit. I think we ought to be debating our role in Lebanon."

Beyond that—and this is the final point I want to get on the record before today's debate finishes—beyond that, I believe we ought to be willing to live with the administration that, whatever the terms of this authorizing resolution are, they do not feel that their authority to act is contained within the terms of the resolution and that they will continue to assert a constitutional authority outside the resolution: in effect, to increase the role, the numbers, the time period—all on the basis of an assertion of the President's constitutional authority.

As we know, the President has indicated that he intends to make a reservation at the time he signs this resolution, and it is very clear that the reservation which he intends to make is that he is reserving all of his constitutional authorities.

I had an extended question period with the Secretary on this particular issue in the committee, and in a moment I am going to ask that a substantial portion of that discussion be printed in the Record. I just want to quote from it. This is my question to the Secretary:

"... you would not agree to the authorization being for 18 months and then it being clear that to stay there, the President would have to come back to the Congress: is that correct?"

Secretary Shultz said: "That is correct."

The administration reads this resolution, even with an 18-month period, as not constituting a limitation upon them.

Later, I asked Secretary Shultz:

"Now, there is a difference between consultation and obtaining an authorization from the Congress. It is the administration's position that what they need to do is consult with the Congress, or that they need to obtain an authorization from the Congress, that they could not expand the number or role without a specific congressional authorization?"

The Secretary frequently stated that the administration would consult with Congress, but as we all know, consultation and authorization are two very different things and that difference goes to the very meaning of the War Powers Act.

"The Secretary said, in response to that question:"

"I think the President or perhaps any of you if you were President, thinking about your role, your constitutional role as Commander in Chief, would be very reluctant to tie your hands and say that you could only increase numbers, scope and time period."

Mr. SARBANES. I thank the Senator for her statement.

The PRESIDENT OFFICER. The Senator from Maryland is recognized.

Mr. SARBANES. A further question directed to the Secretary was as follows:

"... as I pointed out, the word "consultation" and the word "authorization" are two very different things. As I understand the responses to the questions, the administration, at the same time that it is seeking to obtain this authorization, is not in any way relinquishing its assertion of authority to increase numbers, scope and time period."

Secretary Shultz responded:

"I can only go back to the generality of it and say that the President has no intention of turning over the Congress his constitutional responsibilities as Commander in Chief. Now that does not mean that you ignore the Congress wishing and, of course, the Congress has to provide funds and so on. It is only sensible to consult and try to further forward in tandem in these matters."

But in the end, as a matter of principle, the President must maintain his constitutional responsibility as Commander in Chief.

Mr. President, I ask unanimous consent that the record be printed in the Record at this point. I note that the exchange appears at pages 26-29 of the printed hearing, and that it relates to the Committee on Foreign Relations, which is on the Secretary's desk.

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

Senator SARBANES. Mr. Secretary, I want to try to develop with you the breadth and range of the authorization that the administration is seeking from the Congress. I think I can do that by making reference to provisions of the resolution and your understanding of them.

In the administration's view that at the end of the 18-month period that the President, pursuant to the other constitutional powers which the President asserts, could maintain troops there with or without a congressional authorization?"

Secretary Shultz. If we get to the end of the 18-month period, of course, we do not know what the fact situation will be. The resolution sets out conditions for termination, including an 18-month period, and provides for, and unless the Congress votes yes or no, I think it is fair to say, as Chairman Zablocki stated this morning in the House, that essentially you would be constitutionally where we are right now.

Senator SARBANES. In other words, the administration does assert the constitutional authority to maintain the troops under the other provisions of the constitution, is that correct?"

Secretary Shultz. The President has stated that he will sign this resolution, and among the reasons for doing so is it seems to me to be a way of preserving the constitutional powers that each side to this negotiation feels are of great importance, without prejudging them one way or another.

Senator SARBANES. I understand that, and I like the reservation the president is going to express upon the signing—I have not seen what that reservation is going to
be. I have only been told that he is going to express reservations—I take it will run to an assertion that he does have constitutional authority acting as Commander in Chief to commit the troops and to keep them there; is that correct? Is that the reservation that will be made?

Senator SARBANES. Then I take it, consistent with that, it is the position of the Administration that at the end of the 18-month period the President could keep the troops there pursuant to that constitutional authority?

Secretary SHULTZ. I think the constitutional issue is a general one and would apply across the board. This resolution is an effort to put that issue to the side for the time being and go on to the substance of this matter.

Senator SARBANES. I take it you would be opposed, in section 6 of the resolution, to striking the words, "for purposes of the War Powers Resolution" as far as the authorization for 18 months is concerned? In other words, you would agree to an authorization being for 18 months and then it being clear that to stay there the President would have to come back to the Congress, is that an accurate summary?

Secretary SHULTZ. That is correct.

Senator SARBANES. Now, the resolution also provides that "Nothing in this joint resolution modifies, limits or supersedes any of the provisions of the War Powers Resolution or the requirement of Section 4(a) of the Lebanon Emergency Assistance Act relating to Congressional authorization for any substantial expansion in the number of or role of the United States Armed Forces in Lebanon."

Does that mean that the role or number, substantial expansion of the number or role of the U.S. Armed Forces cannot take place without a congressional authorization? Or would the Executive again assert that it could do that under the Commander in Chief powers and that therefore that question also remains open, just as the previous one does?

Secretary SHULTZ. The President has signed that statute and it is our full intention, if there is any change in the mission or a significant change in the numbers of marines deployed, to come and consult with the Congress about that as required by the law.

Senator SARBANES. As I read the law—and I am trying to be clear on this, because you did mention it earlier. You said you would come back to the Congress and consult about it.

Now, there is a difference between consultation and obtaining an authorization from the Congress. Is it the administration's position that that they need to do is consult with the Congress, or that they need to obtain an authorization from the Congress that they may expand the number of troops without a specific congressional authorization?

Secretary SHULTZ. I think the President, or perhaps any of you if you were president, thinking about your role, your constitutional role as Commander in Chief, would be very concerned if your hands were tied and that you could only order U.S. forces to do something or other after the Congress had authorized it.

Senator SARBANES. So it is your position, then, that you could substantially expand them without a congressional authorization?

Secretary SHULTZ. The constitutional resolution goes to the President's role as Commander in Chief and his capacity to be in charge of the deployment of the Armed Forces of the United States. I have no doubt that he will continue to assert that role.

The effort that is being made here in putting together this resolution and in working on the Lebanon situation generally is to try to work in a collaborative and consultative fashion with the Congress, and certainly that is our intent. At the same time not to prejudice or foreclose these fundamental constitutional principles.

Senator SARBANES. I understand that. But what this questioning is bringing out is that, while the administration is here seeking an authorization from the Congress, it is recommending to increase the numbers, increase the scope, and increase the time period, in each instance without a congressional authorization.

Secretary SHULTZ. It is the intent of the administration to consult closely with the Congress on such matters.

Senator SARBANES. I understand that. But, as I pointed out, the word "consultation" and the word "authorization" are two very different things and the responses to the questions, the administration, at the same time that it is seeking to obtain this authorization in any way, rephrasing its assertion of authority to increase numbers, scope and time period.

Secretary SHULTZ. I can only go back to the Senate's testimony before the committee. Under questioning on September 26, 1983, Mr. President, clearly this is a constitutional issue. The above questioning is the heart of the reservation. It leaves one senior House Democrat leader worrying privately that instead of being a "so-called compromise" the Baker-Percy resolution, which was passed simply to guard against situations of the very sort that we are discussing proper implementation of the war powers resolution is not being applied. We do not believe that the issues surrounding proper implementation of the war powers resolution are mere "legalisms." At issue are constitutional questions of immense gravity, involving how this Nation is going to make decisions in the future that involve American forces in hostilities.

It does not take much anticipation of what might develop to recognize that Congress is being drawn into providing an open-ended authorization. The terms of the authorization itself, both as to time and nature and scope, are in effect open ended and beyond that the administration asserts that the terms are not really limitations, but that they have the authority to go beyond the terms.

It is no wonder that the Sunday New York Times in commenting on the question-and-answer session with Secretary Shultz stated:

It left one senior House Democrat leader worrying privately that instead of being a "so-called compromise" the Baker-Percy resolution undermines the war-making power. We have been through that before. The war powers resolution was passed simply to guard against situations of the very sort that we are being confronted with here.

The administration does not concede that it is bound by the terms of this resolution. They continue to assert an authority outside of it. If they conceded they were bound by the terms of the resolution, then one would have to look at its terms, and there would be serious questions about the lack of a clearly defined policy; about the 18-month blank check.

I agree with the conclusion of the minority report that to pass this resolution before us would represent a
Three principal limitations on the U.S. role are contained in that agreement: the number of U.S. troops will be approximately 1,200; they will be in the Beirut area in support of the Lebanese Government; and they are not expected to perform a combat mission.

Finally, there has been discussion of language in the resolution which authorizes U.S. Forces to take measures to protect themselves. The committee does not interpret this as an open ended authorization. The committee's report language also interprets this authority in a limited way. The committee report states:

The committee does not believe that such actions—protective measures—necessarily change the role of the U.S. Forces, so long as the task of the U.S. Forces is not to duplicate or supplant the functions of the Lebanese Armed Forces or to redeploy from the Beirut area, or in other respects to exceed the limited mandate of the multinational force or the limitations of the Lebanon Emergency Assistance Act.

Therefore, I believe we are providing the President the authority he needs to uphold the commitments made by all members of the multinational force. We are not providing him with a new Gulf of Tonkin resolution.

Let me answer just a few questions that have been put on the floor of the Senate by other Senators. Let me also note that except for Senator SARBANES, there is not another single Senator on the floor of the Senate right now on this important resolution involving the War Powers Act. Maybe the steam has been taken out, and I trust that it has been taken out, by the cease-fire that has been achieved.

Maybe we have already proven the point, that the passage of that resolution by a vote of 30 to 6 by the House Foreign Affairs Committee, its support by the Speaker of the House and its support by the Senate Foreign Relations Committee although by a much tighter and, regrettably, partisan vote of 9 to 7, is an indication that the Senate and the House support the resolution.

We again need to speak with one voice. The proof that this action is a wise action is evidenced by the fact that, as of last night, Syria, Lebanon, the Palestinians, and Saudi Arabia came to agreement on a cease-fire that, as of this moment is still holding. No one can guarantee that it will hold permanently.

Our hopes are high. Nevertheless, we have to be somewhat skeptical because dozens of cease-fires have been made and broken in Lebanon during the last 8 years.

Mr. SARBANES. Will the Senator yield?

Mr. PERCY. I am happy to yield.

Mr. SARBANES. I think the fact that only a few Senators have been present reflects the fact that this was the opening debate, and therefore would probably be occupied by the members of the Foreign Relations Committee.

I hope Senators will read very carefully not only the statements but the materials that have been included in the Record today. Also that they will read the committee and minority views and the transcripts of the hearing and the markup that were held on Wednesday and Friday of last week.

I think it is very important that Senators do that. The Senator from Illinois just rejected the view asserted by some of the opponents of the resolution that the terms contained therein were not in fact limitations. I take that view in light of the testimony of the Secretary of State before our committee and his responses to questions.

I do not ask Senators to take either my assertion or the assertion of the Senator from Illinois on that issue. I ask them to read the Record and read the questions and answers and reach their own judgment as to what the import of the Secretary's responses are. The same applies with respect to the article placed in the Record reporting on an interview of the Secretary over the weekend in which he indicates a much broader role for the American Marines in Lebanon, a role running throughout that country and even going so far, as one senator spokesman in the administration apparently stated, as insuring that once the Syrians and PLO left we would insure that they would not come back.

So I simply say to the Senator that I think we have begun the debate today and hopefully much of what is being put in the Record will be carefully reviewed by Members. I agree completely that it is a serious judgment we have before us.

Mr. PERCY. I thank my distinguished colleague. First of all, I would like to repeat what I said in the Foreign Relations Committee. I think the debate held in that committee on the war powers action was among the best debates I have ever heard in any committee at any time in 16 years, and it dealt with one of the most important issues we have had.

I particularly commend the Senator from Maryland, who really gave incisive thought and reasoned arguments. I did not agree with every one of them, but the issues he raised and the questions he asked proved extraordinarily valuable. No member of the executive branch could leave that hearing without having an added respect for the Senate and for the function that we perform in not only the writing and drafting of legislation but oversight of our policy. It was one of the high points in my Senate career to listen to my colleagues on both sides of the aisle.

Let me make clear that the debate today was started on the floor of the
Senate with the majority leader and the minority leader taking very, very active roles. They recognize the importance of it. Mr. President, to save time, I ask unanimous consent that my answer to the question: Was this resolution another Gulf of Tonkin resolution? be printed in the Record at this point.

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

The Gulf of Tonkin Resolution was much more open-ended. The current Resolution is much more limited in scope. The 1964 Tonkin Gulf Resolution stated that the President was authorized not only to defend U.S. forces against attack, but also "to take all necessary measures . . . to prevent future aggression" and "to take all necessary steps, including the use of armed forces, to assist any (SEATO) member . . . requesting assistance in defense of its freedom." This was a very broad statement, since it was generally accepted at the time that North Vietnamese and other Communist forces were not authorized to undertake a combat role, but only to help provide a multinational presence that would assist the Lebanese Government in the Beirut area.

In contrast, the mandate authorized by the current Resolution is much more limited in scope. Section 3 of the Resolution clearly states that the authorization granted for the participation of U.S. forces in the MNF will be limited to performance of the functions set forth in the September 1982 exchange of letters between the U.S. and Lebanese Governments, and will be subject to the limitations stated in those letters. That means that U.S. forces are not authorized to undertake a combat role, but only to help provide a multinational presence that would assist the Lebanese Government in the Beirut area.

Of course the Resolution recognizes that our forces are not precluded from taking such protective measures as may be necessary to ensure the safety of the MNF. This has always been the case, and this right of self-defense is essential for any force of this kind. But it does not expand the basic role and mission of the force: Congress is not being asked to authorize the President to use military force to expel foreign forces from Lebanon, to occupy those parts of Lebanon now controlled by non-Government elements, or to intervene on behalf of the Lebanese Government to suppress internal Lebanese factions.

The PRESIDING OFFICER (Mr. Evans). The time for debate has expired.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

Mr. President, I ask unanimous consent that there now be a period of 5 minutes for the transaction of routine morning business in which Senators may speak.

Mr. BAKER. Mr. President, I thank all Senators for their participation in the debate today. If I appeared anxious to conclude, it was because earlier today an order was entered by unanimous consent that limited the time for debate on the war powers resolution from 3 p.m. until 5 p.m. I felt that we should abide by the terms of that arrangement since the act provides for the division of time equally, and that was the arrangement that was made with the minority leader on behalf of many Senators.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

The nominations received today are printed at the end of the Senate proceedings.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 12:36 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1850 An act to amend title 38, United States Code, to extend for 1 year the authority of the Veterans' Administration to provide certain contract medical services in Puerto Rico and the Virgin Islands.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

At 1:15 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, without amendment:


The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3913. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1984, and for other purposes; to the Committee on Appropriations.

BILLS READ THE SECOND TIME AND PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1881. A bill to amend the Federal Campaign Act of 1971 to prohibit the use of compulsory union dues for political purposes; and

H.R. 1036. An act to provide employment opportunities to long-term unemployed individuals in high-unemployment areas in projects to repair and renovate vitally needed community facilities, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary reported that on today, September 26, 1983, he had presented to the President of the United States the following enrolled bills:

S. 1850. An act to amend title 38, United States Code, to extend for 1 year the authority of the Veterans' Administration to provide certain contract medical services in Puerto Rico and the Virgin Islands; and


EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers and documents, which were referred as indicated:

EC-1776. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on necessary revisions in country-by-country funding to implement the fiscal 1984 international military education and training program; to the Committee on Appropriations.

EC-1777. A communication from the Secretary of the Navy transmitting, pursuant to law, a report on the proposed transfer of
the obsolete submarine ex-Albacore to the Fordsburg, N.H. Submarine Memorial Association, Inc.; to the Committee on Armed Services.

EC-1778. A communication from the Assistant Secretary of the Air Force for Manpower, Reserve Affairs, and Installations transmitting a report on the participation and protection of the civilians and people of the Reserve components in computation of hazardous duty pay; to the Committee on Armed Services.

EC-1779. A communication from the General Counsel of the Department of Defense transmitting a draft of proposed legislation to provide for participation of members of the Armed Forces in international sports activities; to the Committee on Armed Services.

EC-1780. A communication from the Assistant Secretary of the Army for Civil Works transmitting a draft of proposed legislation to amend the Panama Canal Act of 1979 relative to employee pay; to the Committee on Armed Services.

EC-1781. A communication from the Assistant Secretary of the Air Force for Logistics and Communications transmitting, pursuant to law, a report on a decision to consolidate the consolidation management function at McClellan AFB to performance under contracts; to the Committee on Armed Services.

EC-1782. A communication from the General Accounting Office transmitting, pursuant to law, a report entitled "Consolidation of Federal Assistance Resources Will Enhance the Federal-State Emergency Management Effort"; to the Committee on Armed Services.

EC-1783. A communication from the Acting Director of the Defense Assistance Agency transmitting, pursuant to law, a report on a foreign military sale to the United Kingdom; to the Committee on Armed Services.

EC-1784. A communication from the Secretary of Defense transmitting, pursuant to law, a report on the latest fiscal year 1983 allocation of civilian end strength in the Department of Defense; to the Committee on Armed Services.

EC-1785. A communication from the Secretary of the Interior transmitting, pursuant to law, the 1982 annual report on the administration of the Marine Mammal Protection Act; to the Committee on Commerce, Science, and Transportation.

EC-1786. A communication from the Chairman of the Board of the U.S. Railway Association transmitting, pursuant to law, a report on the Association's determination of the fair market value of the Alaska Railroad; to the Committee on Commerce, Science, and Transportation.

EC-1787. A communication from the Secretary of Energy transmitting, pursuant to law, the comprehensive technology application and market development plan; to the Committee on Energy and Natural Resources.

EC-1788. A communication from the Secretary of Energy transmitting, pursuant to law, the quarterly report on biomass energy and alcohol fuels; to the Committee on Energy and Natural Resources.

EC-1789. A communication from the Acting Administrator of the General Services Administration transmitting, pursuant to law, an emergency prospectus for structural alterations to the Howard Street parking garage in Detroit, Mich.; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOMENICI, from the Committee on the Budget, without amendment:
S. Res. 213. A resolution waiving section 402(a) of the Continuing Resolution Budget Act of 1974 with respect to the consideration of S. 1714.

