

August 7, 1966

## CONGRESSIONAL RECORD — SENATE

S 10687

## AMENDMENT NO. 2617

(Purpose: To prohibit the sale, donation, or other transfer of STINGER antiaircraft missiles to democratic resistance forces unless certain conditions are met)

The PRESIDING OFFICER. The Senator from Arizona.

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. DeCONCINI] proposes an amendment numbered 2617.

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

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

The amendment is as follows:

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

RESTRICTION ON THE SALE OF STINGER  
ANTIAIRCRAFT MISSILES

SEC. . Notwithstanding any other provision of law, no STINGER antiaircraft missiles may be sold, donated, or otherwise provided, directly or indirectly, to democratic resistance forces unless the President certifies to the Congress that the proposed recipient has agreed to the following conditions:

(1) Physical security of such missiles shall consist of the following:

(A) Magazines of reinforced concrete, arch-type, and earth-covered whose construction is at least equivalent in strength to the requirements of the Chief of Engineers (Department of the Army) drawings, 652-686 through 652-693, 27 Dec 1941 as revised 14 Mar 42, shall be provided.

(B) Lighting shall be provided for exterior doors and along perimeter barriers.

(C) Exterior doors shall be class 5 steel vault doors secured by two-key operated high security padlock and hasp (mil spec P-43607), and keys shall be secured separately to insure effective two-man control of access.

(D) Fencing shall be 6-foot (minimum) steel chain link on steel or reinforced concrete posts over firm base, and clear zones shall be established inside and outside fencing.

(E) A full-time guard force or combination guard force and intrusion detection system shall be provided.

(2) Such missiles shall be accounted for as follows:

(A) A 100 percent physical count shall be taken monthly with two-man verification, and records shall be available for United States inspection.

(B) A United States Military Training Mission shall conduct the United States inspection and inventory annually, and weapons expended outside of hostilities shall be accounted for.

(C) When missiles are deployed and assembled, the recipient shall be responsible for a daily accounting of such missiles. Records shall be maintained by the recipient and, upon request, shall be available for United States Government review. United States representatives, shall have the right, upon request, to inspect the missiles at the deployed sites.

(3) Movements shall meet United States standards for safeguarding classified material in transit.

(4) Access to such missiles and to classified information relating thereto shall be as follows:

(A) Access to hardware and related classified information shall be limited to military and civilian personnel who have the proper security clearance and who have an established need-to-know. Information released shall be limited to that necessary for assigned functions or operational responsibility and, where possible, shall be oral or visual only.

(B) No maintenance shall be authorized which required access to the interior of the operational system. Such maintenance shall be performed under United States control.

(5) The recipient shall report to the United States by the most expeditious means any instance of compromise, loss, or theft of any material or related information. This report shall be followed by prompt investigation and the results provided to the United States.

(6) The recipient shall agree that no information on Basic STINGER shall be released to a third government or any other party without United States approval.

(7) The security standards applied by the recipient to protection of Basic STINGER information and material shall be at least equivalent to those of the United States at the identified security classification.

(8) The recipient shall use the information on Basic STINGER only for the purpose for which it was given.

(9) United States officers shall be allowed to inspect and assess physical security measures and procedures established for implementation of these security controls on an announced random access basis.

(10) Damaged launcher shall be returned to United States Armed Forces for repair or demilitarization prior to disposal by United States authorities.

(11) Two principal components of the STINGER system, the gripstock and the missile in its disposable launch tube, shall be stored in separate locations. Each location shall meet all physical security requirements applicable to the STINGER system as a whole. The two locations shall be physically separated sufficiently so that a penetration of the security at one site shall not place the second at risk.

(12) The principle components of the STINGER system, the gripstock, missile, and launch tube, may be brought together and assembled only under the following circumstances:

(A) In the event of hostilities or imminent hostilities.

(B) For firing as part of regularly scheduled training (only those rounds intended to be fired shall be withdrawn from storage and assembled).

(C) For lot testing (only proof round(s) shall be withdrawn and assembled).

(D) When STINGER systems are deployed as part of the point of defenses of high priority installations or activities.

(13) Field exercises or deployments where-in the use of STINGER system is simulated shall not create conditions for the assembly of the system.

Mr. GOLDWATER. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The junior Senator from Arizona has the floor.

Mr. GOLDWATER. I ask a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. GOLDWATER. Is there a time agreement on this amendment?

The PRESIDING OFFICER. There is a time agreement on this amendment of 40 minutes equally divided.