By Mr. DOLE, from the Committee on Finance, without amendment:
S. 1887. An original bill to extend the Federal supplemental program for 18 months, and for other purposes (Rept. No. 98-240).

By Mr. PERCY, from the Committee on Foreign Relations:

By Mr. PERCY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:
S. Res. 159. Joint resolution to authorize the further participation of U.S. Armed Forces in the multinational peacekeeping force in Lebanon (together with minority and supplemental views) (Rept. No. 98-242).

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, with an amendment:

By Mr. Packwood, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:
S. 254. A bill to provide for inclusion of capital construction funds for fishery processing facilities (Rept. No. 98-243).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. O'GRADY, from the Committee on Banking, Housing, and Urban Affairs:
Philip Abrams, of Massachusetts, to be Under Secretary of Housing and Urban Development.

By Mr. BROWN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:
S. 254. A bill to provide for inclusion of capital construction funds for fishery processing facilities (Rept. No. 98-243).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DOLE:
S. 1887. An original bill, reported from the Committee on Commerce, Science, and Transportation, to amend the Federal supplemental compensation program for 18 months, and for other purposes; placed on the calendar.

By Mr. MURkowski:
S. 1762. A bill to amend title II of the Social Security Act to provide for due process requirements for the termination of disability benefits; to the Committee on Finance.

SOCIAL SECURITY DISABILITY REVIEW

Mr. HELMS. Mr. President, I have been deeply concerned about the content of letters which have been coming into my office for the last year. These letters contain touching and heart-rending stories of families who are losing their homes, who no longer can afford life-sustaining medicine and who are being deprived of much needed doctor's attention because of what they believe are unjustified cutoffs of their social security disability benefits.

I have heard from a poor woman who has an incurable heart and lung disease and is struggling to raise a child by herself. This woman cannot walk a flight of steps without incurring severe physical consequences. Her bad health and lack of physical capacity has prevented her from finding employment, yet social security cut off her monthly disability support putting her in jeopardy of losing her home.

Another example of the extreme problems in the social security review system was the cutoff of monthly payments to a woman struck down with a progressive, deterioration muscle disease caused by the swine flu vaccine. This woman used her small amount of disability funds to buy medicine, without which she would die. I have been trying to help these and similar people on an individual basis, but, unfortunately, arbitrary disability cutoffs of this kind have persisted.

I had sincerely hoped the problems with social security disability would be, and have been, addressed and remedied last January when Congress focused their attention on the social security system. I introduced legislation at that time which would have put an end to erroneous cutoffs of the likelihood of helpless people.

Congress approved some—but not all—of my social security proposals at that time. Unfortunately, my proposal

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for a guide for disability review was one of the elements not adopted. Therefore, with this major problem still facing the American public, I believe it is imperative that I reintroduce that important segment of my former bill. I would be the first to acknowledge that there has been much abuse of social security disability, but, the movement to correct the abuse must have guidelines and it must be fair. I propose that Congress insure due process to every individual disability recipient before any benefits can be cutoff. The bill I am introducing today, entitled "Social Security Disability Guidelines," will do this. Under the legislation, each disability beneficiary would be entitled to a hearing before an administrative law judge before benefits could be stopped. The Social Security Administration could bring a case before a judge for determination only after showing the claimant either one, had a physical or mental medical improvement or two, was subject to a mistake in the initial determination of disability or three, had perpetrated a fraud on the social security system in claiming his condition disabled him from all work activities. This is a much needed change in the social security disability system. The problem of the arbitrary cutoff of benefits to disabled citizens must be addressed. We cannot allow life-sustaining funds for so many individuals to continue to be terminated by overzealous Social Security Administration. Each beneficiary's individual situation must be thoroughly reviewed before action is taken. The seriousness of this issue is indicated by the fact that administrative law judges have reversed roughly 70 percent of the disability cutoff cases they review. I sincerely urge my colleagues to look toward solving the root of the disability problems, another temporary measure for extending payments without setting forth appropriate guidelines, as adopted last year, is not the answer. Let us move now to prevent disabled, deserving Americans from living in fear of losing their only means of support. I urge you all to work quickly to pass this bill.

Mr. President, I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) section 221(d) of the Social Security Act is amended by striking out "(a) any individual or an individual, the arbitrary discretion of the Secretary or management of any civil or criminal and civil forfeiture. (b) (A) no benefits described in subparagraph (A) may be terminated on the grounds that the physical or mental impairment on the basis of which such benefit was payable has ceased, did not exist, or is no longer disabling (as determined in accordance with subparagraph (B)), or such benefit may not be terminated until such preliminary finding has been upheld after a hearing by the Secretary as provided in section 205(f)." (b) the Secretary shall provide opportunity for such hearing at a time and place reasonably accessible to the individual. Failure without good cause to appear at such hearing shall constitute a waiver of the right to such a hearing prior to termination.

"(B)" Except as provided in clause (i), no benefits described in subparagraph (A) may be terminated on the grounds that the physical or mental impairment of a disability, unless the Secretary makes a finding that there has been a medical improvement in the case of such individual's impairment such that the individual is no longer under a disability, based on the standards for disability in effect at the time of such prior decision, or that the prior decision that such individual was under a disability was clearly erroneous under the standards for disability in effect at the time of such prior decision.

"(C)" Clause (i) shall not apply in the case of a finding made in accordance with section 223(d)(4) that services performed or earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity, or to a termination based on a finding of fraud.

(b) section 223 of such Act is amended by striking out subsection (g). (c) section 205(b) of such Act is amended by striking out "(1)" after "(b)" and by striking out paragraph (2).

(d) section 5 of Public Law 97-455 is repealed.

(e) The amendments made by this section shall apply with respect to determinations (that Individuals are not entitled to benefits) made after the date of the enactment of this Act.

ADDITIONAL COSPONSORS

At the request of Mr. Roth, the name of the Senator from Wisconsin (Mr. Kasten) was added as a cosponsor of S. 128, a bill entitled "The Equal Opportunity Retirement Act of 1983."

At the request of Mr. Grassley, the name of the Senator from California (Mr. Wilson) was added as a cosponsor of S. 462, a bill to amend section 1951 of title 18 of the United States Code, and for other purposes.

At the request of Mr. Thurmond, the name of the Senator from Oklahoma (Mr. Nickles) was added as a cosponsor of S. 948, a bill to reform Federal criminal and civil forfeiture.

At the request of Mr. Armstrong, the name of the Senator from Oklahoma (Mr. Nickles) was added as a co-sponsor of S. 1691, a bill to amend the Social Security Act to recognize effective program administration in the financing of State programs of child support enforcement, to enhance the ability of States to collect child support for non-AFDC families, and otherwise strengthen and improve such programs, and for other purposes.

At the request of Mr. Thurmond, the name of the Senator from California (Mr. Wilson) was added as a cosponsor of S. 1762, a bill entitled the "Comprehensive Crime Control Act of 1983.

At the request of Mr. Armstrong, the name of the Senator from New Mexico (Mr. Domenici) was added as a cosponsor of S. 1842, a bill to amend the Colorado River Basin Salinity Control Act to authorize the Secretary of Agriculture to develop and implement a coordinated agricultural program in the Colorado River Basin.

At the request of Mr. Wilson, the name of the Senator from Louisiana (Mr. Johnston) was added as a cosponsor of Senate Joint Resolution 113, a joint resolution to provide for the designation of the week beginning June 3 through June 9, 1984, as "National Theater Week."

At the request of Mr. Hatch, the names of the Senator from New York (Mr. Moynihan), and the Senator from Ohio (Mr. Glenn) were added as cosponsors of Senate Joint Resolution 122, a joint resolution to designate the week of November 27, 1983, through December 3, 1983, as "National Home Care Week."

At the request of Mr. Cohen, the name of the Senator from Pennsylvania (Mr. Specter) was added as a cosponsor of Senate Concurrent Resolution 21, a concurrent resolution expressing the sense of the Congress respecting the administration of title X of the Public Health Service Act.

At the request of Mr. Gorton, the name of the Senator from Maine (Mr. Mitchell) was added as a cosponsor of Senate Concurrent Resolution 67, a concurrent resolution expressing the sense of the Congress that it is not appropriate at this time to transfer ownership or management of any civil meteorological satellite system and associated programs to the Federal government for non-defense purposes.

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At the request of Mr. Wilson, the name of the Senator from Louisiana (Mr. Johnston) was added as a cosponsor of Senate Joint Resolution 113, a joint resolution to provide for the designation of the week beginning June 3 through June 9, 1984, as "National Theater Week."

Senate Joint Resolution 122

At the request of Mr. Hatch, the names of the Senator from New York (Mr. Moynihan), and the Senator from Ohio (Mr. Glenn) were added as cosponsors of Senate Joint Resolution 122, a joint resolution to designate the week of November 27, 1983, through December 3, 1983, as "National Home Care Week."

Senate Concurrent Resolution 21

At the request of Mr. Cohen, the name of the Senator from Pennsylvania (Mr. Specter) was added as a cosponsor of Senate Concurrent Resolution 21, a concurrent resolution expressing the sense of the Congress respecting the administration of title X of the Public Health Service Act.

Senate Concurrent Resolution 67

At the request of Mr. Gorton, the name of the Senator from Maine (Mr. Mitchell) was added as a cosponsor of Senate Concurrent Resolution 67, a concurrent resolution expressing the sense of the Congress that it is not appropriate at this time to transfer ownership or management of any civil meteorological satellite system and associated programs to the Federal government for non-defense purposes.
Mr. PERCY submitted the following concurrent resolution, which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 69

Whereas an unarmed South Korean commercial air transport plane was shot down on September 1, 1983, with the loss of 269 lives, including many American citizens;

Whereas the Korean Air Lines jet had apparently strayed off-course into Soviet-controlled air space;

Whereas the cause for the deviation from the plane's assigned route of flight is still under investigation and may never be known;

Whereas the current aviation system is safe if internationally recognized procedures are followed;

Whereas the Government of the Soviet Union has arrogantly declared that in the future if another civilian aircraft strays off-course it would repeat its inhuman behavior, ignoring procedures developed to protect passengers;

Whereas there is an urgent need to provide pilots with additional navigational back-up systems to prevent aircraft from straying off-course and to protect passengers from becoming victims of the repressive behavior of the Government of the Soviet Union or other nations with similar disregard for the lives of innocent people;

Whereas the Department of Defense has developed the Global Positioning System (hereafter in this concurrent resolution referred to as the “GPS”) that can provide highly accurate navigational information to civilian aircraft as early as 1988;

Whereas the GPS could be implemented before the date to provide at least partial coverage near the borders of nations which have threatened and continue to threaten civilian airliners that may accidentally go off-course; and

Whereas commercial airlines and general aviation operators have opposed the imposition of a surcharge because it would set a precedent for the charging of fees for other navigational aids, and such operators have declared that they may not use the system if a surcharge is imposed: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

1. The Secretary of Transportation should not impose user fees for foreign and domestic civilian use of the GPS in view of the benefits of such systems to public safety.

Sec. 2. The Secretary of the Senate shall submit a copy of this concurrent resolution to the Secretary of Transportation and the Secretary of Defense.

Mr. PERCY. Mr. President, I am submitting today a concurrent resolution that urges the administration to speed up the timetable to permit civilian use of the military navigational satellite system called the global positioning system (GPS).

A month has passed since the brutal action of the Government of the Soviet Union in destroying a civilian aircraft, flown by Korean Air Lines.

Both the Senate and the House have passed strong resolutions condemning the action which killed all 269 passengers aboard. U.S. revulsion has been shared by the world community, including many nations that have responded by suspending air service to the Soviet Union.

Despite the marshaling of world opinion against the Soviet action, it appears that the Soviet Government wants to dodge responsibility for this outrage. It has concocted ludicrous alibis.

It has publicly proclaimed that it intends ruthlessly to enforce its so-called border law and shoot down the next passenger plane that innocently strays across its borders.

Therefore, it is imperative that new “fail-safe” air navigational devices be used to aid pilots of commercial aircraft flying near Soviet borders. This would serve as an independent position monitor.

We are indeed fortunate because the Defense Department has successfully tested the GPS. When fully operational in 1988, it will provide around-the-clock, all-weather coverage for aircraft anywhere on the globe. It can tell pilots where they are located within 300 feet, the length of a football field.

Let us not forget, as the President pointed out to the United Nations today, scores of Soviet planes have strayed from their course. We have never shot them down. They have strayed right over U.S. sovereign territory. We have warned them; we have gone through the procedures that any civilized nation would; we have even caused them to land to explain what they were doing there. But we did not shoot them down. Now, no excuse exists for their straying. We have the technical capability—when all 18 satellites are in the air, 11,000 miles above Earth, we shall be able to monitor, every place on Earth, every single airplane. They can't just do this for defense; why not do it for civilian aircraft as well? We are fortunate that we are as far along as we are and that the system has proven out to be as accurate as it has.

One plane took off from Des Moines, Iowa, I believe it was, and landed in Paris, used only this directional system, and it landed within 26 feet, on a Paris airstrip, of where it was intended to be landed, never being touched by human hands, all done by automatic procedures. That is the competence and the capability that is now available to us for civilian aircraft.

Technical experts believe that the GPS timetable can be advanced to provide 15-hour-a-day coverage over the North Pacific Great Circle route in a year. In view of the threat to civilian aviation on that route, I would urge that the Defense Department and the Federal Aviation Administration work together to provide this additional navigational check by early 1985.

One of the primary purposes of this resolution is to put Congress on record in favor of continued momentum toward civilian use of the GPS. If the United States is to respond often after a disaster, public attention shifts to the next pressing crisis, and necessary corrective measures are delayed or never implemented. In view of the Soviet attitude, we cannot afford that luxury.

Mr. President, I would ask unanimous consent to have printed in the Record an editorial from the Chicago Sun-Times urging a speedup in the GPS timetable, together with articles from the same newspaper and the Philadelphia Inquirer. I would also like to submit for the record information about the GPS, prepared by Rockwell Collins, a GPS contractor.

There being no objection, the materials were ordered to be printed in the Record, as follows:

Resolutions of the Senate and House of Representatives concurring. That it is the sense of the Congress that—

1. The Secretary of Transportation should not impose user fees for foreign and domestic civilian use of the GPS in view of the benefits of such systems to public safety.

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There being no objection, the materials were ordered to be printed in the Record, as follows:

From the Chicago Sun-Times, Sept. 20, 1983

LIFE-SAVING IDEA

Sen. Charles H. Percy (R-Ill.) has a good idea to help prevent another tragedy like the brutal downing of the Korean airliner that strayed into Soviet airspace.

Percy asked President Reagan to speed up steps that will make new military navigational aids available to all civilian aircraft flying near Soviet borders on their way to the Orient.

The additional use of the satellite navigation system, scheduled to be fully deployed by 1988, won't involve any extra cost to taxpayers. But it can keep airliners on a more accurate course across the treacherous northern Pacific skies.

From the Chicago Sun-Times, Sept. 16, 1983

PERCY URGES MILITARY-SATELLITE AID IN AIRLINE NAVIGATION

(By William Hines)

WASHINGTON.—Sen. Charles H. Percy called on President Reagan Thursday to speed up deployment of a satellite-based military aid. All navigational aids available to commercial aviation as a means of preventing a reoccurrence of the
Sept. 1 Soviet destruction of a South Korean Jumbo jet.

Percy, as Senate Foreign Relations Committee chairman, writes a letter to Reagan that immediate and effective countermeasures should be taken to warn civilian airliners of their precise position in relation to Soviet borders.

Percy pointed out that a military satellite network, the Global Positioning System, is in its deployment, with six of the planned 16 satellites in orbit and undergoing development testing.

"That said, GPS satellites now in orbit could be used within one year to provide coverage 16 hours per day for civilian airliners flying the great circle route to the Orient," Percy wrote. "They would provide a valuable backup to existing on-board navigational systems."

He noted that the Defense Department "has supported commercial use of the GPS" and that such use would not cost the taxpayers anything.

At the White House, a spokesman said Reagan is considering making the GPS available to commercial jets. The spokesman said the National Aeronautics and Space Administration J. Lynn Helms had asked as much earlier in the day in response to a press conference question at a meeting of the International Civil Aviation Organization in Montreal.

The military satellite network is scheduled to be in full operation by 1988, with 16 satellites circling the globe. The Defense Department reportedly has said the system could be used by civil aviation beginning in 1988, but the Soviet destruction Sept. 1 of the Korean Air Liner 747 jet has lent urgency to earlier availability.

Navigation by satellite has been a top-priority military objective since the earliest days of the Space Age because of the accuracy such a system can provide. With the GPS in place, it will be possible for a plane in flight to know its position instantly to within about 50 feet, and its speed to within a quarter of a mile an hour.

(From the Philadelphia Inquirer, Sept. 17, 1983)

U.S. WILL GIVE WORLD ITS NEW AIR NAVIGATION SYSTEM

WASHINGTON—Prompted by the Korean Airlines tragedy, the United States will make available to the world's commercial airlines a new navigation system now under development by the government, the White House said yesterday.

Deputy White House press secretary Larry Speakes told reporters that the Global Positioning System was expected to begin operating in 1988. It is designed to give pilots more accurate information on latitude, longitude and altitude and help keep them from straying off course, Speakes said.

He said the Reagan administration's move was prompted by the Soviet downing of Korean Air Lines Flight 007 on Sept. 1 and the desire to see that such an action did not happen again. The plane was hundreds of miles off course when it was shot down.

Senate Foreign Relations Committee Chairman Charles H. Percy (R., Ill.) had recommended the move in a letter to President Reagan on Thursday, but said the system could be used sooner than Speakes indicated.

Reagan's overall restrained response to the tragedy has generally been praised. That was shown in a New York CBS poll published yesterday that said 55 percent generally supported Reagan's response but 56 percent said he should have been tougher.

The poll also showed that 61 percent of the 706 people surveyed felt the U.S. government was "holding back information that people ought to know."

The telephone surveys, taken Wednesday night, showed that half the respondents favored halting grain sales to the Soviet Union to retaliate, 40 percent opposed such a step, and 8 percent had no opinion.

Meanwhile, the Agriculture Department announced yesterday that the Soviets had purchased more U.S. grain—about 1.2 million metric tons of wheat and 125,000 tons of corn—for delivery in 1983-84 under the terms of a long-term agreement signed last month.