Mr. GOLDWATER. I thank the Chair.

Mr. DeCONCINI. Mr. President, I ask unanimous consent that I may yield the floor to the senior Senator from South Carolina to take up a routine matter and that time not be charged on this amendment.

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

The Senator from South Carolina.

Mr. THURMOND. Mr. President, I thank the distinguished Senator from Arizona.

## AMENDMENT NO. 2620

(Purpose: To provide funds for Air Force One maintenance facilities to support White House operations)

Mr. THURMOND. Mr. President, I send to the desk an amendment that has been agreed to on both sides and ask the clerk to report.

The PRESIDING OFFICER. The Senator will have to ask unanimous consent that the pending amendment be temporarily laid aside. Does the Senator make that request?

Mr. THURMOND. Mr. President, I ask unanimous consent that the pending amendment be laid aside.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND] proposes an amendment No. 2620.

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

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

The amendment is as follows:

On page 241, line 7, strike out "\$2,950,806,000" and insert in lieu thereof "\$2,949,746,000".

On page 241, line 24, strike out "\$131,640,000" and insert in lieu thereof "\$130,580,000".

On page 260, between lines 19 and 20, insert the following new item:

Andrews Air Force Base, Maryland, \$25,000,000.

On page 263, strike out line 8.

On page 264, strike out "\$12,800,000" and insert in lieu thereof "\$9,400,000".

On page 268, line 12, strike out "\$670,057,000" and insert in lieu thereof "\$695,057,000".

On page 268, line 15, strike out "\$329,543,000" and insert in lieu thereof "\$321,243,000".

On page 268, line 17, strike out "\$218,320,000" and insert in lieu thereof "\$210,280,000".

On page 268, line 20, strike out "\$124,860,000" and insert in lieu thereof "\$117,260,000".

Mr. THURMOND. Mr. President, I rise to offer an amendment in support of a maintenance and support facility at Andrews Air Force Base in Maryland. This facility is needed to support

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the wide-bodied 747 which the Air Force has been authorized to procure for use as the new Air Force One. Mr. President, Members may recall that last year we appropriated money to purchase these new planes, subject to authorization. Earlier this year, when the Congress acted on the question of a supplemental authorization, we approved the authorization.

The planes have been bought and the first is scheduled for delivery in November 1988. This amendment would provide facilities to support these aircraft. The current facilities at Andrews are not large enough to support the 747 aircraft.

We need to provide the money now in order to have the facility when the aircraft arrives. When our committee originally acted on this issue, the design status of the project was too low. It is now close to 35 percent. I am advised that the Appropriations Committee has included \$25 million to fund the first phase of this \$45 million project. My amendment would authorize that same phase one.

This amendment will not add any additional funds to the bill as the Air Force has identified any equal amount in offsets, which are included in the amendment, and outlined in my statement. Mr. President, I urge adoption of the amendment.

Mr. President, the Defense Department approves the amendment. The Air Force approves the amendment. I believe we have acquiescence on it.

Mr. GOLDWATER. Mr. President, we have no objection to this amendment.

Mr. NUNN. Mr. President, we have talked to the Senator from South Carolina about the amendment. We urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2620) was agreed to.

Mr. GOLDWATER. I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

## AMENDMENT NO. 2617

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Arizona, who is recognized.

Mr. DECONCINI. Mr. President, I thank the Chair.

Mr. President, the security measures on arms control which we establish today will determine the safety of Western democracies into the next century. My amendment seeks to protect, safeguard, and secure Stinger missiles from falling into the hands of terrorists. This amendment will hopefully prevent the Stinger from becoming a readily available shopping item on the black market. This legislation will limit the likelihood that Stingers,

weapons of frightening power, could paralyze American airports or shoot down commercial and military aircraft.

In the book "Terrorism: How the West Can Win," Dr. Paul Johnson writes about a concern affecting all legislators, policymakers, and American citizens:

There is the danger, frighteningly obvious to all of us, that terrorists will eventually possess nuclear weapons. But a more immediate risk is that they will secure—perhaps already have secured—the devastating modern equipment now moving into the inventories of official armies: high speed machine pistols firing 1,200 rounds per minute and almost soundless lightweight grenade launchers and mortars, flamethrowers, short-range portable anti-tank weapons, shoulder-fired rocket launchers, and most alarming of all, the new generation of portable missiles which have long ranges, are highly accurate, and can be carried and fired by one man or woman.

This is a thoughtful and careful man not given to exaggeration. Yet he has a way of concentrating one's mind—and in this case, it is on the point that we in the Western democracies do not have forever to counter the problem of terrorism. His voice is urgent. His argument is compelling. His facts are conclusive.

Mr. President, the Stinger has been accurately labeled as the ideal terrorist weapon. It is now considered to be the crown jewel of democratic resistance efforts. It seems nonchalant and cavalier, almost automatic, that democratic resistance efforts ask for Stingers—and we provide them. We provide little thought as to safety and totally neglect foreign policy goals. How will these top-of-the-line items be protected from terrorists, Cubans, Libyans, Russians, and fanatics? How do these weapons influence regional politics; the possibility of escalation and heightened conflict; and do we then provide even more sophisticated weapons after the Stinger?

I take a back seat to no other Member of this Senate Chamber or any Congressman as to my tenacious support for the Afghan rebel fighters. I deplore and condemn the Soviet invasion and their widespread combat which cripples Afghan children. I heartily endorse U.S. efforts to assist the Afghans in their efforts to preserve their religious safety and their political freedom.

I have met in my office with several Afghan people fighting in this effort. The United States reportedly provides close to \$500 million in covert assistance to those resistance fighters. They already have sophisticated surface-to-air SA-7's and have told me that they would like the Stinger, but it will not win or lose the war by itself. They have told me that they would like our best technology, but they will carry on in their struggle and effectively use the SA-7's.

Mr. President, I am all for resistance efforts that sustain and promote freedom and safety for people of different

political struggles. But we cannot afford to nonchalantly provide weapons which subsequently endanger American freedom and safety. We cannot afford to let Qadhafi's and Khomeini's secure this weapon. We cannot afford to give terrorists the power to wipe out airplanes and paralyze airports. I do support resistance efforts but by their very definition they are meant to resist, retaliate, and rebuff the aggressor. By supplying our most sophisticated weapons cavalierly we endanger our own citizens. Americans traveling are not safe. Our allies' military planes are not safe. American airports are not safe. Reportedly, Stingers have been delivered to Angola and Afghanistan. This was leaked by a source in the Reagan administration, who was consequently fired.

The situation in Nicaragua might be the next sight for Stinger missiles. Mr. Calero, one of the Contra leaders, recently said after the House passed the administrations aid request, that all they needed now were Stingers. Mr. President, Stingers in Central America will severely escalate the involvement of all outside parties. Stingers could easily end up disrupting the fragile Central American democracies and wrecking havoc on the regional progress we have achieved. Stingers could easily find their way up through Mexico into California, Arizona, and Texas. This would only contribute to the drug and weapons running problem that already exists. Some of these Contra leaders are closer in philosophy to the drug runners and terrorists than to American democratic ideals.

Some argue that this issue should not be discussed on the Senate floor. The Reagan administration, in deciding recently to provide these missiles to guerrilla fighters, made two key assumptions. One, the news of the decision would not lead to the public and secondly, that none of the Stingers would fall into the hands of terrorists. The first assumption has already failed. It is with the second assumption in mind that I seek to address this issue. Ideally, I would not want to discuss this sensitive issue or legislate a solution. But we have no choice, now that the first assumption has failed, we must seek to prevent the second from happening.

President Reagan is very concerned about the implications of the Stinger. The administration removed the Stinger from the Saudi Arabia arms package due to congressional concern and fear that these would fall into the wrong hands. The President wrote to Majority Leader ROBERT DOLE discussing "the particular sensitivity of Stingers being transferred to any country." This legislation seeks to safeguard these missiles and prevent the terrorist scenario from happening. Supplying our best technology without safeguards is not in the national interest.

As a colleague of mine stated when the Stinger was to be transferred with

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safe security conditions; if the Stinger falls into the wrong hands, there will not be an airplane or airport in the civilized world that will be safe. I urge the adoption of this legislation to protect Americans and our allies. The rush of sophisticated technology without adequate safeguards, drastically changes the rules and boundaries for terrorists. It escalates the war effort on the part of outside parties, as it did in Afghanistan and Angola. After the reported introduction in Angola, the 6-year peace effort negotiated by the United States went out the window.

In Afghanistan, the Pakistani's are reportedly seeking to encourage a Soviet withdrawal and consequently prevent Stingers from exacerbating this conflict. We need to prevent this type of policy. Different support including less sophisticated surface-to-air weapons might be the answer. But right now we need to clarify our policy with wise and prudent safeguards.