That purchase, on Sept. 1, the day the Soviets shot down the jetliner—to more than half a billion dollars.

That purchase, on Sept. 1, the day of the shooting, and related deals since that day were disclosed in terse announcements that noted only the amount of grain involved and the delivery date. None of the announcements, which have come at the rate of five to four a week, mentioned the airliner or the administration's outrage at the Soviets.

Another finding of the Times-Dow poll was that respondents rejected, by a 2-1 ratio, such retaliatory measures as breaking off arms control talks or diplomatic relations.

However, conservatives appearing at Republican-sponsored hearings at the Capitol called for a tougher response.

John Fisher, president of the American Security Council, said the Soviets had gained "significant nuclear and conventional military superiority" because the United States had "neither a goal nor a strategy in this conflict."

"We must spend whatever is necessary to rebuild a superior war-fighting capability," Fisher said. "That is the most cost-effective approach—deterrence is cheaper than war."

NAVSTAR GLOBAL POSITIONING SYSTEM—FACT SHEET

The system is comprised of three segments:

1. Satellite constellation circling the earth
2. Ground control stations which monitor the satellites and transmit data to the satellites
3. User segment—all land, sea and air users which receive position, velocity and time information.

GPS ACCURACY

Position accuracy within 16 meters in three dimensions.

Velocity accuracy within 0.1 meters per second.

Time accurate to within one-millionth of a second.

BACKGROUND

The Navstar Global Positioning System is a Department of Defense program administered by the Space Division of the U.S. Air Force. The system is currently undergoing operational testing and evaluation by the Air Force.

MAJOR CONTRACTORS

Satellites—North American Space Operations of Rockwell International Corporation

Ground Control Stations—IBM Federal Systems Division

User Equipment—Collins Government Avionics Division of Rockwell International Corporation and Magnavox Corporation.

WHEN

Current satellites are orbiting the earth for development testing. When the system is operational in 1988 it will consist of a network of 18 satellites, each equipped with GPS receivers will know their location within 10-20 meters anywhere in the world, in any weather.

GPS OPERATION

When the GPS set is turned on, an estimate of present position, velocity and time is entered. The GPS set then begins to track the first three satellites and transmit position information to the operator. The system is relatively immune to operator errors since once it tracks the satellites all position information comes from the system and disregards the operator's initial estimate of his position.

STATEMENT BY THE PRINCIPAL DEPUTY PRESS SECRETARY TO THE PRESIDENT

In their recent statements on the Korean Airlines tragedy, senior Soviet officials have shocked the world by their assertion of the right to shoot down innocent civilian airliners which accidently intrude into Soviet airspace. Despite the murder of 296 innocent victims, the Soviets have not prepared to recognize its obligations under international law to refrain from the use of force against civilian airliners. World opinion as reflected in its determination that this awful tragedy must not be repeated. As a contribution to the achievement of this objective, the President has determined that the United States is prepared to make available to civilian aircraft the facilities of its Global Positioning System when it becomes operational in 1988. This system will provide civilian airliners three-dimensional positional information.

The U.S. delegation to the ICAO Council meeting in Montreal, under the leadership of FAA Administrator J. Lynn Helms, is urgently examining all measures which the international community can adopt to enhance the security of international civil aviation. The United States is prepared to do all it can for this noble aim. We hope that the Soviet Union will at last recognize its responsibilities, and join the rest of the world in this effort.

NAVSTAR GLOBAL POSITIONING SYSTEM—COLLINS USER EQUIPMENT

Navstar—a revolution in navigation. For thousands of years man has looked to the stars to guide his travels. Beginning in 1976 some new stars were placed in orbit 11,000 miles above the earth. These Navstar satellites are transmitting signals that provide a user three-dimensional navigation and the precise time worldwide. By the late 1980's the operational Navstar system of 18 satellites will be aiding users throughout the world and saving time, energy, money and lives.

Current navigation systems such as Loran and Omega are plagued with coverage gaps and frequency shifts after sun down. Inertial navigation systems are accurate when first programmed but the longer the system operates without updating, the larger the errors in position become. Navstar, on the other hand, has typical accuracy of 16 meters in three dimensions, the correct time within one-millionth of a second and the user's velocity to the nearest one-tenth of a meter per second.

GPS SYSTEM ACCURACY

Navstar GPS can determine position, velocity and time with a greater degree of ac-
curacy than any current system. Widely-accept
ed accuracy of various navigation sys-
tems are shown in the table.

This degree of accuracy is not obtainable from
any other navigation system available to
military or civilian users. The accuracy of
godetic surveys, enables better prediction of earthquakes and
precise mapping of the seas for energy explo-
tion. Many additional productivity improve-
ments will be discovered as the system
comes into day-to-day usage.

On the military side, one study predicted that
a $50 billion investment in additional weapons
systems.

HOW IT WORKS

The Navstar Global Positioning System is
comprised of three segments: 1. The space
segment—the constellation of satellites cir-
cling the earth. The control segment—a
set of ground stations which monitor the
satellites and transmit corrected position and
time data to the satellites. 3. The user
segment—air, land, and land equipment
which receives the satellites signals and
calculates user position, time and velocity.
The user segment can receive the signals
anywhere in the world, in any weather,
without transmitting any information, making
GPS an ideal military navigation system.
The signals are designed to be jam-
resistant.

THE USER SEGMENT

The navigation requirements of the user will
determine how sophisticated a Navstar
system must be. Collins Navstar GPS
systems are available with one-, two- and
five-channel receivers. Generally, single-
channel systems are designed to be used in
ground situations, in a backpack, truck or
light vehicle. Two-channel systems find appli-
cations on helicopters, transport aircraft
and runabout craft. Five-channel systems are
designed for supersonic aircraft and users
with complex requirements.

GPS OPERATION

Basic operation of any GPS system is very
similar. When a GPS set is turned on, an
estimate of present position and velocity is
sent to the user. The GPS set then begins to
search for the GPS satellites. The data
coming from the satellite signals does several
things. It identifies the satellite number, locates
the satellite in space and establishes
system time. The GPS receiver then calcu-
lates the range to the satellite by measuring
the time of receipt of the signal and multi-
plying that time by the speed of light. The
result of this calculation is the user's pos-
ence in a sphere of radius R 1 whose cen-
ter is the transmitting satellite. With the
range to one satellite known, a range mea-
surement is made to a second sat-
eUite to define a second sphere of range R 2. Range R 1 and R 2, added to one
measurement to a third satellite. Using the three
range measurements and elementary geome-
try the GPS set determines that point where
the two spheres intersect. The actual
position in terms of latitude, longitude and altitude. Range to
a fourth satellite is required to determine the
time offset from the users crystal clock
with GPS atomic time standard.

The velocity measurement is deter-
mixed by counting the doppler shift from the
GPS center frequency.

Each satellite transmits two L-band sig-
als: L 1 is 1575.42 MHz and L 2 is 1227.6
MHz. Both signals contain data which in-
cludes satellite location; thus the range to
the satellite can be determined by the GPS
set by comparing the observed time delay be-
tween satellites. The precise latitude, longitude, al-
titude, velocity and time can be determined
for an unlimited number of system users.

GPS Navigation Modes: Collins Navstar
Global Positioning User Systems are capa-
ble of operating in an autonomous mode or
they can interoperate with other navigation
systems such as inertial and doppler radars.

Figure-of-Merit: A "Figure-of-merit"
number from one to four is displayed to the
GPS user as an estimate of the GPS system
performance. The higher the number, the
lower the comparable performance of the
system. The figure-of-merit is based upon the
following criteria:

User equipment status and performance.

Receivers are designed for supersonic aircraft
without transmitting any information,
anywhere in the world, in any weather,

The user segment can receive the signals
from any other navigation system available

The Navstar Global Positioning System is
designed for supersonic aircraft and users
without transmitting any information,
anywhere in the world, in any weather,

Satellite constellation performance.

Correlation between GPS and aiding naviga-
tion system.

Receiver tracking loop performance.

GPS Operation: Collins Navstar
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CONGRESSIONAL RECORD—SENATE

September 26, 1983

Amendment Vice President and General Manager Richard E. Derr. The firm, the formal presentation of cer-
tificates by Col. Alex Rankin, observer for the National Aeronautical Association, which sanctioned the flight as an official attempt to establish a new national and world record.

Concluded Seizer: "The timing was right for this flight. Two years from now would have been too late. "We realize those records eventually will be broken, and that's okay. But we were the first—that's the important thing."

"How many people remember the name of the second U.S. astronaut to set foot on the moon?"

Mr. PERCY. Mr. President, on September 15, 1983, I wrote to President Reagan to urge that civilian carriers be permitted to use the GPS.

The letter reads as follows:

UNITED STATES SENATE

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, D.C., September 15, 1983.

The President,
The White House

Dear Mr. President:

Now that both the United States Senate and House have officially condemned the brutal action of the Soviet Union in shooting down an airliner, further flights by the Taliban borders.

I fully support and endorse your action taken in the aviation area against the Soviet commercial air carrier, Aeroflot. It is heart-

ening to see so many of our allies—and even one neutral country—suspend landing rights for Aeroflot at the same time that their own national carriers have chosen to shut down service to Moscow. We must continue to raise our voices in international organiza-
tions until the Soviets decide to refrain from exposing to attack civilians flying near its borders.

I have already proposed to officials in your Administration an additional step to make clear the revulsion of the international community against the Soviet act. The United States, in my judgment, should op-

pose the re-election of the Soviet Union to the Council of the Interna-
tional Civil Aviation Organization (ICAO). As you know, ICAO is the principal interna-
tional forum and policy-setter for civil aviation matters and includes 151 member coun-
tries. The Council is the chief governing body of the organization, whose 33 members are elected to three-year terms. That elec-
tion should take place shortly after the or-
ganization opens its triennial meeting Septem-
ber 20, 1983, in Montreal. I believe that the Soviets should be denied the privilege of serving on the Council as another effective expression of condemnation by the rest of the world for their unjustified aggression against civil aviation. I urge you to direct United States representatives to take this position and, as well, to seek a resolution con-
demning the Soviet act and calling for the payment of compensation to the families of the victims.

Additionally, until the Soviets agree to abide by current international procedures to ensure the safety of airline passengers, we should explore backup navigation systems to enhance navigation. Immediate and effective countermeasures should be taken to warn civilian airliners of their precise posi-
tion in relation to Soviet borders.

The Department of Defense (DoD) has de-
veloped the Navstar Global Positioning System (GPS) that can tell pilots their pre-
cise position anywhere on the globe with a high level of accuracy. The civilian version of this system would permit commercial pilots to know their position within 300 feet or one football field, anywhere on the globe, regardless of the time of day or weather conditions.

Officials are confident that the Korean Air Lines flight would have been less likely to stray off-course if GPS had been operational and had been utilized. Full world coverage is expected to be available in 1988, when 18 satellites will be in orbit. This would provide a valuable on-

board navigational system as a back-up to existing systems.

I understand that the user community is opposed to a fee being charged for the use of GPS. As this was not part of the law (al-
though in the report language). I see no reason for imposing the fee in view of the enormous benefits that would accrue to the civilian aviation community and the travel-

ing public.

Mr. President, air travelers of all countries are rightfully concerned about their safety in view of the inhuman attitude taken by the Soviet authorities. The immediate utili-

zation of the GPS could provide additional safeguards to protect the lives of innocent travelers.

Sincerely,

CHARLES H. PERCY, Chairman.

AMENDMENTS SUBMITTED

EXTENSION OF FEDERAL SUPPLEMENTAL COMPENSATION PROGRAM

COHEN (AND OTHERS)

AMENDMENT NO. 2227

(Ordered to lie on the table.)

Mr. COHEN (for himself, Mr. LEVIN, Mr. HEINZ, Mr. RIEGLE, Mr. DURENBERGER, Mr. METZENBAUM, Mr. BOSCHWITZ, Mr. PRYOR, Mr. HOLLINGS, Mr. BOREN, Mr. KENNEDY, and Mr. QUAYLE) submitted an amendment intended to be proposed by them to the bill (S. 1638) to extend the Federal supplemental compensation program for 18 months, and for other purposes; as follows:

At the end of the bill add the following new section:

EXTENSION OF PROVISION ALLOWING PAYMENT OF DISABILITY BENEFITS DURING APPEAL

SEC. 223(g)(3)(B) of the Social Security Act is amended by striking out "Octo-
ber 1, 1983" and inserting in lieu thereof "December 1, 1983".

NOTICES OF HEARINGS

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. ANDREWS. Mr. President, I would like to announce for the infor-
mation of the public that the Select Committee on Indian Affairs will be holding a hearing on Tuesday, October 4, 1983, at 9:30 a.m., in SD-608.

Those wishing additional information should contact Max Richtman of the committee at 224-2251.

ADDITIONAL STATEMENTS

FEDERAL SUPPLEMENTAL COMPEN-
SATION AND THE USE OF THE TOTAL UNEMPLOYMENT RATE (TUR)

Mr. QUAYLE. Mr. President, now that the Senate will be considering the further extension of Federal supplemental compensation (FSC). We have two measures of unemployment called the total unemployment rate (TUR) and the insured unemployment rate (TUR). In the former we count all the unem-
ployed; in the latter only those who are drawing regular State unem-
ployment benefits. We base a State's eligibility for FSC on its insured un-
employed, but that is not necessarily the right measure. The total un-
employment rate used to run about 3 percentage points above the insured unemployment rate, back in 1981, but that relationship no longer holds.

The reason that we created the Fed-
eral supplemental compensation program is that in high unemployment periods it is unusually difficult for a large percentage of the population to find a job. We believed that the in-

sured unemployment rate and the total unemployment rate correlated and that therefore the insured un-
employment rate could be an appropriate measure of how difficult it was to find a job. We felt that States with a high insured unemployment rate should be eligible for more weeks of FSC than ones with a low insured unemploy-
ment rate.

The normal rule does not hold true any longer. The gap between the in-

sured unemployment rate and the total unemployment rate is widening, as evidenced by the attached table. In my own State of Indiana, the civilian total unemployment rate is season-

ally adjusted for July was 9.4 percent. The insured unemployment rate as of July 30, 1983, was 3.31 percent. It has since dropped further and thus makes this State with unemployment above
the national average eligible for still fewer weeks of FSC.

Ironically the insured unemployment rate is not the best measure of hardship in the very States where unemployment is the most serious and the most persistent. Many of my colleagues have questioned the use of the insured unemployment rate as a trigger for FSC and I believe that we should recognize that those States which have unemployment above the national average must be included in the States with maximum duration of benefits.

I plan to offer such an amendment at the appropriate time.

Mr. President, I ask to have printed the material follows:

The following table shows each of the States' total unemployment rate, insured unemployment rate, and the gap between the total and insured unemployment rates over a period of 1 year. This table not only details the monthly gap, but also gives the average gap between the total unemployment rate and the insured rate.

## State Total Unemployment Rate and Weekly Rate for Week of the 12th

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- The data includes all years from 1982 to 1983.
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Mr. HUMPHREY. Mr. President, backers of alternative financing for the Clinch River breeder reactor project are now arguing that although their plan will end up costing the Government more than if Congress continued to fund the project through annual appropriations, if it is still worth voting for because, if approved, the plan would end controversy about the project.

How the plan would do this is left unclear. All that the plan's proponents emphasize is that their plan provides an up-or-down vote on $1.5 billion in funding for the project. This amount, they note, should be enough to keep the project going for several years.

What they do not like speaking about, though, is that it is almost certain to prove insufficient to complete the project. Presumably, the Federal Government will be good for any further cost overruns several years from now and such funding will be noncontroversial.

They also are not keen on emphasizing that Congress may undo what it has done and that the Congress of 1984 will be a new Congress. Nor do they speak about the conservative groups, the taxpayer organizations, and environmental lobbyists who have vowed to continue to fight to terminate the Clinch River breeder reactor project even if the plan's proponents succeed in their attempt to end-run congressional procedure by attaching their plan to the continuing appropriations resolution.

The reason the plan's proponents do not like discussing these topics, of course, is that their airing undermines the proponents' contention that if we only give our vote this one last time, they will never have to come back for our vote again. This is simply not true and is a bad reason to approve a bad plan.

Indeed, if the Senate is anxious to secure a single final vote on the Clinch River breeder reactor project, there is only one way to do it—keep any legislation or new spending authorization for the project off the continuing appropriations resolution and demand instead that such legislation be submitted as separate legislation and considered under normal procedure.

If this is done, we will have one final vote on the project and I am certain that not only will the House clearly reject further support, but the Senate will also see the futility of further Federal support, and vote to terminate.

Mr. President, I am anxious that the Senate not be drawn in by promises of more controversy. I am especially anxious that it not allow itself to be an accessory to a short-circuiting of established legislative practice. Today, the Washington Post ran an editorial deploiring the possibility of last-minute tactics to attach Clinch River legislation on to the continuing appropriations resolution. I ask that this editorial be printed at an appropriate place in the Record along with a report of August 4, 1983, that details how supporters of Clinch River should avoid a House vote.

The material follows:

From the Washington Post, Post, Sept. 26, 1983

END RUN TO CLINCH RIVER

The Clinch River Breeder Reactor project is in trouble—but its promoters, with characteristic ingenuity, may have found a way to keep it alive. Congress said earlier this year that there was to be no more money for Clinch River unless a better financial plan was enacted. The House has been voting against Clinch River by substantial margins, but it may still have a narrow majority in the Senate. The project's managers now seem to be preparing to attach a financial plan and further funding for the reactor to urgent legislation—perhaps the continuing resolution to keep the government operating through Labor Day, beginning on Friday. The House might then find itself with a choice between accepting the continuing resolution, Clinch River and all, or forcing most of the federal government into paralysis.

Those are tactics of desperation on the part of Clinch River's friends and advocates. But tactics of desperation sometimes succeed, and congressmen will have to keep a careful eye on this maneuvering. To allow the Clinch River project to proceed through this kind of tricky last-minute parliamentary game would mean perpetuating a $4 billion error by the most dubious of authorities.

Congress originally authorized the Clinch River reactor more than a decade ago. It was supposed to be the demonstration of the plutonium breeder technology on a large scale as the prototype of a generation of commercial breeders. But in recent years, the whole economic base for the project has eroded with huge new discoveries of uranium and the declining forecasts of the need for nuclear electricity.