Mr. President, imagine the scenario with one of these weapons systems that can be held on the shoulder, that can be fired a distance of 3 to 5 miles. And this is not classified information. It has been reported in the press. It is only 34 pounds in weight. It is only 5 feet long. It can be carried in a compact sense. It has an infrared heating device that homes on the target

□ 1550

Put this scenario together: That it falls into the hands of terrorists like Qadhafi or Khomeini or Arafat and is used at one of our major international airports. What kind of chaos are we going to have?

What if it developed that it was given to the Contras, fighting the Nicaraguan Sandinistas? How safe would it be to have that weapon there? I question that.

The purpose of this amendment is not to outlaw by any means that these weapons go to democratic resistance groups. It only says that the President certifies to Congress that the proposed recipient has agreed to the following conditions—and they are listed in this amendment.

These conditions are the conditions we place on this missile now, that we have transferred to a number of countries, particularly Saudi Arabia. Why should we not impose the same type of conditions and ask the President to certify that they are being upheld?

Mr. President, this is a serious matter, and I hope the Senate will join me in putting on some restrictions, and yet not tying the hands of the President to use these weapons where he feels that certification can be made. Failing to do this, we are inviting the misuse of this weapon by international terrorists.

Mr. LUGAR. Mr. President, will the distinguished chairman of the Armed Services Committee yield me 5 minutes?

Mr. GOLDWATER. I am very happy to yield 5 minutes to my friend.

Mr. LUGAR. I thank the chairman. Mr. President, the amendment before us is a foreign policy issue. It has arisen in different contexts before, but I simply say, once again, that it is a foreign policy issue and has to do with the success of our country in our ability to help freedom fighters. We are attempting to help freedom fighters in a number of places. The President of the United States and those who are attempting to work with the freedom fighters have to have the latitude to give the freedom fighters and equipment required to get the job done.

Mr. President, I note the descriptions from time to time of the Stinger missile. There are even pictures of a single individual of normal size carrying the missile, with the thought that almost any one of us—apart from such unusual persons as Arafat or Khomeini or what have you—could use a Stinger missile.

Mr. President, it is an effective weapon. The country is proud of the development of this kind of weapon. But it requires an extraordinary amount of training. The ordinary terrorist carrying a Stinger missile is not going to be any more effective than you or I would, without tens of hours of training and a very great deal of support in the use of this particular weapon.

The intent of this amendment is to kill the use of the Stinger missile in the foreign policy of our country, insofar as we help other countries. I say that advisedly, because the drafters of this amendment have listed an impossible set of conditions that literally render this particular option, the Stinger missile, out of the question in helping freedom fighters in Angola or in the Nicaraguan situation and wherever else we may be trying to help people.

Mr. President, this is an option that we ought not deny in the course of an armed services authorization bill. This is a foreign policy option we ought to be able to retain in our country.

Beyond that, Mr. President, I suggest that it would be useful, before we got into these kinds of amendments—this is the second time around the track in this particular session. The same amendment was defeated by a vote of roughly 2 to 1, when it applies to certain instances before, and not what has been redrafted to apply to all instances.

We really ought to have an opportunity to discuss this in the Foreign Relations Committee, in the Intelligence Committee, and other forums which have something to do with the foreign policy of the country.

I know that the distinguished chairman of the Armed Services Committee, Senator GOLDWATER, has addressed himself pointedly to the subject. This is a foreign policy question, and the chairman is weary of seeing this appear again in this form, and so am I.

Mr. President, I think it is important to settle this issue once and for all. Let us simply defeat the amendment. Let us get it back into the foreign policy arena, back into a discussion of what is useful in the foreign policy of our country, without all the phobias usually attached, that somehow the Stinger, unlike all the other types of weapons we might provide people, is an exceptionally destructive weapon.

Conflict is always destructive. If one is going to argue philosophically, one could argue that we ought not provide anything to allies, whether they be freedom fighters, members of NATO, or what have you. There is always a risk in doing that. But I submit that it is no more with the Stinger than with a half-dozen other objects.

This is the wrong time and the wrong place to be discussing the issue.

Mr. DURENBERGER addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. I yield the Senator 2 minutes.

Mr. DURENBERGER. Mr. President, I appreciate the opportunity to speak on this issue and to speak in opposition to the amendment, particularly to speak in favor of the argument made by my colleagues, the chairman of the Senate Foreign Committee.

Basically, this is a foreign policy issue. In which committee it is to be resolved is not clear to me. I am convinced that it is not to be resolved on the Defense authorization bill, nor is it the kind of issue that lends itself to resolution on the floor of the Senate.

Sometime next week, we are going to be debating another foreign policy issue in which the elements of the implementation of an element of foreign policy are going to be openly debated on the floor of the Senate.

Today, we are offered the opportunity, though, to vote for or against one particular armament, committed to one broad category of indigenous forces. I urge my colleagues to consider the fact that this really is not a very good place for our country to make foreign policy, regardless of how we personally may feel about the weapon involved or the application of the weapons to a particular circumstance.

So I support the chairman of the Foreign Relations Committee and the chairman of the Armed Services Committee in opposition to this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. Mr. President, I yield myself such time as I may require.

Mr. President, unfortunately, I must rise in opposition to the amendment being offered by my colleague from Arizona. This subject was dealt with in May when a similar amendment was debated during the Senate's consideration of the DOD reorganization bill.

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At that time it was tabled by an almost 2 to 1 margin. I am hopeful that the pending amendment will also be defeated.

This amendment deals with the most sensitive of subjects—possible U.S. covert operations. The questions raised by this amendment can only be thoroughly examined and debated in a classified setting—most appropriately in the Intelligence Committee. The Senate floor is certainly not the proper forum for such a debate.

However, I will try to outline my opposition to this amendment as well as I can in an unclassified context.

□ 1400

First, and most importantly, the net effect of this amendment would be to prohibit even the possibility of our providing this vital equipment to freedom fighters throughout the world whose causes we have traditionally supported. The stringent conditions required by this amendment are clearly incompatible with the nature of guerrilla warfare and would be virtually impossible for rebel groups to meet. Therefore, a vote for this amendment is tantamount to a vote against freedom fighters throughout the world.

By adopting this amendment, we would be placing severe restrictions on the President's freedom of action in this very important and volatile arena. This is the type of micromanagement that I believe the Congress should avoid.

Second, one of the main goals of the proponents of this amendment is to prevent shoulder-fired antiaircraft weapons such as the Stinger from falling into terrorist hands. While this is a worthwhile goal, it will not be achieved by this amendment. The fact is that most terrorist organizations already have a wide variety of man-transportable SAMs. Soviet SA-7's are readily available on the world arms market and have been acquired by the vast majority of terrorist groups.

Mr. President, this type of weapon is made by almost countless countries and they can be purchased almost every place. I cannot tell you where, but you can buy them retail in the United States.

I am not saying that this is reason to let down our guard in the fight to keep sophisticated weaponry out of the reach of terrorists. But we should acknowledge the situation as it is and not get into the business of arbitrarily choosing to severely restrict the possible supply of one weapon system to specific groups.

I would suggest to my colleague from Arizona that the best way to proceed on this issue is to introduce this amendment as free-standing legislation and allow the relevant committees to fully examine its ramifications. This is the only way to insure that the many important and complex issues raised by this amendment are given the careful and thorough consideration that they deserve.

The chairman of the Intelligence Committee and the chairman of the Foreign Relations Committee have spoken against this amendment.

Mr. President, I yield to the Senator from New Hampshire how much time he needs.

Mr. HUMPHREY. Three minutes I think will be sufficient.

Mr. GOLDWATER. Three minutes.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. HUMPHREY. Mr. President, others opposing the amendment covered the point I intended to address.

Let me point out to my colleagues before we have a vote on this matter just explicitly what it is the Senator from Arizona is proposing.

Let me just read from the amendment what he would require of recipients of this kind of weapon and my colleagues should think of this in the context of these freedom movements which are essentially guerrilla operations on whose mobility their survival depends.

Here are the physical requirements that the Senator from Arizona would require before these groups could possibly receive these weapons. The amendment reads:

Physical security of such missiles shall consist of the following:

Magazines of reinforced concrete, arch-type, and earth-covered whose construction is at least equivalent in strength to the requirements of the Chief of Engineers (Department of the Army) drawings, 652-686 through 652-693, 27 Dec 1941 as revised 14 Mar 42, shall be provided.

Lighting shall be provided for exterior doors and along perimeter barriers.

Exterior doors shall be class 5 steel vault doors secured by two-key operated high security padlock and hasp (mil spec P-43607), and keys shall be secured separately to insure effective two-man control of access.

Fencing shall be 6-foot (minimum) steel chain link on steel or reinforced concrete posts over firm base, and clear zones shall be established inside and outside fencing.