That's why Congress voted earlier to turn the whole thing off, unless its backers could come up with a new financial scheme including greater support from private investors. The backers have come up with a scheme—and the Reagan administration has endorsed it—that claims to meet that requirement. But on closer inspection, private industry's support turns out to be mainly loans fully covered by federal guarantees and tax breaks. The director of the Congressional Budget Office, Rudolph G. Penner, testified last week that this alleged private support would cost the government more than conventional appropriations would.

That devastating testimony makes it very unlikely that the Clinch River Breeder can now get further funding through the usual legislative route. But the end run remains a possibility. Whether it works will depend on the vigilance of the House leadership and particularly its Rules Committee. The degree of political skill and passion being devoted to the breeder reactor by its partisans is worthy of a better cause.

NUCLEAR REPORT

Model sent the CBR alternative financial proposal to Capitol Hill on August 1, in time for it to be available to all Members of Congress, giving them an opportunity to discuss it with their constituents during the summer congressional recess, which begins this week and ends after Labor Day. (See NR of July 6 for a more detailed discussion of the proposal). The current strategy is to have the plan before the Congress for a suitable period, with public hearings on it scheduled for the middle of September. The
proposal's legislative vehicle will be the continuing resolution of October 1, 1983 (before October 1, 1984, money for ongoing programs not covered by previously enacted appropriations bills. A full appropriation of about $1.4 billion to cover seven years of construction (to project completion) will be offered in the continuing resolution. The CBA item, most probably, will first voted up or down in the Senate, where a scant majority in favor of project completion is believed to exist. Such a maneuver could seek to avoid a vote in the House. Where, if passed, it would move on to the Senate for final votes on individual items in continuing resolutions.

URGING SUPPORT FOR 1984 NATIONAL BUILDING SAFETY WEEK AND SENATE JOINT RESOLUTION 70

Mr. GARN. Mr. President, this fall State and local building safety departments, architects, engineers, home builders, representatives of the building trades, and other consumer groups will be掀起 across our country to plan programs to participate in next April 8 to 14, 1984, National Building Safety Week.

Earlier this year, together with Senators JOHN TOWER, DONALD RIEGLE, JR., and RICHARD LUGAR, I sponsored Senate Joint Resolution 70 designating the third week of April 1983 as the "National's First National Building Safety Week." That resolution is currently before the Senate Judiciary Committee for amendment to include the April 8 to 14, 1984, safety week dates and passage onto the full Senate for our consideration. As I have noted previously before this body, the purpose of National Building Safety Week is to focus public awareness on the important health and life-safety services which are available to all of us from local building code departments in over half of our States and our local professional building departments.

As the Senate Judiciary Committee begins consideration of Senate Joint Resolution 70, I would briefly like to highlight the accomplishments of last spring's 1983 National Building Safety Week program and describe the preparations which are underway for 1984.

On April 18 to 24, 1983, State and local building code departments in 32 States across the country held successful programs commemorating the Nation's first National Building Safety Week. Through radio and television public service announcements, newspaper articles, open houses, and exhibits, millions of Americans received important information on building safety. Residents of Indiana, for example, heard radio public service spots on the importance of the installation and proper maintenance of smoke detectors and received a five-part television news feature series on potential safety hazards encountered in home remodeling by the do-it-yourselfer.

In Minnesota, television viewers heard about the importance of having alternate means of escape from their homes in case of fire and radio listeners in Florida, Montana, Nebraska, Oregon, and many other States heard public service announcements on a number of other health and life-safety issues.

In New Jersey, building departments held exhibits and demonstrations on various aspects of building safety at shopping centers and malls throughout their State. In addition, State's Governors, mayors, State legislators, and city councils in over half of our States issued National Building Safety Week proclamations of their own.

Earlier this month, building officials, architects, engineers, and representatives from national organizations involved in the construction industry met in Madison, Wis., during the annual meeting of the National Conference of States on Building Codes and Standards, Inc., to discuss cooperative efforts for next spring's National Building Safety Week. Among the activities approved at that session were the development of national public service spots on building safety, the development of "Guide to Holding National Building Safety Week Functions," and the conducting of a 1984 National Building Safety Week Poster Design Contest which is currently underway.

As the building safety and construction community begins to plan their activities for April 8 to 14, 1984, I urge my colleagues in the Senate to express their support for this important national safety campaign by joining me in cosponsorship and passage of an amended Senate Joint Resolution 70.

As the safety week theme states, "Building Safety Is No Accident." As I have noted, as the building industry becomes more aware of and encouraging their increased participation in the building safety process, an important concern to all of us in Congress. I ask your support for this important endeavor.

TIME FOR EQUAL TREATMENT FOR COMPETITIVE INSURERS

Mr. D'AMATO. Mr. President, I would like to express my support for the competitive insurance amendment being offered by my distinguished colleague from the State of Washington. Currently, U.S. insurers are frequently denied the right to compete for insurance business resulting from Eximbank financed sales and projects. Many, if not most, client countries involving these policies and business practices to direct the placement of this significant amount of business with insurance companies in their own countries. I think this is a much needed and responsible amendment. This language is identical to the language which appears in the House bill. It does not require or guarantee preferential treatment for U.S. insurers. It simply requests Eximbank to work with U.S. insurers and other relevant U.S. Government agencies to promote equal and nondiscriminatory opportunities for U.S. insurers. The amendment, in effect, merely encourages adherence to the agreed upon principles of fair and nondiscriminatory access to foreign markets already incorporated in the GATT and other international trade agreements. Moreover, this amendment is an opportunity for the U.S. Government to demonstrate its resolve to eliminate nontariff barriers that inhibit the growth of our important service industries, as well as encourage free trade.

I want to congratulate my distinguished colleague for his work on this important issue and I urge passage of the amendment.

DISCRIMINATION AGAINST HANDICAPPED PERSONS

Mr. WEICKER. Mr. President, I rise to call my colleagues' attention to a most important and recent report. On September 15 the U.S. Commission on Civil Rights issued a comprehensive report documenting discrimination against disabled persons. The report, entitled "Accommodating the Spectrum of Individual Abilities" estimates that 9 to 14 percent of the American people—20 to 31 million people—are handicapped, either mentally, physically, or emotionally. The findings cited in the report include:

Unemployment rates for handicapped workers range from 50 percent to 75 percent, up from a prerecession rate of 45 percent.

Increased documentation that disabled workers perform satisfactorily or better in those job situations for which they are qualified.

Handicapped people face discrimination in the availability and delivery of medical services.

Currently 15 States have statutes authorizing compulsory sterilization of mentally ill or mentally retarded individuals, and at least four authorize the sterilization of persons with epilepsy.

Architectural barriers continue to present serious problems of inaccessibility. A 1980 study found 76 percent of State-owned buildings inaccessible and unsuitable for handicapped persons.

Handicapped people are frequently denied access to various means of transportation. For example, over 1 million physically disabled, blind, or deaf persons live within a short walk of transit services but cannot physically use them.

Other areas of discrimination against handicapped persons include...
voting, holding public office, and obtaining a driver’s license.

Once again, the serious problem of discrimination against handicapped persons has been documented. As chairman of the Senate Committee on Handicapped of the Labor and Human Resources Committee, I intend to examine this serious and far-reaching problem by conducting hearings on title V of the Vocational Rehabilitation Act in the spring of 1984. As you recall, title V includes provisions which prohibit discrimination against handicapped persons.

Mr. President, the Senate can take pride in the steps it has taken to preserve and enhance necessary services for and rights of disabled people. That justifiable pride, however, must not obscure the work that yet remains before us if we are to fulfill the promise of equal opportunity for America’s disabled citizens. The Civil Rights Commission report provides a most valuable guide to where the Senate might direct its attention in this regard.

I urge my colleagues to give careful attention to the serious social problem of discrimination against handicapped persons as we approach next year’s oversight hearings.

POLAND’S SEPTEMBER

Mr. MURKOWSKI. Mr. President, I have risen many times in this Chamber to take note of significant events in Poland or in Polish history. Today, I rise to commemorate not a day, but a month.

The month of September holds a special place in the annals of Polish history. It was in September of 1683 that King John III Sobieski led his Polish knights to victory against the Turks. His triumph meant freedom for nearly 90 percent of Poland or in Polish history. Today, June 25, 1983,

Mr. President, I hope that my colleagues will join me in celebrating the first September event and lamenting the other. Let them both serve to remind us of the Poland that was, and, with our support, that may be again.

TERMINATING CLINCH RIVER—A CLEAR BREEDER BARGAIN

Mr. HUMPHREY. Mr. President, in recent testimony before the Senate Energy and Natural Resources Committee proponents of the Clinch River breeder reactor project attempted to argue that it made no sense to terminate the project now that nearly $1.5 billion had been spent. Their argument was simple: We will lose all that we have invested and terminating the project now would cost nearly $300 million. In short, they would have us believe that we have gone so far already that we can only terminate at a price too high.

The truth of the matter is quite different. As the project’s backers themselves admit, $1.5 billion has been spent but the project’s design work is only 25 percent complete and half of the project’s critical components have been acquired. If Congress terminates the project, these accomplishments remain. We can file the designs. And we can use the base breeder research and development test facilities in California, Washington, and Idaho to test the key components we have acquired.

Indeed, one of the most important components—the reactor’s steam generators—has not yet passed testing and are the weakest link in the project’s design. Since these generators are now available, they could be tested at modest cost as a part of the base breeder program to give us even more information about the soundness of the Clinch River design. In taking this approach, little of what has so far been invested will be lost.

Certainly, if we began construction in earnest, we would gain no new design insights for our money; we would simply be paying construction firms to pour concrete and bolt existing parts together. This would be wasteful and it is just this sort of waste that our breeder program can ill afford.

Indeed, Energy Daily recently revealed that Secretary of Energy Hodel has been forced to cut the breeder program back. His Assistant Secretary for Nuclear Energy, Shelby Brewer, had asked for $643 million for breeder reactor work in fiscal year 1985—$331.5 million for the base breeder research and development effort, $285 million for Clinch River and another $25 million for the water cooled breeder reactor effort. Secretary Hodel, however, wrote Mr. Brewer, August 22, 1983, that he could only have $331.5 million for all of these activities due to “the fiscal constraints which we must adhere.”

Given these constraints, Mr. Hodel apparently is convinced that we have to make a choice between continuing Clinch River and keeping what he himself has stated is the key to our breeder future, our base breeder program, alive—for Hodel’s statements concerning the nonessentiality of Clinch River see S. 1151.

If, as Clinch River supporters claim, terminating Clinch River cost $300 million, we would have to pay it to keep the base breeder program alive. The good news, however, is that terminating the project would in fact, cost less than $150 million.

Why the discrepancy? Simple: The termination cost figure Clinch River proponents use includes repayment of the utilities for their $150 million in contributions, a repayment that Government is not legally required to make.

In fact, the legal division of the Congressional Research Service determined that any utility suit to secure repayment of these contributions would almost certainly be thrown out of court.

It should be noted, that even $150 million for termination costs is probably high since the House Science and Technology Committee determined in May of 1981 that only $45 million would be required to terminate the project.

Mr. President, I believe the advantages to our breeder program of terminating the Clinch River breeder reactor project more than outweigh the advantages of proceeding with the project and I ask that the full text of the Energy Daily article and the Congressional Research Service legal finding be printed in the Record.

The material follows:

[From the Energy Daily, Sept. 12, 1983]
Section 26, 1983

CONGRESSIONAL RECORD—SENATE

ilion is to include funding for CRBR. The breeder base technology program should be reexamined and restructured to meet only the essential and necessary requirements for commercialization. Efforts beginning after the year 2005 at the earliest, and to maintain U.S. contact with the international community.

Hodel's directive would basically force the Energy Department to close down the base program in liquid metal fast breeder reactors. Among the projects at the Edgewood National Engineering Lab including EBR-II (a 20-MW sodium-cooled pool-type fast reactor) the Hot Fuel Examination Facility (Zippert), the Zero Power Plutonium Reactor (ZPR) and TREAT (a transit test reactor).


Subject: Overview of Legal Issues Governing Contract Liability in the Event of Termination under the Private Participation Contracts for the Clinch River Breeder Reactor Project.

This is in response to your request for an analysis of possible contractual liabilities which may arise under the participation agreement for the construction of the Clinch River Breeder Reactor (CRBR) among the United States, the Tennessee Valley Authority (TVA), Commonwealth Edison Company, the Prédité Management Corporation (PMC) and the many private utilities participating through the Breeder Reactor Corporation (BRC).

Special emphasis will be placed on the legal obligation of the United States to reimburse the private utilities for their contributions in the event that Congress terminates the CRBR project by discontinuing funding therefor.

First, we will examine the termination provisions of the participation agreements. Second, we will explore the ramifications of a breach of contract by either the United States or the contributing utilities—recognizing, however, that making findings of breach of contract and awarding damages therefor is a judicial function. In the instant case, given the complexity of the contractual arrangements and the uniqueness of the CRBR project, coupled with our own time constraints, we will limit our analysis to an overview of legal issues.

I. THE PARTICIPATION AGREEMENTS

Two basic agreements form the basis for this agreement for privatizations between the utility industry through BRC and PMC (hereinafter "BRC-PMC agreement"); and the participation agreement among the United States, TVA, Commonwealth Edison, and PMC (hereinafter "participation agreement").

Section 7 of the participation agreement delineates the basis for project resources and costs. Subsection 7.1.1 acknowledges that financial assistance or monetary obligations of CE and TVA are limited to the contributions delineated throughout the contract. Subsection 7.1.2 acknowledges partial utility contributions through BRC, estimated at approximately $250 million. Subsection 7.1.3 requires PMC to bear the responsibility of the Department of Energy's Energy Research and Development Administration (ERDA), as successor to the within six months following the scheduled time for such action on ERDA's approved Project schedules, and the Project is seriously delayed or hindered thereby.

11.4.1. Any necessary governmental permit, license, authorization or approval required for the construction or operation of the Plant shall not have been secured and the utility is obligated to make a payment which comes at approximately $20-21 million, a steep drop from about $340 million in the 1984 fiscal year. By any measure, it is a draconian step. There are many in the nuclear community who would argue that the base program is the jewel in the crown, and more important to the technology's long-term future than the Clinch River project. The base program includes all the unspectacular but no less critical items, like component development and engineering, in our present understanding of the project.

Among the grounds for termination are the following:

11.4.4. Upon consideration of all available resources including ERDA's efforts to obtain additional funds pursuant to paragraph 11.4.1, it appears at any time that there are or will soon be insufficient Project resources... to permit the effective conduct of the Project, including full satisfaction of anticipated commitments and contingencies.

Thus, it appears that the failure by Congress to appropriate continuing funding for the project constitutes grounds for termination of the project under the participation agreement.

Although three or more parties to the contract must agree that any one of the termination criteria have been met, they are obligated to exercise "good faith judgment", and it would be difficult to deny the existence of demonstrable fact.

In the event of termination, the participation agreement acknowledges that the PMC assign to ERDA all of PMC's rights, if any, to collect amounts due and unpaid as of the date of termination under the Utility Contribution Agreement (although no utility is obligated to make a payment which has not yet been approved by Congress on the date of termination). If PMC's allowable costs exceed its assets, ERDA is to be responsible for them. Section 11.5.1.

Under the BRC-PMC contract, in the event of termination, after all the project costs have been satisfied, the proportionate share of contributions between the Atomic Energy Commission/ERDA and utility contributions to BRC shall be allocated: "There shall then be a settlement based upon the foregoing final accounting, and taking into account the actual amounts paid for Project Costs through the date of final accounting by the AEC, and by BRC, electric utilities and electric systems, to the end that there shall have been levied against the United States, through the Atomic Energy Commission, to seek continuing appropriations from Congress..."

A review of the foregoing suggests that adequate Congressional funding for the CRBR project is a condition precedent to performance under the contract. The failure of Congress to authorize adequate funding is a contingency which constitutes grounds for termination of the project under the terms of the participation agreement.

In the event of termination, the BRC and contributing utilities are entitled to receive as settlement any unpledged funds in a proportionate ratio to the utility's contribution. There is no contractual provision for full refund of utility contributions.

II. BREACH OF CONTRACT

The CRBR project has suffered many delays in development, and as a result the estimated costs of completion have skyrocketed. Allegations of breach of contract have been leveled against the U.S. Government and the utility industry.

Apparently, representatives of the utility industry, testifying before Congress during the Carter Administration, acknowledged that under the terms of the participation agreement, the DOE has the right to use and dispose of the facilities, ERDA is to be responsible for them. Section 11.5.1.

I therefore hope we are talking equitably today, is the responsibility on the Government to make the utilities whole and therefore equitable today, is the responsibility on the Government to make the utilities whole and there-
by provide the benefits of this contract in another fashion to their customers."

The U.S. Industrial Council has made an important start at repairing its deteriorated defenses. It is essential, however, that the country not falter in its defense effort or cut back on programs which are only beginning to come into effect. The survival of the United States and its free society depends on demonstrated staying power.

Challenges are posed to the United States from several quarters, and these challenges will persist as far into the future as one can see. America's principal adversary, the Soviet Union, certainly has a long view in its development of policies aimed at weakening and ultimately destroying the capitalist free societies of the United States and its allies. The United States and its allies must take an equally long view and have the patience and tenaciousness required for the maintenance of freedom in the decades ahead.

It is essential that the United States not only develop and maintain weapons such as may be necessary for security today but that it plan advanced defense systems that will meet America's security needs early in the 21st century. The American people must understand that they can't reach a plateau of security on which they can rest without worry or special effort.

The clear understanding that the USIC has had for its past, present and future directions is sharply reflected in its annual Declaration of Policy of its small tradition. It is the written Declaration of Policy that has enabled the Council throughout the years to stand forthright on the issues—however unpopular or controversial—with the full support and working of its membership.

Within the past year, the USIC has structured a network of Advisory Task Forces composed of selected members—all experts in their respective industries—to mobilize and act upon the complex problems and mazed issues of the day. Each Task Force produces detailed white papers which relate the Council's positions and serve to bolster the parameters of the Declaration of Policy which give the guideline and framework for these studies.

The USIC's major concern for the defense to be provided to none, that it plans a foreign policy that will protect our sovereignty, economic strength, and strategic interests.

**Foreign policy and defense**

The United States has made an important start at repairing its deteriorated defenses.

The strength of our nation rests upon its spiritual foundation. The Founding Fathers of the United States clearly understood this basic reality of national life. Thus, in establishing the American institutions of government, they acknowledged Almighty God as the ultimate source of strength.