These requirements might be OK and indeed are OK and necessary to require of our established allies, but for Heaven's sake, can you imagine the freedom fighters in various countries trying to produce these kinds of safeguards?

What the DeConcini amendment means bottom line is that these freedom movements could never be considered for this kind of assistance from the United States.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. DECONCINI. Mr. President, I would like to respond to some of the arguments.

First, the distinguished chairman of the Foreign Relations Committee indicates that this affects foreign relations policy. It seems to me that that argument is indeed very appropriate for the defense authorization bill.

I do not know anybody who looks on a close to \$300 billion of defense authorization that does not affect our foreign policy.

In his committee, the Foreign Relations Committee, the last vote we had, though, we were defeated in this amendment. Nine members of the Foreign Relations Committee voted in support of this amendment, eight opposed it.

So there is already a good bellwether right there that the Foreign Relations Committee thinks something should be done.

I hope the Senator from Indiana intends to hold hearings. I think that is very, very good.

The Senator from New Hampshire just read the requirements. I am glad he did. I did not want to take all the time because of the limited time on this subject matter to read the requirements.

No better argument can be given than those requirements that we impose on allies, NATO allies, Saudi Arabia, countries that we now share this weapon with. Should we not require the same security for a guerrilla group out in the jungle, in the desert, in the mountains of Afghanistan?

It seems to me like that argument is clear that if we do not do this, we are asking for someone to abuse or lose or sell to the black market some of these weapons.

Our own military has great reservations about what we are doing, and I think everybody here who is involved in this argument, certainly the Intelligence Committee, certainly the Armed Services Committee, knows that so well.

I want to quote Gen. John Wickhan, who is the Army Chief of Staff, on this subject matter of the Stinger missiles.

Wickhan reported on June 21, in the Washington Post, saying on the subject matter in an interview with the Washington Post yesterday that "we anguish over decisions of which allies should get the weapon because of U.S. concern that it will fall into the wrong hands."

I am glad they anguish over it because they rightly should anguish.

What have they done? They have imposed some very, very severe security restrictions before we hand that weapon over, and I am glad they have done it.

The only thing that the amendment of the Senator from Arizona says is that those same restrictions be applied if you hand those weapons over to a democratic resistance group.

For the likes of me, I can see no reason not to impose those same conditions here because with failure to do that we are asking and we are inviting a disaster.

I am glad to yield to my colleague from Kansas.

Mrs. KASSEBAUM. Mr. President, I just briefly wish to comment why I am supporting the Senator from Arizona's [Mr. DECONCINI] amendment.

It has already been argued and debated here before and, as has been

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stated, I do not know whether this is the right place to have it as an amendment. Certainly before when it was offered on the military reform, it was not the right vehicle. Maybe the debt ceiling extension is a better one. But I think, frankly, it does fit into the whole question of defense.

It is to me and certainly in my mind not a vote against freedom fighters. It is in my mind a whole question of really how we do account for our highly sophisticated technologies.

We have taken such great precautions in the transfer of our technologies, but today with the Stinger missile, which is highly effective and has been a very successful anti-aircraft missile, we more or less just say that we are going to turn it over to be used by those without the same conditions that we impose on our allies.

I think that this is something that is of importance for us to argue, whether it is today, or tomorrow, and I think it is something that for the success of our future transfer of technologies and our feeling of security in that transfer of technologies we should be willing to debate and be responsible in those transfers.

Mr. President, I find the reports about our Government's decision to send Stingers to rebel forces a very dangerous proposition. This decision runs directly counter to our vigorous efforts over the past several years to control technology transfer and to ensure that our advanced technology whether military or civilian does not fall into the hands of the Soviet Union.

Even more importantly, supplying Stingers to rebel forces also runs directly counter to our concern about curtailing terrorism. This Chamber has fully discussed the danger of sending Stingers to sovereign nations.

Only just a couple of months ago, there was overwhelming concern expressed on this floor about having Stingers a part of the arms package to Saudi Arabia, largely because of the fear that these weapons would fall into terrorists' hands.

Mr. President, the danger of this weapon system falling into terrorist hands or into the hands of unfriendly nations is only escalated in the case of sending these weapons to rebel groups.

There is no certainty that the Stingers will remain in the hands of the rebel forces. We have already seen that captured Soviet surface-to-air missiles have turned up in rebel hands in Angola and Central America. And we have also seen numerous reports that any arms sent to Afghan rebels end up in the black market in Pakistan.