The USIC believes, therefore, over current trends inhibiting the free practice of religion and pushing the United States in the direction of purely secular society. The United States Industrial Council takes this opportunity—solemnly and humbly—to reaffirm its Faith in God, and to emphasize the importance of religion and the family structure as basic to public morality and love of country.

**DECLARATION OF POLICY introduction**

For fifty years the United States Industrial Council has maintained an unwavering and principled concern for our political and economic traditions during a half century that has incorporated unmatched disruptions in the political and economic order of the nation and the world.
The USIC favors a return to the principle of limited government, in keeping with the spirit of our Founding Fathers and the Tenth Amendment.

The authors of the U.S. Constitution wisely created a federal republic. They believed that by dispersing power, and providing for checks and balances, they would ensure the survival of our freedom.

Our Founding Fathers envisioned a political system where the role of government would be limited to defending the nation, upholding the rule of law, and performing essential functions that could not be left to the private sector. They contended that the federal government should undertake to do anything that the states and localities could do just as well on their own.

In disregard of the spirit of our founders, we have created an imperial government characterized by oppressive taxes, meddling bureaucrats, and nit-picking laws and regulations. Ironically, while the government’s power grew enormously over private enterprise, private education, and private citizens, it cannot protect us from crime and to insure our enjoyment of basic rights is very much in question.

The USIC rejects those state and federal socialistic leveling philosophies of the welfare state as degrading to the rights and dignity of man. There can be no political rights without economic rights. The spirit of the Bill of Rights must be interpreted piecemeal for the convenience of those who would make liberty secondary to equality. The Bill of Rights is an aggregation of individual rights of equal importance—including the right to bear arms and the rights protected by the Tenth Amendment.

Better government

With a view toward reclaiming our heritage, the Council makes the following specific proposals to Congress:

1. A real and immediate cut in the number of federal employees, including reform of Civil Service laws that preserve unnecessary federal jobs.
2. An evaluation of all federal regulatory agencies with the objective of abolishing the counterproductive ones and drastically curtailting the arbitrary powers of others.
3. The repeal of all so-called “voluntary programs” which force compliance and funding from the states by threatening to penalize them if they refuse to participate. The use of tax money taken from the citizens to blackmail the states if they refuse to participate in federal programs is unconstitutional and deplorable.
4. Continuing efforts to review the most expensive agency of the federal government, the Department of Health and Human Services, to reduce its excessive size, power, and cost.
5. The enactment of a “sunset law” that would require all federal agencies and/or programs to expire automatically after a given time of not more than five years unless extended by Congress.
6. The requirement of “economic impact statements” for all new federal programs or expansion of existing programs setting forth the cost/benefit, the taxpayer and any adverse economic consequences likely to ensue.
7. The reform of government pension programs to bring public pensions into line with those in the private sector. Not only are public pensions too high, but recipients may collect more than one. The USIC is gravely concerned over the growth of unfunded pension liabilities in the public sector. The actuarial deficiency should be stated each year as part of the budget process.

III. The rule of law

Our citizens should be secure against those who would violate their persons or their property, whether they be criminals, overzealous bureaucrats, or activist judges.

Crime and violence

The USIC endorses tougher measures to deter all forms of criminal behavior. It comments that it would be counterproductive to allow new economies to respond to America’s locomotive effect. Severe bumps in the free world economy are possible, however, that other economics will respond to America’s slide into the Soviet orbit or allow new avenues for the Soviet states, to demoralize Western businesses, to increase their capacity to harness emotion, and to use them to enhance the power position of the Soviet states, to demonize Western institutions that lead them to abandon defense and foreign policy measures on which the maintenance of freedom depends.

The authors of the Constitution held that “the front is everywhere,” and Americans in and out of public life need a renewed and strengthened awareness of this fact. Thus the campaign for a nuclear freeze is on a parallel track with the campaign to end American aid to embattled El Salvador. Both campaigns have flourished in the U.S. because of shrewdly engendered fear of larger conflicts.

The USIC supports the principle of negotiation with the Soviet Union towards the end of achieving real reductions in nuclear weapons, but firmly opposes an agreement which would not maintain nuclear superiority. An arms control agreement must include strict provisions for on-site verification.

The USIC believes that the United States cannot afford to let Central America slide into the Soviet orbit or allow new Cuban-type regimes emerge in a region close to U.S. territory.

Maintenance of strong national security programs has been made much more difficult in the past year because of the weakening of the U.S. economy during the global recession. There have been many short-sighted appeals to cut defense programs in order to balance the budget. Important as that goal is, national security must have priority in the national agenda. If the United States is not able to deter foreign aggression, it will not be able to maintain a free economic system. Freedom is not just another budget item.

The American economy has improved in recent months, and there is reason to hope that other economics will respond to America’s locomotive effect. Severe bumps in the free world economy are possible, however, in light of the tremendous burden of debt faced by many countries. Whatever the ups or downs, strong national security programs, the maintenance of freedom depends.

Conclusion

We urge the repeal of the legislation which established such a system at the presidential level, and we strongly oppose current efforts to extend the system to congressional levels.

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The USIC urges the subcommittee on terrorism and subversion in the Senate Judiciary Committee to increase its efforts to investigate terrorist and subversive activities in the United States.

The Federal Judiciary

It is encouraging that the Supreme Court is turning away from the judicial activism which characterized it for many years and which, in the view of many Americans, violated its Constitution, produced serious strains in our society, and weakened the administration of justice. Indeed, the Council regrets that the High Court has nevertheless upheld a number of unwise decisions by the lower federal courts concerning public education. In addition, federal judges have set up unrealistic guidelines and standards for state prisons.

Specifically, the Council objects to the judicial notion that public schools are primarily institutions of social change. Court-ordered busing and racial balancing have succeeded in destroying the harmony which once prevailed in the schools, to impair the education of millions of school children, and impose costs on taxpayers. The USIC calls for an end to such judicial experimentation and the return of schools to the control of the states and localities, by court approval if necessary.

Similarly, the Council, decrying the current trend toward atheism and moral anarchy, supports the restoration of voluntary prayer and Bible reading in the public schools by constitutional means.

The Council recommends that a mandatory retirement age for federal judges be established.

IV. A FREE ECONOMY

A free economy is essential to a free country. It is also the basis for national prosperity. However, the opponents of economic freedom have not eased the pressures for continuation and even expansion of government policies that have reduced economic freedom: for many Americans, Economic difficulties of recession, unemployment, and the decline of several of our major industries have heightened the demands for a return to the massive government role in the economy, including expansionary monetary policies, restrictions on foreign trade, and other domestic policies that are the cause of America's economic problems.

The USIC believes that the nation can only return to its traditions of prosperity, high employment, and genuine economic growth by standing firm on the principles of economic freedom, which include drastically reduced federal spending, continuing efforts to reduce regulation of business, and a consistent monetary policy.

Private property and free enterprise

The United States Industrial Council firmly supports the concept of property as the foundation of personal liberty. The USIC urges protection of the property right of private owners.

Current activities by anti-business groups disclose a studied effort to separate control from ownership, to reduce, and in effect to limit and qualify property rights of corporations and shareholders. The current insistence in some quarters that corporations name their "public" directors bankers—men for unions and consumers—is part of the effort to restrict the traditional American concept of property rights.

It is, therefore, a major effort afoot to deny investor-owned companies the right to make key decisions affecting their operations. The anti-business groups seek to deny business decision-making power to the oil industries, to limit free enterprise. They urge Congress to authorize severe penalties, including jail terms, for company managers who fail to follow social guidelines.

A federal law should preempt state laws only where the law expressly states that it is the intent of Congress to do so, when the constitution forbids Congress to empower the federal courts to exercise judicial discretion in deciding whether or not a federal law preempts state laws covering the same area. Congress should not allow the courts to second-guess its intentions in this fashion.

Legislation has been proposed at state and federal levels to penalize companies that wish to relocate, thus making them "captive industries." If a state is losing businesses because its taxes are too high, its regulations too rigid, and its labor-management policies too solicitous of big unions, imposing an exit tax on departing corporations will not improve its economy or that of the nation as a whole. It only leads to more business closings and more unemployment.

The USIC believes that the managerial function should not be discharged by the chosen representatives of the stockholders and investors—i.e., by those who bear the risk of loss and are entitled to the profits. Profits and the concomitant risk of loss make the free enterprise system run; they are the dynamics, the driving forces of industrial progress. Without profits, there would be no investment to provide new jobs and additional opportunities for the growing work force of an expanding population.

A no-profit economy inevitably results in a socialist economy. A pure free market, free enterprise economy is without equal in providing the greatest selection of goods and services at the least possible cost. Free enterprise means the right to succeed and the right to fail. Successful enterprises should not be penalized by government for their success, and unsuccessful enterprises should not be kept in operation with transfusions of tax dollars.

Government attempts to rescue failing corporations are vast subsidies of market operations and to indirect control of private companies by directors nominated by government. The business community should take the lead in opposing such bail-outs, as they undermine the free enterprise system.

Capital formation and tax reform

Rapid capital formation is the key to a prosperous economy. Unfortunately, capital formation has been discouraged in the United States.

2. The adoption of adequate tax incentives, to replace and increase those formerly provided by the oil industry, to encourage exploration and development of domestic petroleum supplies.

3. A constitutional amendment setting a high ceiling on state and local income, estate, and gift taxes which can be levied and collected, except on income taxes in time of national emergency or war.

A less restrictive business structure: to stimulate production and increase job opportunities. This should include the reduction or eventual elimination of capital gains taxes.

5. An evenhanded approach to the regulation of tax-exempt organizations and contributions; the withdrawal of tax-exempt status from any organization that promotes lawless and destructive ends.

6. The elimination of unfair tax advantages presently enjoyed by cooperatives, credit unions, and labor unions. These organizations are now using tax-free income to underwrite losses suffered by taxpaying enterprises in competition with taxpaying enterprises.

7. A reduction of government spending with the appropriate lowering of personal income taxes.

Government economic policy and inflation

Thus the USIC holds firm in the conviction that the destructive forces of inflation, present and anticipated, and resultant high interest rates and thus the related problems of unemployment, widespread business bankruptcies, and general economic decline, are the consequences of government deficits.

The past two years have seen remarkable success in the lowering of inflation, which is one of the most important governmental achievements in this period, but renewed inflation is likely if federal spending is not contained. Even with essential defense spending increases, it is possible to make massive cuts through better management, as the Grace prime minister task force reported, saying that $48 billion could be saved over three years.

The Council has always held that there is no value and undeniable link between inflation and deficit spending by the federal government. Therefore, the Council deplores attempts to explain away or to ignore deficits as unimportant or unrelated to our nation's economic well-being.

The government's bill must be paid. When it pays them by expanding the money supply, the currency is debased. More dollars in circulation do not automatically mean greater wealth. Instead, the value of the currency is inflated. Likewise, heavy government borrowing from the private sector reduces the amount of capital available for business investment and expansion.

These two approaches to financing deficits are responsible for the persistently high interest rates the nation has experienced in recent years. Rate cuts alone, plus an inflation premium which reflects expectation of further decline in the value of money, will not stop the rise in interest rates. Heavy demand for capital by government keeps rates high, making money unaffordable to smaller companies.

For years, Congress has made little or no attempt to limit the federal deficit, even by trimming domestic programs. This profligate spending has led to an inflationary psychology among our people...
The federal debt exceeded $1 trillion in 1982. This debt includes government-guaranteed loans and other contingent liabilities that are growing at an alarming rate.

The Council urges the Congress to take the following actions:
1. Reduce federal expenditures to the essential minimum required to carry out the functions of the government as defined in the Constitution.
2. Prohibit any further increase in the debt ceiling, except in time of congressional necessity, which necessitates the contracting of any further obligations outside this ceiling.
3. Approve an amendment to the Constitution limiting the federal budget to a percent of GNP.
4. Provide for a return at the earliest possible time to a currency convertible to gold or other indexed commodity and the transformation of the present managed currency system.
5. Rescind all previous appropriations to effect necessary savings.
6. In reaching a balanced budget, do so by spending cuts, not by increased taxation.

**Wage-price controls**

The Council rejects all suggestions of controls on wages, prices, rents, and dividends. Such controls would deal only with the symptoms of our economicsills, not the root causes. Whenever they have been tried over the centuries, they have proved to be a failure. They result in black markets and in misallocations of resources. Moreover, wage and price controls inevitably require rationing, which harms the society which tries and which is unacceptable to the American people. Rationing also requires an army of enforcement agents and costs to receive. It makes no sense to prevent the normal operations of the marketplace and to continue to allow the government to print money. Controls of the money supply invariably are rejected by proponents of economic controls. They would tie down everyone but the bureaucrats.

**Regulation of business**

American industry and business have evolved over the years in response to the changing needs and desires of the consuming public. The USIC favors fair and effective enforcement of the antitrust laws, but rejects the yardstick of mere size as a criterion of monopoly, undue concentration, or lack of competition.

In addition, the USIC is opposed to the federal licensing of corporations as a condition of engaging in interstate and foreign commerce as an unwarranted extension of federal power.

The Council is also opposed to any form of favoritism in the awarding of government contracts. At the present time it is not uncommon for a corporation to be denied a contract simply because it is non-union, or is located in the wrong congressional district, or refuses to conform its business to the satisfaction of bureaucratic planners, or because of its size. It is the opinion of the USIC that the sole criterion for the awarding of government contracts should be the question “Which firm offers the American taxpayers the highest quality product or service at a reasonable price?” Among other examples, the Council is opposed to favoritism in awarding contract billions to union contractors that enjoy special tax advantages.

Finally, the Council takes this opportunity to strongly condemn what it regards as the harassment of private businessmen by government bureaucrats. Owing to a variety of circumstances, the chief of which are the proliferation of government agencies and the sharp rise of legal costs—it is now possible for any businessperson to bankrupt businesses into complying with their guidelines simply because it is no longer practical for businessmen to litigate every challenge to their normal rights. Such harassment is especially burdensome to the small businessman, and is a factor in small business failures, dependence on free competition, and free competition. Furthermore, this situation heralds an era of potential bureaucratic dictatorship, and imperils the rights of all Americans. The Council urges that the arbitrary power enjoyed by so many federal bureaucrats be curbed so as to prevent this development.

**Bankruptcy**

The USIC believes that current bankruptcy law allows large creditors, and in many cases to avoid payment of just debts that they have the ability to pay from current or future earnings. The USIC urges that the Bankruptcy Reform Act of 1978 be amended in order to prevent such abuses.

**Alternative economies**

The threat of nationalization of U.S. industries is not an immediate one, though there is a frequency this approach is played in liberal and radical economic and polemical literature. A more immediate threat is a blurring of the lines between the public and private sector and efforts to institute so-called worker control in failing industries. It is to the advantage of the American people and essential to the survival of free enterprise in the United States there continue to be a sharp distinction between the private and public sectors. It is especially important that the notion of worker control of industries, as being advanced for failing steel mills, be understood as a form of subsidization. All such subsidies are on massive public assistance in one form or another. Without skilled management such as is to be found in the United States there is no feasible possibility of such enterprises succeeding—only the likelihood of increased subsidization by the taxpayers. The so-called “Alternative Economic System” now being pushed by radical groups is simply socialism under a more acceptable name.

Advocates of the market economy have long recognized the fact that government can neither match the efficiency and resourcefulness of private enterprise. Accordingly, the USIC opposes any and all forms of protectionism that would result in “free market solutions” to our pressing national problems.

Essential first steps toward this objective including the following:
1. An end to unwarranted government interference in business.
2. The gradual elimination of all federal subsidies, except those essential for national defense.
3. A return to genuine competition, the law of supply and demand, and other basic market principles.
4. An increased effort by government at all levels to contract out as much work as possible to the private sector, to improve the quality of government work.

Specifically, the Council urges the development of free market alternatives to the present U.S. Postal Service. The Council believes that beginning would be the elimination of the government monopoly on the delivery of first class mail.

One of the nostrums now being advanced is a new Reconstruction Finance Corporation that will be politically independent, capitalized with $5 billion from the Treasury and authorized to raise $25 billion more through the issuance of federally guaranteed bonds. It would be a bailout mechanism for floundering, fly-by-night operators. Rather, the advocates of “socialized” legislation deliberately ignore this fundamental truth. They dismiss efforts of industry to provide quality goods and services. The USIC is opposed to any form of favoritism in the awarding of government contracts. What is really needed, of such an institution would be virtually beyond public control and be able to deflect investment from needed venture capital projects.

**Consumerism and the market**

The USIC, representing a broad range of industrial, commercial, and general business activities, is deeply concerned about the fairness of the marketplace. It is the opinion of the USIC that many of American business share that concern. If business weren’t interested in the wants of consumers, business would fail.

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4. An increased effort by government at all levels to contract out as much work as possible to the private sector, to improve the quality of government work.

The USIC is opposed to any state or federal product liability law that does not include the following features:
1. The provision to allow sellers to reassert the traditional defense of contributory negligence in all product liability cases;
2. A presumption in favor of comparative negligence standards for plaintiffs who sue on strict liability. Such standards compare the fault of the plaintiff and the defendant and apportion damages by reference to a statutory formula;
3. Prohibition against the use of contingent fees in all product liability actions. A good policy with awards given only for actual physical injury;
4. The adoption of a 6 year statute of limitations on product liability with some exceptions to accommodate latent defects, and an unqualified 2 year statute of limitations on product liability actions; and
5. Provision for businesses to accrue annually up to 3% of annual sales in pretax dol-
A large for purposes of a product liability re-
sure fund up to a total of 15% of average
ual sales. (7) In all product liability ac-
tions resulting in whiplash damage, an aw-
ment was manufactured by the defendant, a
requirement that would specifically overrule
the judge's order that all cases be heard by
jury. We propose any provisions that encour-
ge the establishment of additional federal
bars.

The Council believes that the anti-
trust laws that apply to corporations should also
apply to cooperatives. Cooperatives should be
have on the same basis as corpo-
ations.

Foreign trade and investments

America favors fair trade and regards the
following conditions as prerequisites for
true free trade: unrestricted movement of cap-
ital investment, convertibility of curren-
cies at freely floating rates, parallel fiscal and
monetary policies, and safeguards against ex-
propriation by foreign tax struc-
tures or government-backed monopolies or
cartels. These conditions do not exist at this
time.