Mr. President, it is paradoxical to me that we would require sovereign nations to have stringent security controls on sophisticated weapon systems such as the Stinger, and yet we would just transfer these systems to rebel forces with no precautions.

Mr. President, I believe that at a minimum, if this sophisticated technology is going to be transferred, we should require the same rigid security requirements that we have imposed on our sale and transfer of this technology to sovereign nations.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. How much time does the Senator from Indiana want?

Mr. QUAYLE. Three minutes.

Mr. GOLDWATER. Go ahead.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. QUAYLE. Mr. President, I want to just very briefly state my opposition to this amendment.

I think the chairman of the Armed Services Committee, the chairman of the Foreign Relations Committee, and the chairman of the Senate Intelligence Committee have all brought out that this is a very sensitive matter. It is a very sensitive matter because of certain classifications. We are not even going to be able to go into some of the discussions about what in fact is going on with any kind of these potential transfers.

I believe that the junior Senator from Arizona has a very valid concern, and that valid concern is that he is worried about, rightfully so, the Stinger missile being put into the hands of terrorists. I think that a valid concern and, believe me, everybody that deals with this issue is certainly very sensitive to that possibility and equally as concerned as the junior Senator from Arizona.

□ 1610

Unfortunately, as the chairman of the Senate Armed Services Committee has already pointed out, terrorist organizations already have the SA-7. It is a very comparable weapon to the Stinger missile.

What I believe that this amendment would do, even though the sponsors of the amendment do not want it to do so, is it would place a disadvantage, a great disadvantage on some of the freedom fighters around the world.

Terrorist organizations and those who would not like to see democracy survive have a very comparable weapon. If we place these restrictions, and they are not unreasonable restrictions for Saudi Arabia, for all of our allies who do not have the guerrilla-type environment, but it is really an unreasonable restriction in any kind of guerrilla, freedom fighter resistance type of movement. To have them comply with certain military specifications, a certain amount of Army Corps of Engineers specifications, is simply inappropriate.

Therefore, it would be a disadvantage out there. You have comparable military weapons on both sides, unfortunately. And the terrorists, the ones that are against freedom, already have the SA-7.

We need to put in some equilibrium and allow the President the flexibility.

I think, to do this at this time, even though the sponsor of the amendment does not want to do that, it would unfortunately tie the hands of the President.

This is a very sensitive matter, as the chairman of the committees have pointed out. I believe, in my good judgment, that we should readily dispatch this amendment and go on to other things. But I do think that the junior Senator from Arizona has a legitimate concern. I just think that the amendment is way off base. I do not think it is appropriate here and I hope it is resoundingly defeated.

Mr. DeCONCINI. Mr. President, how much time remains?

The PRESIDING OFFICER (Mr. EVANS). The junior Senator from Arizona has 9 minutes and 7 seconds, and the Senator from Arizona has 4 minutes and 47 seconds.

Mr. DeCONCINI. Mr. President, let me wind up by saying that I appreciate the concern of the Senator from Indiana that this is a sensitive matter. We know that. There are subject matters that we cannot talk about on the floor.

The so-called Stinger missile is not sensitive. What is sensitive is where it has been deployed and how many and in what kind of action. That has already been disclosed, too, by Dr. Pillsbury, by the way, who lost his job for that disclosure in the Washington Post.

The fact of the Stinger missile and the requirements, that is not a sensitive disclosure or nondisclosure matter. What is really sensitive here is: Do we want to risk this missile in the hands of people who cannot provide the security?

My good friend just suggested—and I wish I had thought of it—how would you like to see, in equal size and proportion, a foreign airplane like the British Airways sitting right up here in relation to where this weapon could knock it down being in the hands of some terrorist? That is what we are talking about—at the Athens Airport, 2 or 3 miles from the airport; at the Leonardo da Vinci Airport, 2 or 3 miles from it, or one of our own airports, if one of these weapons come up through Mexico into Texas or Arizona and somebody sits 2 or 3 miles away and wants to take down an airplane. That is what we are talking about.

That weapon now is not in the hands, that we know of, of any terrorist. We do not think anybody has that weapon yet. And there is a great difference, as I am sure my senior colleague will agree, between this weapon and the SA-7, a great deal of difference for the freedom fighters. They want the advanced technology, but they will tell you that is not going to win or lose the war for them.

So I hope we will use some common sense and apply the same security to freedom fighters as we apply to other allies. By the way, once those Stingers

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are deployed, then you have a different set of security and you are not bound by the ones that are listed in this particular amendment. I think it is paramount that we apply the same standards here. I hope the Senate will support this amendment.