Indeed, the United States faces increasing
trade difficulty with countries that have sta-
ratic controls over certain industries that
are either nationalized or where major in-
dustries are nationalized or where massive
export program, aimed at the American
market, are guided and controlled by
government. These countries seek to dominate
the American market while denying U.S.
manufacturers an opportunity to compete in
domestic markets. Japan is a prime ex-
ample.

Accordingly, the USIC urges the Execu-
tive Branch to deal firmly with foreign gov-
ernments that favor cartels and other re-
strictive devices harmful to America's trade.
When our economic well-being is threatened
by restrictive or discriminatory trade poli-
cies of other nations, we should respond
with appropriate measures of our own.

We should also remove "most favored
nation" status for trade purposes with all
Marxist countries and ban sales of any and
all strategic products, minerals and technol-
ology to these countries, as well as imports
except for strategic commodities.

The solution to the problem of the trade
deficit is more complex. Primarily, it re-
quires we address the ways in which
in American product-
vity and a greater public awareness of the
full cost to the nation of vast imports. Ma-
ually, the increase in the cost of government
regulation and increased productivity will
also help American business gain flexibility
for competition in foreign markets.

USIC endorses legislation which would en-

The USIC supports legislation that would encourage American exports by facili-
tating the formation and operation of export trading companies and export trade
assocrations.

V. RESOURCE DEVELOPMENT

We propose the maximum development of
needed resources while keeping any adverse
environmental impact to an acceptable
level. There must be careful evaluation of how
our resources should in-
cude reasonable conservation measures,
and exploration and development of natural
resources on our public land areas. The
USIC strongly supports the proposition that
the United States does have the ability
to achieve energy independence.

An energy policy

The USIC is confident that the private
sector can meet this country's energy needs,
and urges a free market solution to our cur-
rent energy problems. The lifting of price
controls on crude oil on January 28, 1981,
was a salutary first step in this direction. In
like manner, remaining controls on natural
gas prices and on the use of gas should be
removed and allowed to supply and demand, not the role of government should deter-
mine the price of energy, and the design of
autos and other energy-related products.
Corporate taxes and requirements should be
abolished, and the free market should guide its
design.

To do this, the Federal Department of
Energy should be abolished. The Depart-
ment is a chaotic bureaucracy that absorbs
billions of tax dollars and has interfered
with, rather than contributed to, the pro-
duction and distribution of energy in the
U.S.

The USIC is adamantly opposed to
the concept of the so-called "windfall prof-
tax on oil. Consequently, we urge its repeal.
This is a false name for a heavy excise tax
that is levied on the production of oil at the
wellhead, not on profits. The $227 billion
that the tax is supposed to provide for re-
search and development of "alternative" en-
ergy sources will go directly into the fed-
eral Treasury, instead of productive capital
investment. The ultimate losers will be con-
sumers, whereas increased costs of pro-
duction and distribution of gasoline and
heating oil, as producers lost the incentive
to expand output. At the same time, the
USIC supports further research and de-
velopment of renewable sources of energy
within a free enterprise context. Regardless
of merits of the 50 MPH speed limit, serious
constitutional questions arise and federal
usurpation of states' rights.

If we are to rely on the dependence on for-
eign oil to a significant degree, we must
renew our faith in nuclear energy. It is vital
that the American utilities be permitted to
contract for and construct nuclear power
plants without the endless bureaucratic
and environmental harassment that has ex-
tended the construction time for a nuclear
plant to about 12 years. Where proper pre-
caucions are observed, nuclear power is our
safest source of energy.

In this regard, Congress and NRC should
act promptly to expedite the transportation,
off-site storage, and reprocessing of spent
nuclear fuels. The USIC urges that the USIC
believes that nuclear
power plants should be constructed and op-
eration knowhow and dollar investments
should be protected against claims from
government-subsidized entities. Antitrust
review of nuclear policies may be separ-
ated from the licensing process to prevent
"blackmail" of private enterprise by public
and government.

Vast United States coal deposits must be
utilized to the maximum extent commensu-ate with healthful air quality, and research
and development in coal gasification and li-
quidation must be encouraged. Congress
should amend the Clean Air Act and the
Clean Water Act to carefully define their re-
quirements and to allow the states, once
they have met these minimum federal stan-
dards, to adopt whatever mix of emis-
sion and effluent limitation they deem ap-
propriate for their particular circumstances.

Surface mining for coal should be permit-
ted to the maximum possible with
reasonable reclamation practices. Coal is the
relatively untapped energy source on
which our nation must rely if we are to be
assured that energy sources will be ade-
quate to our needs.

Contrary to popular misconception, we are
not running out of energy. We are merely
exhausting those reserves that are more eas-
ily utilized. Developing new re-
sources will be expensive, so there is no way
that higher prices for energy can be avoid-
ed. The only question is whether we will
get abundant energy at reasonable prices under a free market, or limited supplies at
high prices under government controls.

Minerals and mining

In 1959, the United States obtained half of
its needs of 4 of the 13 basic ind-
ustrial minerals from overseas. Today, we
are dependent on foreign sources for more
than half of 20 strategic minerals.

It is imperative that this country should easily be
at the mercy of unstable governments in
the developing world for supplies of vital
minerals, including chrome, platinum, nicker, manganese, cobalt and zinc. These are
indispensable to our basic heavy indus-
tries, and our defense industries in particu-
lar.

The United States has abundant supplies of
many important minerals, but restrictive
mining and land use laws have hamstrung
progress of them through the 1970's. The
Mineral Leasing Act of 1920 public or gov-
ernment-owned land is available to individ-
uals for mining purposes. But increasing
demand for public land for development
in the name of protecting the en-
vironment has drastically cut backtracts
available for mining. OSHA, EPA, and
wilder-
ness regulations have contributed to the
shutdown and lack of development of many
mining facilities. The USIC applauds efforts
to reverse this trend.

The USIC believes that our increasing de-
pendence on foreign mineral sources leaves
the nation vulnerable to sudden cutoffs or
embargoes by unfriendly governments.

Since our growing dependence on offshore
sources of minerals is due to restrictive reg-
ulation and land and sea use policies, these
should be drastically revised in favor of
rapid development of America's mineral re-
sources, and stockpiling of certain strategic
materials.

Furthermore, the Council opposes the
concept of seabed minerals as a "common
heritage of mankind" as expressed in the
provisions of the Law of the Sea. The USIC
believes that a private enterprise should not be obligated by an inter-
national authority dominated by landlocked
nations to forego the fruits of their sub-
stantial investments in seabed mining to
countries that make no investment and take
no risks in extracting minerals from the
oceans beyond national boundaries.

Land use controls

Controls over land use are being sought by
local and state agencies as well as at the fed-
eral level. These controls unconstitutionally
restrict the right of citizens to determine
the use of their property. Certainly every
effort should be made to resist the socialist
idea that property is owned as private prop-
erty only to the extent that society doesn't
need it.

The USIC also supports efforts by individ-
uals and businesses to control a greater
share of the vast acresages owned by the fed-
eral government. Traditionally, the govern-
ment sold land to private individuals and
cooperatives at cost, with reduction of arbitrary federal control over gov-
ernment land by requiring the government
to make available for sale selected tracts of federal land that have been inaccessible to
private concerns.
Pollution control

The USIC favors reasonable and equitable laws to promote clean air, clean water, and general environmental enhancement. It takes note of the very substantial efforts of American free enterprising companies to control pollution and to develop anti-pollution devices and programs. Industry should be protected against unreasonable and irregularly applied standards, and public utilities should be required to stand firm against scare tactics and emotionalism with regard to pollution.

Federal pollution controls should be limited to those which directly affect the health of people, and are in keeping with the Constitution. The public has not been adequately informed of the vast scope of anti-pollution efforts by industry. The steel, electric power, paper, chemical and petroleum industries, to cite only a few, have devoted colossal sums to the abatement of pollution.

Pollution abatement also has to be considered in its relation to other social problems. The automobile industry, for example, shouldn't be required to accept emission control regulations which are in advance of the applications of technology which make motor vehicles prohibitively expensive to operate. The requirements of personal transportation have to be recognized in a large country with decentralized city populations.

Furthermore, the public must be made to realize that unreasonable pollution controls demanded by government stand to cost them untold billions of dollars in the form of higher prices and increased fuel consumption.

Water resources

The nation is just beginning to realize that full development of natural resources in the West requires massive amount of water. Efficient management of existing water supplies is not the answer to present and future needs. Emphasis must be placed on gaining access to new water resources for the arid regions of the country. To this end, the United States Industrial Council favors study and negotiations aimed at persuading Canada, which owns from one-quarter to one-third of the world's supply of fresh surface water, to make its supply available for water on a market basis to the arid parts of the United States.

VI. EQUAL RIGHTS FOR MANAGEMENT AND LABOR

The rights of the individual worker and the general welfare of the people should take precedence over the special privileges enjoyed by organized labor.

Union coercion

Much of the corruption and arrogance that characterizes the labor movement today stems from the unique privileges of coercion that unions enjoy under federal law. In states without right-to-work laws, a worker may be forced to join or to pay dues to a union in order to hold a job. In all states, individual workers may be forced to accept rules and regulations imposed by their bargaining agent against their will.

The USIC believes that union membership should be voluntary, and that unions should be empowered to bargain only for their own members. The Council favors reform of our national labor laws to achieve these ends.

To further protect workers and the public from union coercion, the USIC proposes the following:

1. The enactment of legislation which would remove exemptions of labor unions from prosecution for criminal activity:

2. That strikes be made subject to control of the bargaining unit by secret ballot of membership on approval of the employer's last negotiated best offer;

3. That existing restrictions against secondary boycotts be retained and strengthened;

4. That compulsory check-off of union dues be prohibited, whenever check-off of benefits be permitted to the employee. The employees permitted to terminate the check-off agreement on exactly the same basis that was used in agreeing to:

5. That all bargaining agents be required to recertify every five years;

6. That all union elections be held by secret ballot.

Antitrust for unions

The USIC calls on Congress to place unions under the antitrust laws. The exercise of monopoly power by labor unions is one of the basic problems of our society. Monopolistic union power drives up the cost of goods and services. The public interest requires that unions be prohibited from taking actions which will unreasonably restrain trade and commerce.

A number of labor arbitrators are seeking passage of bills that would place labor unions under the antitrust laws. Such legislation is long overdue. No reason exists why unions under the antitrust laws. The exercise of monopoly power by labor unions should be exempt from antitrust laws which apply to business enterprises. A labor monopoly is clearly detrimental to public interest.

National Labor Relations Board

Over the years, the National Labor Relations Board has played a key role in denying justice to employers and non-union employees. Where the issue has been union activity, the Board has played a key role in denying justice to employers and non-union employees. Where the issue has been union activity, the Board has played a key role in denying justice to employers and non-union employees.

The USIC believes that the concept of administrative justice on which the Board is based, in addition to the built-in bias toward union organizers, renders the NLRB a basically unfair and improper instrument in labor disputes. The Council subscribes to the principle that controversies regarding labor-management relations should be removed from the NLRB's jurisdiction and turned over to the courts.

 Strikes against private employers

The use of physical force, threats, violence and mass picketing interferes with the employer's freedom of choice and should not be permitted. Conscious and fearless enforcement of the law at state and local levels would largely eliminate these evils. In many instances, public officials, charged under their oath of office with law enforcement, have been grossly derelict in their duties.

The USIC urges enactment of legislation to prevent public subsidization of strikers. It is intolerable that subsidies have been given in the form of welfare payments, and unemployment compensation. Strikers have jobs; they simply refuse to perform them. In no way, therefore are they deserving of public charity or assistance. Moreover, the subsidization of strikers hits the public twice, in taxes to pay for the benefits, and in the increased prices that result from excessive wage demands enforced by strikers.

The USIC also believes that the existing Taft-Hartley prohibition against secondary boycotts at construction sites should be retained.

Wages and productivity

Productivity, the amount that a worker produces per hour, is a prime indicator of the nation's economic strength. Increased productivity is the only valid source of increased earnings and an improved standard of living.

In times past, American worker productivity was unparalleled. This was a major factor in America's economic success. But increases in worker productivity in the United States have lagged far behind other industrial nations in recent years. Unless Americans greatly increase their productivity, the U.S. will cease to be the leading industrial nation before the end of this century.

Wage increases by government fiat as a substitute for wage increases which reflect higher productivity can only aggravate our present economic problems. The inability of U.S. business and industry to compete in world markets is due to the wage and productivity gap between American labor and that of foreign competitors.

Accordingly, the USIC opposes any increase in the minimum wage. Minimum wages not only fuel the rise in prices and prices, but have the effect of eliminating thousands of jobs for the people who need them most—those who are young, the poor, and the unskilled.

One of the encouraging signs in the past year has been the surfacing of the novel concept of the "growing wage agreement" that brings wage agreements more in line with economic realities. Another happy change is in the direction of union concessions on working conditions, which are essential if American industry is to regain its competitive position in domestic and world markets. This has been a long time in coming but must be made to realize that the survival of U.S. industry depends on modernization of work rules.

In addition, the Council opposes the concept of "work preservation" clauses as an exchange for union concessions on wages and benefits.

Also, the Council favors the repeal of the Walsh-Healey and Davis-Bacon Acts (which regulate the wages paid on government procurement and construction contracts). These laws are prime examples of government wage distortions for political purposes. If the laws are not repealed, they should at least be enforced so as to reflect the local prevailing wages.

Employee health, safety and benefits

American business has a history of concern for employee health and safety. The vast majority of companies have rules requiring health and safety procedures. The states also have laws regulating such matters.

Nevertheless, the Occupational Safety and Health Administration remains in existence, despite its lack of success in reducing accidents.

OSHA fails to place any responsibility on the individual worker for using health and safety equipment properly. It fails to recognize the major role that worker carelessness plays in causing industrial accidents. It has eaten up new investments that should have gone to create jobs, and has raised prices for the consumer. At the same time it has provided federal bureaucrats and union leaders with another weapon to use against management.

The USIC therefore advocates that the Occupational Safety and Health Act of 1970 be repealed, and that the talks of ensuring worker safety be returned to the states and private safety promotion groups.
It is also essential that the federal bureaucracy’s excesses in the enforcement of the Federal Coal Mine Health and Safety Act of 1969 (which have contributed to reduced production and more mining and exploration as a result of underground coal mines—with resulting increases in coal cost) be curbed so as to ensure that the overall cost of coal recovery, and the programs being paid for it in the Energy Act now being applied. This act, incidentally, has been no more successful than OSHA in reducing accidents.

The provisions of Title IV of the act should be repealed or amended so as to rescue the coal mining companies from the effects of their overwhelming potential liability of the socialized subsidy to coal miners by way of so-called black lung benefits.

The states should have maximum latitude in the solution of unemployment problems peculiar to their localities. The USIC strongly opposes any federalization of the unemployment program, or workmen’s compensation program, including federal payment or benefits, or the federalization of the federal unemployment program, or workmen’s compensation program, including federal payroll tax on benefits; shifting the automatic benefit payments to the states. The USIC recommends that the federal act be repealed.

The USIC favors free market solutions to the problems of education and welfare. It is therefore in the interest of both labor and management that they be profitably invested.

Unfortunately, union trustees of these funds are now being urged to use them as social weapons. In other words, to base investment decisions on noneconomic criteria such as whether or not a potential borrower is friendly to organized labor. This strategy urges that the fiduciary obligations of pension fund trustees be tightened to prevent such abuses.

Public employees

The USIC strongly opposes unionization of public employees and urges the states to forbid strikes by these employees. Widespread employee strikes have revealed the threat these work stoppages represent to the normal functioning of American cities and communities. The public has a right to expect that fire, police, sanitation and hospital services as well as school and mail services will not be interrupted by any group at any time. If public employee strikes are accepted, entire communities will be subject to economic blackmail and be endangered by crime, fire, or epidemic.

Uniformly among the public employees, with resulting control over the availability of essential public services, is the chief current objective of the movement. The monopoly position of the unions already represents a serious threat to the well-being of the country, and any extension of that monopoly position in the area of public services would be a social disaster for many communities.

VII. REFORM OF CURRENT SOCIAL POLICIES

The USIC favors free market solutions to the problems of education and welfare.

Public and private education

The USIC has long argued that Congress should reduce federal aid to education as education, traditionally, has been an activity of state and local government. One by-product of more difficult economic times is that such aid has been reduced. The government also has tightened up on federal loans to students, loans which had not been repaid. All this is to the good.

It is important, as part of the new federalism, that the states continue to assume a larger responsibility for higher education, and that the private sector do its part in carrying the educational burden.

Important new initiatives are under way in the private sector, with corporations joining in new consortia in order to finance the advanced research that is necessary for the modernization of American business and industry. The USIC believes that such consortia represented a desirable alternative to federal aid and believe they should be encouraged. It is very important, however, that a place be made for the participation of small business, and that in it will share in the results of new research.

The USIC calls on the federal government to make it easier for independent school efforts to eliminate such exceptions would damage the quality of education in the country.

Lastly, the USIC endorses the action taken by several states in requiring that the fundamentals of the free enterprise system be be taught in the schools. Considering the lack of public understanding of the true nature and operation of the market economy, the Council feels it would be well if all states were to adopt such a policy.

Numerous private companies and organizations have done much to show how free enterprise protects the rights and enhances the prosperity of individual Americans. The USIC heartily endorses such private education programs as deserving of support and encouragement by private groups and public officials.

Social security

The USIC has long recognized that the Social Security program has been seriously underfunded. Without some corrective action, the Old Age and Survivors Insurance trust fund would have faced bankruptcy in July, 1985. The immediate crisis of solvency of the system, President Reagan appointed a National Commission on Social Security Reform. The Commission’s recommendations of January 15, 1983 included: including under Social Security coverage all non-profit and new government employees; requiring Social Security recipients with income in excess of $20,000.00 to pay income taxes on benefits; shifting the automatic benefit increases to a calendar year basis; rescheduling tax payroll tax increases set for 1985 and 1989 for 1984 and 1988 respectively, and other measures.

Fundamentally, the insurance program Social Security was originally intended to be has been expanded into a partial welfare program in which the Social Security benefit payments totaled $154.1 billion. Originally, the Reagan budget projections forecast Social Security outlays to increase by about $125 billion per year through 1984-1988. The Commission’s recommendations would reduce that annual increase to roughly $10 billion. The USIC concurs that the Social Security system must be drastically reformed. However, the Commission’s recommendations to pay the Social Security taxes to bail out the system. As much as $75 percent of the proposed deficit reduction in the program comes from higher taxes.

Instead the USIC recommends that the program’s welfare and insurance functions be separated and treated accordingly; also that:

1. Benefit formulas be revised to ensure that individuals receive benefits that are directly related to contributions;

2. The current CPI escalator clause which is used to determine cost-of-living increases be abolished;

3. The present system of equal contributions by employers and employees be retained;

4. No portion of Social Security should be funded from general revenues—this would camouflage the true nature of the program, increase the federal deficit, and fuel inflation.

5. Employees should be given the opportunity to invest their Social Security payment in private Individual Retirement Accounts (IRAs). Kegou plans and other private plans.

Welfare

Federal spending now tops half a trillion dollars a year, much of it for welfare programs. For example, the food stamp program is supposed to work with more than 21 million recipients of the handouts. Altogether, the welfare and assistance other entitlements will cost nearly $365 billion a year.

The USIC believes that these programs must be cut back enormously if the productive sectors of the population are to survive. Too few are being asked to do too much.

The root of the problem lies with the so-called “entitlement” programs—so-called because their recipients are legally entitled to benefits. The recipients can force the government, under threat of court action, to provide benefits.

Congress can and must change the basic laws that create these entitlements. Welfare outlays aren’t uncontrolled, if there is a will to dismantle welfare state legislation. Congress also can amend the basic laws to set work requirements for welfare recipients, it can give states the grants for welfare instead of ruling how they must spend such funds.

This is the type of basic reform that must be achieved if the welfare system is to be brought under control. USIC believes that decisions being made today will determine whether we are to become a socialist nation or remain free.

Health care legislation

The USIC is opposed to nationalized health care services. Such services have proven enormously expensive and destructive of quality medical care. The Council believes that the maintenance of high quality medicine, in which the United States leads the world, is the result of the private delivery system for medical services. Wherever possible, the organization, delivery and financing of medical care should be done on a private basis.

The USIC deplores the growing threat to the quality of medical care posed by increased federal involvement in operations of hospitals and the medical profession. When politics enters the hospital, good medical practice is endangered. It is imperative, therefore, that steps be taken to retain professional control of hospital practices. Toward this end, the Council recommends that the following efforts be supported— as opposed to federal controls—and urges...
the abolition of the Professional Services Review Organization.

Urban dole

The decline of many large central cities, as a result of profligate public spending, rent control, massive federalization and inequitable federal grants, has produced a demand for a large-scale bailout by the nation's taxpayers. The USIC believes that the public should firmly reject an "urban strategy" that is based on federal credit guarantees to cities, federally-financed housing, federal employment programs in needy areas, and special programs for minority-operated businesses, tax cuts for businessmen that operate in depressed areas, so-called "development banks" which would channel taxpayers' funds to municipal projects that represent questionable investments, or other types of public dole activity.

One is it is important to dispel the myth that the federal government ought to be the employer of first resort or the provider of housing.

VIII. BUSINESS AND INDUSTRY NEEDS

As the United States leaves the recession behind it, one of the most important needs of the country is to understand the problems of all types and sizes of business and not regard any as expendable. Special attention, however, should be placed on the importance of venture capital industries which use high technology and advanced manufacturing processes. The United States cannot afford to lose its position in the development of computer-related industries. And these industries, like low tech industries, depend, in the final analysis, on a good business climate, one free of excessive unwarrented regulation and oppressive taxation.

SURPLUS COMMODITIES FOR THE ELDERLY

Mr. GRASSLEY. Mr. President, I introduced on September 21, 1983, a bill which would raise the fiscal 1984 authorization level for the U.S. Department of Agriculture's food donation program for the elderly, authorized under section 311 of the Older Americans Act, from $105 million to $121.916 million. It would require the States to submit vouchers to the USDA in a timely manner.

SECTION 311 OF THE OLDER AMERICANS ACT

Title III of the Older Americans Act of 1965 (Public Law 89-73, as amended) creates in the States and the Territories a nutrition program for older Americans. This program is probably the most popular of those authorized by the Older Americans Act. It has been strongly supported by the Congress since its inception in 1973. The program provides both congregate and home-delivered meals. The authorized funding level for the congregate part of the program for fiscal 1984 is $365,300,000. The authorized level for the home-delivered part of the program for fiscal 1984 is $38,700,000. A separate section of the act, section 311, allows States to receive from the U.S. Department of Agriculture surplus commodities and products purchased by the Secretary of Agriculture, or to receive cash from the Department in lieu of commodities. These funds, in lieu thereof, are used to provide additional meals for older Americans through the congregate and home-delivered meals programs.

At the outset of the program, States were able to receive from the Department only surplus commodities. Difficulties of various kinds in managing these commodities led to widespread interest in receiving cash in place of commodities, and in 1978, the law was amended to permit States to take cash instead of surplus commodities.

Section 311 authorizes funds in addition to those authorized for congregate and home-delivered meals and stipulates that these funds be used by the Department of Agriculture to provide the States a given amount of money, or its equivalent in surplus commodities, for each congregate and home-delivered meal that they serve. The amount provided for each meal was to increase each year from $30 in 1976 by an amount equivalent to the annual percentage increase in the series for food away from home of the Consumer Price Index published by the Bureau of Labor Statistics of the federal government. The amount which the Department will provide for each meal in fiscal 1984 is presently estimated to be $0.565. Section 311(d)(1) authorized for this surplus commodities program $93,200,000 for fiscal year 1983, and $105 million for fiscal year 1984. Section 311(d)(2) then stipulates that, in the event that the sums needed by the States exceeded authorized levels, the Secretary of Agriculture could reduce the cents per meal available for that fiscal year so that program expenditures would remain within authorized levels.


The amount of money the States requested exceeded the authorized appropriation for fiscal years 1982 and 1983, and it is anticipated that the amounts they request will exceed the authorized amount for fiscal year 1984.

There are at least three reasons for the shortfall: First, inflation; second, program efficiencies; and third, non-Federal contributions to the program. Program efficiencies permit the States to serve more meals for the same amount of money. There are two primary sources of non-Federal contributions. Some State governments make money available for the program. In addition, the administration has commenced a contributions campaign, urging States to encourage program participants to make contributions to the program. And the Administration raised $50 million through voluntary contributions in fiscal 1982 and around $120 million will be raised in fiscal 1983. These moneys are ordinarly used to provide additional meals.

Because the General Counsels of the Departments of Agriculture and Health and Human Services and the Administration for Public Services agreed in 1980 that all meals served by a State nutrition program, regardless of the sources from which funds for those meals came, would be reimbursed at the stipulated rate, State allocations to the program, participant contributions and program efficiencies increase the total amount by which the Department must compensate the States.

The amount requested for fiscal year 1982 exceeded the authorized amount by $6.8 million. The Department of Agriculture reprogrammed this amount from elsewhere in its budget for use by the surplus commodities program. The shortfall for fiscal 1983 was $15.6 million. A shortfall is anticipated for 1984.
To deal with the 1983 and 1984 shortfalls, Representative Mario Biaggi introduced H.R. 2807 which proposed to raise the authorized amount for fiscal 1983 to $116 million and to "such sums as shall be needed" for fiscal 1984. This bill was passed by the House, introduced in the Senate and referred to the Subcommittee on Aging of the Senate Finance Committee, on which the supplemental appropriations bill for fiscal 1983 (H.R. 5123) was reported in committee. The latter provision was necessary because tardy claims are common in this program. The Department was processing 1981 claims as late as January 1983. There are now outstanding claims from 1979 from eight States in the amount of $875,000.

**The Grassley Bill**

My bill would raise the authorization ceiling for this program from $105 million for fiscal 1983 to $121 million, plus 5.1 percent for the anticipated inflation in the food away from home series of the Consumer Price Index. It is my feeling that the time to take up whether "such sums as shall be needed" should be authorized is during the reauthorization of the act in 1984. The need for a timely submission requirement is clear.

**The Appropriations Process**

Appropriations for 1984 could eliminate any urgent need for this bill. However, without going into the complexities of the appropriations process at this point, I would like to call for an increase in the authorization level for the program later in the fiscal year. Furthermore, the requirement for timely submission of vouchers is legislation which properly belongs in authorization rather than appropriations bills. Because I want to be sure that appropriate funds can be made available for this vital program, I have introduced this bill.

**Extension of Routine Morning Business**

Mr. BAKER. Mr. President, I have chatted with the staff of the minority leader, and they have indicated to me that there is no further requirement for him to be present or further requests. If no other Senator is now seeking recognition—and I see none—I yield the time to the Senator from Illinois.

Mr. PERCY. I thank the majority leader. I should like to take a few minutes in the morning hour to deliver my statement on El Salvador.

Mr. BAKER. Mr. President, I ask unanimous consent that the time for the transaction of the morning business be extended until 5:15 p.m.

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

**Land Reform in El Salvador**

Mr. PERCY. Mr. President, land reform is once again in danger of being undermined in El Salvador. The Constituent Assembly in that country will vote in the near future on three articles in the draft constitution, which—if passed—could halt the agrarian reform in its tracks.

Two major consequences would result if the constitutional provisions dealing with agrarian reform are adopted with their present interpretation. First, the "land to the tiller" provision would be terminated at the end of this year because after December 31 potential beneficiaries would no longer be eligible to apply for title. Fewer than 40 percent of the eligible beneficiaries had applied for title under the land to the tiller program, which enables peasants to purchase the plot that they have rented over a period of years. Thus, even if the number of applicants greatly increases in the next few months, many families could be excluded from promised benefits.

Second, the preservation of the peasant cooperatives established under phase I of the agrarian reform could be threatened. Under phase I, the ownership of some 300 large estates was transferred to cooperative farms run by 32,000 peasant families. But the new constitution, by encouraging individual cooperative members to sell off portions of this communal property, could bring about the unraveling of the cooperatives. Beyond these specific ramifications, approval by the assembly of these newly proposed provisions could demonstrate that the Government was abandoning the original goals of the land reform legislation. Such action, therefore could spark a concerted effort across the board to roll back the agrarian reform.

Rolling back land reform in El Salvador is not in the interest of the United States. It would simply rolling back land reform in El Salvador. It would undermine the fabric of that country and must be condemned by us all.

The Senate Foreign Relations Committee has held up aid to the Salvadoran Government in the past when it appeared that the agrarian reform was under attack. It is probable that such action would be taken again if need be to keep this crucial land reform program on track.

This land reform program constituted a vital condition for continued U.S. military and economic support to El Salvador and has been reiterated as a goal and objective by provisional President Alvaro Magana, as well as by his predecessor Jose Napoleon Duarte. In addition, support for agrarian reform has been an important part of the political platform of a majority of Salvadoran political parties and elected members of the Assembly. A reversal in course would only strengthen the guerrillas and undermine the credibility of the political parties and public officials that constitute the Government of El Salvador. It would also jeopardize U.S. assistance and support.

**President's U.N. Speech**

Mr. PERCY. Many in the United States criticize the United Nations and question U.S. membership and contributions to the U.N. family of organizations. It is clear that the United Nations could be a more effective organization but it is my belief that it plays an important role in preserving and promoting international peace and security, international development and human rights. To date no one has been able to identify a better way to approach these problems on a world scale.

Every administration since the founding of the United Nations has determined that U.S. membership is in our direct interests and that we should play an active role in U.N. organizations as part of our overall program of diplomacy. Thoughtful Members of Congress consistently agree.

It follows that the United States should provide its share of the resources necessary for the operation of the United Nations. The U.S. contribution is consistent with the U.N. Charter and is a legal, treaty obligation. President Reagan made his position clear when he visited the United Nations last year and stated:

However, imperfect the reality may be, I should point out that even in a time of domestic retrenchment, American financial support (for the U.N.) has not and will not decline.
September 26, 1983

CONGRESSIONAL RECORD—SENATE

TEXT OF REMARKS BY THE PRESIDENT TO THE 38TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

Thank you for granting me the honor of speaking today, on this first day of general debate in the 38th Session of the General Assembly. Once again I come before this body preoccupied with peace. Last year I reaffirmed those commitments. Today, I reafirm those commitments. The United States has already reduced the number of its nuclear weapons worldwide and, while replacement of older weapons is unavoidable, we wish to negotiate arms reductions, and to achieve significant, equitable, verifiable arms control agreements. And let me add, we must ensure that world security is not undermined by the further spread of nuclear weapons. Nuclear non-proliferation must not be the forgotten element of the world's arms control agenda.

At the time of my last visit here, I expressed confidence in the potential for arms control talks. The United States will consider an equitable verifiable agreement that stabilizes forces at lower levels than currently exist. We are ready to be flexible in our approach toward the START negotiations. We did not alter our objective of substantial reductions, but we recognized that there are a variety of ways to achieve this end. During the last round of Geneva talks, we recommended a draft treaty which responded to a number of concerns raised by the Soviet Union. We will continue to build upon this initiative.

First, the United States proposes a new initiative on global limits. If the Soviet Union agrees to reductions and limits on a global basis, the United States for its part, will not offset the entire Soviet global missile deployment through U.S. deployments in Europe. We would, of course, retain the right to deploy missiles elsewhere.

Second, the United States is prepared to be more flexible on the content of the current talks. The United States will consider mutually acceptable ways to address the Soviet desire that an agreement should limit aircraft as well as missiles.

Third, the United States will address the mix of missiles that would result from reductions to equal levels, we are prepared to reduce the number of Pershing II ballistic missiles as well as ground-launched cruise missiles. If we continued to pursue important initiatives after full and extensive consultations with our allies, including personal correspondence. I have had with the leaders of the NATO governments and Japan and frequent meetings of the NATO Special Consultative Group. I have also stayed in close touch with other concerned friends and allies. The door to an agreement is open. It is time for the Soviet Union to walk through it.

I want to make an unequivocal pledge to those gathered today in this world arena. The United States seeks and will accept any arms control agreements that stabilize forces at lower levels than currently exist. We are ready to be flexible in our approach, indeed, willing to compromise. We cannot, however, respond to a new, more costly, means of nuclear war and nuclear war cannot be won and must never be fought. I believe that if governments are determined to deter and prevent war, there will not be war. Nothing is more in keeping with the spirit of the U.N. Charter than arms control.

When I was here last, I hoped that the critical Strategic Arms Reduction Talks would focus, and urgently so, on those systems that carry the greatest risk of nuclear war—the fast-flying, accurate, intercontinental ballistic missiles—a first-strike potential. I also hoped the negotiations could reduce by one-half the number of strategic missiles on each side and reduce their warheads by one-third. Again, I was disappointed when the Soviets declined to consider such deep cuts, and refused as well to concentrate on those most dangerous destabilizing weapons.

Despite the rebuffs, the United States has not abandoned and will not abandon the search for meaningful arms control agreements. Last June, I proposed a new approach toward the START negotiations. We did not alter our objective of substantial reductions, but we recognized that there are a variety of ways to achieve this end. During the last round of Geneva talks, we recommended a draft treaty which responded to a number of concerns raised by the Soviet Union. We will continue to build upon this initiative.

Similarly, in our negotiations on intermediate-range nuclear forces, when the Soviet Union adamantly rejected the total elimination of these weapons, the United States made a new offer. He proposed, as an interim solution, some equal number on both sides between zero and 972. We recommended the lowest possible level. Once again, the Soviets refused an equitable solution and proposed instead what might be called a “half-zero option”—zero for us, and many hundreds of warheads for them. That is where things stand today, but I still have not given up hope that the Soviet Union will enter into serious negotiations.

We are determined to spare no effort to achieve a sound, equitable and verifiable agreement. For this reason, I have given Ambassador Nixo in Geneva, telling him to put forward a package of steps designed to advance the negotiations as rapidly as possible. These initiatives will build on the interim agreement. The United States advanced last March and addressed concerns that the Soviets have raised at the bargaining table in the past. Specifically:

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Whatever challenges the world was bound to face, the founders intended this body to concentrate on these most dangerous elements. Last June, I proposed a new approach toward the START negotiations. We did not alter our objective of substantial reductions, but we recognized that there are a variety of ways to achieve this end. During the last round of Geneva talks, we recommended a draft treaty which responded to a number of concerns raised by the Soviet Union. We will continue to build upon this initiative.

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...
with the Soviet Union will be fulfilled. We negotiated the Helsinki Final Act, but the promised freedoms have not been provided, and those in the Soviet Union who sought to monitor their fulfillment languished in prison. We negotiated a Biological Weapons Convention, but deadly yellow rain and other fall on Hmong villages and Afghan encampments. We have negotiated arms agreements, but the high level of Soviet encroaching the information need compliance. An improved covered arms facility and a new ICBM raise serious concerns about Soviet compliance with arms control agreements.

Peace cannot be served by pseudo arms control. We need reliable, reciprocal reductions. I call upon the Soviet Union today to reduce the tensions it has heaped on the world in the past few weeks, and to show a firm commitment to peace by coming to the bargaining table with a new understanding of its obligations. I urge it to match our flexibility. If the Soviets sit down at the bargaining table seeking genuine arms reductions, we will share the founders' confidence that the governments of the West and their people will not be diverted by misinformation and threats. The time has come for the Soviet Union to demonstrate its commitment to arms control in reality, not just in rhetoric.

Meaningful arms control agreements between the United States and the Soviet Union will make our world less dangerous; so would a number of confidence-building steps we have already proposed to the Soviet Union. Arms control requires a spirit beyond narrow national interests. This spirit is a basic pillar on which the U.N. was founded. We seek a return to this spirit. A fundamental step would be a true nonalignment of the United Nations. This would signal a return to the true values of the Charter, including the principle of universality. The members of the United Nations must be aligned on the side of justice rather than injustice, human dignity rather than subjugation. Any other alignment is beneath the purpose of this great body and destructive of the harmony it seeks. What harms the Charter harms peace.

The founders of the U.N. expected that member nations would be bound by individual responsibilities and policies that weighed the merits of an issue—rather like a great, global town meeting. The emergence of blocs and the tug of war that determine all that organization initially valued. We must remember that the non-aligned movement was founded to counter the development of blocs and to promote détente between them. Its founders spoke of the right of smaller countries not to become involved in others' disagreements. Since then, membership in the non-aligned movement has grown dramatically, but not all the new members have shared the founders' commitment to genuine non-alignment. Indeed, client governments of the Soviet Union, who have been sitting on the fence, have flocked into the non-aligned movement, and once inside have worked against the true purpose. Pseudo non-alignment is no better than arms control.

The United States rejects as false and misleading the view of the world as divided between the empires of the East and West. We do not reject the element of surprise, destruction will be placed on this planet may be only the death of several hundred shake the world so profoundly? Why should the death of a mother flying toward a reunion with her family or the death of a scholar heading toward new pursuits of knowledge matter so deeply? Why are nations who lost no citi-

The United States, today, as in the past, is a champion of freedom and self-determination for all people. We welcome the right of smaller countries not to become involved in others' disagreements. The United States rejects as false and misleading the view of the world as divided between the empires of the East and West. We do not reject the element of surprise, destruction will be placed on this planet may be only the death of several hundred shake the world so profoundly? Why should the death of a mother flying toward a reunion with her family or the death of a scholar heading toward new pursuits of knowledge matter so deeply? Why are nations who lost no citi-

We seek a return to this spirit.
people. And all of us have the responsibility to work for that better world. And, as caring people, think what a powerful force for good we could be. Distinguished delegates, let us regain the dream the United Nations once dreamed.

ORDERS FOR TUESDAY

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 11 a.m. tomorrow.

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

ORDER FOR RECOGNITION OF SENATOR CHAFFEE TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order there be a special order in favor of the distinguished Senator from Rhode Island (Mr. CHAFFEE) for not to exceed 15 minutes.

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

ORDER FOR PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time remaining after the execution of the special order until 12 noon be devoted to the transaction of routine morning business in which Senators may speak for not more than 2 minutes each.

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

ORDER FOR RECESS FROM 12 NOON UNTIL 2 P.M. TOMORROW

Mr. BAKER. Mr. President, tomorrow is Tuesday, the day for the regular caucuses on both sides of the aisle. It has been our habit of late to recess the Senate so those caucuses can proceed. I ask unanimous consent that from 12 noon until 2 p.m. the Senate stand in recess.

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

PENDING BUSINESS

Mr. BAKER. Mr. President, I inquire of the Chair, when the Senate resumes its session at 2 p.m., what will be the pending business?

The PRESIDING OFFICER. Senate Joint Resolution 159.

Mr. BAKER. Which is the war powers resolution?

The PRESIDING OFFICER. The war powers resolution.

Mr. BAKER. Mr. President, I will not now attempt to enter a unanimous-consent order to provide for a time for debate on the resolution tomorrow, but from previous conversations with the minority leader today I believe that both sides were going to try to clear a unanimous-consent order that would provide 4 hours of debate tomorrow, equally divided between the hours of 2 p.m. and 6 p.m. Additional time, of course, will be provided as it is needed on Wednesday and perhaps on Thursday, so I do not now make that request, Mr. President.

VITATION OF SPECIAL ORDER

Mr. BAKER. Mr. President, I am now told that the Senator from Rhode Island does not require the special order on tomorrow. I am confident it has nothing to do with the outcome of America's Cup Race since the American boat is behind.

Mr. President, I ask unanimous consent that the special order in favor of Senator CHAFFEE be vitiated and that additional time be devoted to the transaction of routine morning business as previously provided.

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

RECESS UNTIL 11 A.M. TOMORROW

Mr. BAKER. Mr. President, I move, in accordance with the order previously entered, that the Senate stand in recess until 11 a.m. tomorrow.

The motion was agreed to; and at 5:14 p.m. the Senate recessed until tomorrow, Tuesday, September 27, 1983, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate September 26, 1983:

- John E., U.S. Department of State
- Nicolas M. Salgo, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lebanon
- Gerald Eustis Thomas, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Kenya
- Clarence J., Department of Commerce
- G. T., Environmental Protection Agency
- Courtney M., District of Columbia, to be an Assistant Administrator of the Environmental Protection Agency (new position—Public Law 98-80 of August 23, 1983)

IN THE ARMY

The following-named officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, section 3383:

ARMY PROMOTION LIST

- To be colonel
  - Cole, Bryan R.
  - Contacos, Samuel P.
  - Davis, Arthur G.
  - Griffin, William S.
  - Hudson, Frank E.
  - Jim, Clapayon F.
  - Larson, Louis W.
  - Pocock, James A.
  - Rife, Glenn E.
  - Rose, William B., Jr.
  - Roth, John C.
  - Gundersen, Gerald M.
  - Hedrick Charles W., Jr.
  - Musacchio, Marilyn J.
  - Carvans, Anthony
  - Castro, William, Jr.
  - Chang, Alvin A.
  - Church, Robert E.
  - Colburn, John T.
  - Cooper, Kenneth, Jr.
  - Copeland, James N.
  - Davies, Charles R.
  - Dobek, Franz E.
  - Dracup, David L.
  - Dudley, Robert P.
  - Dummer, Dale T.
  - Estes, Clifford A.
  - Fish, Jeffrey W.
  - Franchini, George F.
  - Franciso, John R.
  - Friedman, Richard
  - Ginsberg, Allan R.
  - Goad, James W.
  - Gory, Marshall J.
  - Graw, Leroy H.
  - Grunewald, Robert E.
  - Hahn, Richard M.
  - Hall, Carolyn M.
  - Hammerschmidt, Walter
  - Hansford, Vernon N.
  - Harper, Curtis E.
  - Hinkle, Dale E.
  - Hughes, Thomas A., Jr.
  - Hunt, Norman J.
  - Irey, Rodney D.
  - Hayes, John L.

ARMY SERVICE CORPS

- To be lieutenant colonel
  - Abe, Ronald M., Jr.
  - Aylward, Dennis P.
  - Baldock, Charles
  - Bartlett, Robert A.
  - Battison, Raymond C.
  - Bernard, Reginald R.
  - Black, Virgil C.
  - Bridgewater, William
  - Brinley, Norman E.
  - Broderick, Charles R.
  - Buchanan, Dean L.
  - Caravans, Anthony
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  - Graw, Leroy H.
  - Grunewald, Robert E.
  - Hahn, Richard M.
  - Hall, Carolyn M.
  - Hammerschmidt, Walter
  - Hansford, Vernon N.
  - Harper, Curtis E.
  - Hinkle, Dale E.
  - Hughes, Thomas A., Jr.
  - Hunt, Norman J.
  - Irey, Rodney D.

ARMY PROMOTION LIST

- To be lieutenant colonel
  - Abe, Ronald M., Jr.
  - Aylward, Dennis P.
  - Baldock, Charles
  - Bartlett, Robert A.
  - Battison, Raymond C.
  - Bernard, Reginald R.
  - Black, Virgil C.
  - Bridgewater, William
  - Brinley, Norman E.
  - Broderick, Charles R.
  - Buchanan, Dean L.
  - Caravans, Anthony
  - Castro, William, Jr.
  - Chang, Alvin A.
  - Church, Robert E.
  - Colburn, John T.
  - Cooper, Kenneth, Jr.
  - Copeland, James N.
The following-named Army National Guard officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10. United States Code, section 3385:

**Army Promotion List**

To be captain

- Batchelder, Robert E.
- Beebe, Urban U.
- Bishop, David L.
- Bradley, Martin R.
- Brunton, Thomas L.
- Copeland, George M.
- Fragale, Frank M.
- Freeman, Richard L.
- Garringer, Donald C.
- Hansen, Robert L.
- Harbert, Jerrell D.
- Honjuyo, George T.
- Ida, Melvin M.
- Jones, Harold M.
- Law, John T.
- Lawrence, Warren E.
- McGinnis, Alfred C.
- Mayfield, Harry L.
- Openshaw, Fred H. C.
- Pantake, Wallace M.
- Polis, Frank
- Railback, Paul A.
- Thompson, John A.
- Timberlake, William
- Tyra, Thomas O.
- Whitney, William E.
- Williamson, Garrett
- Yager, William J.

To be colonel

- Mauries, Christy E.

**Army Nurse Corps**

To be lieutenant colonel

- Sadusky, Joseph F.
- Martin, John E.
- Miller, John M.
- Noller, Kenneth L.
- Schwartz, James R.
- Sereff, Richard H.
- Susman, Jonathan
- Tomaq, Lawrence G.
- Zueli, David W.

To be lieutenant colonel

- Andino, Dominick J.
- McShane, Richard H.
- Warden, Donald J.
- Neider, Kenneth L.
- Fredrick, Donald G.
- To be colonel

**Medical Corps**

To be lieutenant colonel

- Aquino, Manuel M.
- Begtrup, Robert O.
- Cody, William J.
- Dusham, Leonardo
- Engval, William R.
- Fw. Denis J.
- Giggio, Francis A.
- Grace, Eugene V.
- Gruh,Günther
- Kain, Thomas R.
- Michaels, David L.
- Moskowitz, David L.
- Norton, John H.
- Palma, Joseph A.
- Patrick, Donald W.
- Scars, Suzanne P.
- Smith, Luther II.
- Sparr, Richard A.
- Wisen, Mark
- Wood, Russel H.
- Zeller, Erwin R.
- Iverson, Ronald J.
- Ivy, Curtis K.
- Johnson, Lawrence J.
- Kalke, James P.
- Kasznisky, Robert J.
- Kennedy, James L.
- Loefler, Paul E., III
- Loomis, Roelf L.
- Marshall, David
- Masaki, Carl T.
- McLeod, James M., Jr.
- McQuaid, Larry O.
- Miller, Dan B.
- Mis, Ronald C.
- Mitchell, Alexander
- Morrow, Robert J.
- Pierson, Walter B.
- Poole, Alfred J., III
- Potratz, Edwin M.
- Reeder, Charles W.
- Robinson, James H.
- Rodgers, Rodney A.
- Russell, James E.
- Schwinghammer, Daniel
- Selp, Walter L., III
- Sellers, Richard A.
- Semma, Lawrence A.
- Sevigny, Roger A.
- Shortle, John E.
- Smith, John P.
- Stretl, Gary B.
- Takata, Theodore T.
- Thibodeaux, Michael
- Thompson, Lawrence G.
- Tiry, James D.
- Travers, Charles M.
- Uchida, Edward K.
- Wall, John C.
- Warren, Michael H.
- Waugh, Delbert L.
- White, Larry A., Jr.
- Wilson, Eric G.
- Worley, James D.
- Yoshitani, Ken

To be lieutenant colonel

- Alston, Andrew A.
- Alvarado, Isaac A.
- Austin, Frederick E.
- Austin, William E.
- Baker, John P.
- Baxley, William J.
- Baxter, Robert A.
- Bayles, Clarence E.
- Beard, Michael J.
- Beck, George L., Jr.
- Bradshaw, Charles P.
- Bridgeman, Alan A.
- Bueck, Gerald C.
- Burkholder, John F.
- Collins, Robert A.
- Cornejo, Jose H.
- Deering, Donald R.
- Denny, Clark A.
- Douglas, Trenton S.
- Dunn, Walter M.
- Eckley, James W.
- Emery, James M.
- Emery, Thomas J.
- Everman, George E.
- Frankland, Donald H.
- Fribee, Charles G.
- Golin, Bobby R.
- Goldstein, Harold M.
- Gomes, Eugene E.
- Gonzales, Casimiro G.
- Graham, Randall C.
- Hadfield, James R.
- Horvath, William
- Jacques, Rene C.
- Jones, Vernon A.
- Kelly, Ralph E.
- Kennemer, Robert M.
- Klukow, Ernest O.
- Lakey, Robert E.
- Lamothe, Norman R.
- LeBlanc, Gary E.
- Lehman, Emory V., II
- Lehnman, Michael D.
- LeJeune, Robert R.
- Lowery, Charles A.
- McMahon, Russell G.
- Manikowski, Donald M.
- Morse, Corley W., Jr.
- Muusgrave, James A.
- Nappi, Patrick
- Nevin, Michael J.
- Olson, Kent P.
- Perkins, Arthur L.
- Phillips, Robert L.
- Pressman, Robert L.
- Potts, Robert W.
- Prendergast, John E.
- Ramos-Santiago, E. A.
- Rice, Michael J.
- Ric, Arthur W., II
- Riggs, Richard F.
- Rivera-Iurube, Ramon
- Rucker, Richard M.
- Scapparitto, Charles
- Searce, Billy W.
- Seaman, Gerald A.
- Stucker, William E.
- Tomoyasu, Wayne H.
- Turner, Robert E.
- Waggoner, Curtis R.
- Wakeman, James H.
- Walker, James T.
- Westerdaal, William
- Westrope, Alfred E.
- Wooten, Ernest
- Yakin, Robert O.
- Yee, Edward M. L.
- Zuka, Ronald G.

**Medical Corps**

To be lieutenant colonel

- Burton, Olin M., Jr.
- Richards, Charles D.
- Taylor, John S.

To be lieutenant colonel

- Friell, Emmett A.
- Hohman, Wayne R.
- Moore, Robert C.
- Pruitt, James H.
- Santo, Alan

**Medical Service Corps**

To be lieutenant colonel

- Bivacal, Lorraine M.
- Borden, Pinkie M.
- Brogan, Helen J.
- Brown, Virginia S.
- Colon-Melendez, M.
- Dastrona, Alice
To be lieutenant colonel

Alexanian, H. R.,
Allen, Benjamin F.,
Allen, Louis S.,
Alsbro, Donald E.,
Andersen, John R.,
Andrews, Ernest A.,
Angioielli, Ralph P.,
Bailey, Richard V.,
Bird, Richard B.,
Black, James R.,
Blackburn, David O.,
Bosacci, Joseph R.,
Boyle, John J.,
Brimmer, John C.,
Brownlee, Sammy S.,
Burton, Kenneth R.,
Byrd, James G.,
Call, James A.,
Cathcart, Gwen,
Chung, Nathan K. V.,
Cogley, Henry W.,
Connolly, Susan M.,
Cross, James M.,
Cross, Ralph E. T.,
Cushman, Harold M.,
Darby, Lester A.,
Day, Doel D.,
Degausta, Gary M.,
DeQuattro, Louis A.,
Donnelly, Thomas B.,
Dorf, Martin E. C.,
Durrett, William R.,
Franks, Richard S.,
Franze, Anthony J.,
Fry, Mary T.,
Gibson, Herbert H.,
Gillmore, James R.,
Glessen, Lloyd T.,
Gores, Melvin A.,
Gottfried, Nard S.,
Greenisen, Michael,
Griscom, John H.,
Guerr, John F.,
Gundacker, Kurt C.,
Handel, Peter C.,
Harkins, Rosemary R.,
Hayman, Robert H.,
Hedden, Kenneth F.,
Hemmer, Lincoln L.,
Kent, Virginia A.,
Kanhouwa, Suryabala,
Katz, David D.,
Kia, Thomas N., Jr.,
Larochet, Fritz,
List, William D.,
Mangawang, Pedro,
McLean, Robert B.,
Michelson, C. R.,
Miria, Mahnir U.,
Mock, Joseph P.,
Molnar, George J.,
Moosa, Amod S.,
Muttana, Ramakrishna,
Myers, Adam M.,
Olympia, Josie L.,
Oppenheimer, Miguel,
Orozco, Joaquin F.,
Padanaisha, Bhavasara,
Patton, Douglas S.,
Rallion, Maximiano S.,
Sheppard, John P.,
Sheriff, Richard H.,
Sumner, Robert C.,
Sussman, Gilbert B.,
Trivedi, Mrigendra,
Villanueva, Leopoldo,
Wallace, Donald K.,
Walter, Harry J.,
Wilder, William H.,
Wise, William Yuo,
Yose, Jose B.,
Zen, Calvin T. F.

To be lieutenant colonel

MEDICAL CORPS

Alexanian, H. R.,
Allen, Benjamin F.,
Allen, Louis S.,
Alsbro, Donald E.,
Andersen, John R.,
Andrews, Ernest A.,
Angioielli, Ralph P.,
Bailey, Richard V.,
Bird, Richard B.,
Black, James R.,
Blackburn, David O.,
Bosacci, Joseph R.,
Boyle, John J.,
Brimmer, John C.,
Brownlee, Sammy S.,
Burton, Kenneth R.,
Byrd, James G.,
Call, James A.,
Cathcart, Gwen,
Chung, Nathan K. V.,
Cogley, Henry W.,
Connolly, Susan M.,
Cross, James M.,
Cross, Ralph E. T.,
Cushman, Harold M.,
Darby, Lester A.,
Day, Doel D.,
Degausta, Gary M.,
DeQuattro, Louis A.,
Donnelly, Thomas B.,
Dorf, Martin E. C.,
Durrett, William R.,
Franks, Richard S.,
Franze, Anthony J.,
Fry, Mary T.,
Gibson, Herbert H.,
Gillmore, James R.,
Glessen, Lloyd T.,
Gores, Melvin A.,
Gottfried, Nard S.,
Greenisen, Michael,
Griscom, John H.,
Guerr, John F.,
Gundacker, Kurt C.,
Handel, Peter C.,
Harkins, Rosemary R.,
Hayman, Robert H.,
Hedden, Kenneth F.,
Hemmer, Lincoln L.,
The following-named Naval Reserve officers Training Corps candidates to be appointed permanent ensign in the line of the U.S. Navy, subject to qualification therefor as provided by law:

Dyer, William J. Sullivan, Larry

The following-named Naval Reserve officers to be appointed permanent ensign in the line or staff corps of the U.S. Navy, subject to qualification therefor as provided by law:

Arnwine, Kevin M. Kennedy, David R.
Bukovich, John S. Leahy, William J.
Coffman, Thomas P. McAllister, Bruce C.
Commons, Robert A. Miller, Joseph E.
Deneale, Susan V. Pierce, D. H.
Diehl, Sergio A. Puchalla, Stanley D.
Easterbrooks, James F. Sheehan, Edward W.
Hamilton, William C. Smith, Cynthia L.
Huotari, Brad M. Urrighart, Michael C.

Lt. Stephen A. Stallings, Judge Advocate General's Corps, U.S. Naval Reserve, to be appointed a lieutenant in the Judge Advocate General's Corps of the U.S. Navy, subject to qualification therefor as provided by law.

The following-named Navy enlisted candidates to be appointed permanent chief warrant officer, W-2, in the U.S. Navy, subject to qualification therefor as provided by law:

Migala, Edward R. Rowell, Michael P.

Chief Warrant Officer, W-3 Donald R. Tomlin, U.S. Navy, retired, to be reappointed a permanent chief warrant officer, W-4 from the Temporary Disability Retired List, subject to qualification therefor as provided by law.

Capt. William R. Davis, U.S. Navy, to be appointed a permanent captain in the Medical Corps in the Reserve of the U.S. Navy, subject to qualification therefor as provided by law.