I thank the Senator from Kansas for her support.

Mr. THURMOND. Mr. President, I rise in opposition to the amendment offered by my distinguished colleague from Arizona. The net effect of this amendment would be to seriously hamper implementation of the Reagan doctrine. Without a doubt this amendment should be defeated.

In the first place, the amendment we are considering should not even be discussed in open session because it involves possible U.S. covert activities. The Senate floor is not the proper forum for this discussion.

The conditions set forth in the amendment are not compatible to guerrilla warfare. Guerrillas do not construct secure armories in the bush, nor should they, given the mobile nature of such conflicts. No rebel group could meet these restrictions.

I must ask my colleagues what would have happened to our forebears in their struggle against England had Lafayette's government imposed such restrictions on the transfer of arms to the colonists.

Mr. President, this amendment should be addressed in the Intelligence Committees and not here. The Senate should oppose the amendment.

Mr. LEVIN. Mr. President, I regret that I cannot support Senator DeCONCINI, amendment to condition the sale or transfer of Stinger anti-aircraft missiles to democratic resistance forces. As I stated May 7, 1986, in the CONGRESSIONAL RECORD, I share Senator DeCONCINI's deep concern and fear that Stinger missiles may end up in the hands of terrorists and enemies of the United States. However, the conditions which would be established by this amendment would require U.S. servicemen to enter areas of hostilities to inspect and repair these missiles, a most unwelcome prospect. I also find this language too broad and inflexible. There may be circumstances where we would want to allow these missiles to be used where these stringent security conditions could not be met. The conditions for maintaining security over Stinger missiles in the amendment would be unachievable for virtually every situation in the world except our NATO allies, and therefore, the reach of this amendment is overly broad and I must oppose it.

Mr. MITCHELL. Mr. President, today I am pleased to support the DeConcini amendment prohibiting the sale, donation, or other transfer of Stinger anti-aircraft missiles to democratic resistance forces until and unless the President certifies in advance that the proposed recipient has agreed to a specified set of security conditions.

The Stinger has been called "the ultimate terrorist weapon," and rightly so. Accurate and highly portable, it is an ideal weapon for small, mobile guerrilla bands. Unfortunately, it can also be, in the wrong hands, an instrument of wanton destruction, easily capable of downing a civilian or military aircraft.

Even the remotest possibility of such a weapon falling into irresponsible hands impels us to take exceptional precautions. In making Stingers available to our NATO partners and to Saudi Arabia, we have always insisted on rigid security safeguards, including steel vaults, 24-hour armed guards, and separate storage of launchers and missiles. We have also required the right to conduct inspections of these safeguards at any time.

It appears perfectly obvious that comparable safeguards would not be possible were we to supply Stingers to the Afghan mujaheddin, Savimbi's UNITA forces, or the Contra rebels in Nicaragua. It appears equally obvious that in making Stinger missiles available to these or similar groups, we would be giving up virtually all control over these weapons. Lacking both adequate security and close American supervision, these weapons would then be highly vulnerable to theft, capture, or illegal diversion, and could end up in the hands of individuals or groups who might not hesitate to employ them in ways contrary to American interests. It is this concern that impels me to support the DeConcini amendment.

Earlier this year, during Senate debate on reorganization of the Defense Department, an amendment very similar to this one was brought to the floor. At that time I believed that this issue was an important one and deserved consideration on its own merits, not as an afterthought to a major bill on an altogether different issue. As a consequence I voted then to table the amendment, in the hope that the matter could subsequently receive full-scale committee hearings and be considered on its own merits.

Since then, alarming reports have surfaced to the effect that both UNITA and the mujaheddin have received covert Stinger shipments. As a consequence I will now support the DeConcini amendment, before further Stingers are sent overseas.

In addition, this amendment differs from the earlier one in that it also applies to the Contras. Keeping these dangerous weapons out of the hands of the Contras seems to me another compelling reason for supporting this amendment. I plan to do so and I urge my colleagues to do so as well.

DR. MICHAEL PILLSBURY AND THE STINGER MISSILE

(Later the following occurred:)

Mr. HUMPHREY. Mr. President, earlier this evening during the debate on the DeConcini amendment relative to the Stinger missile, a Washington Post story based on anonymous

sources was cited. In that connection, the name of Dr. Michael Pillsbury was raised. Certainly without any criticism intended for the Senator from Arizona, I want to point out that the story quoted was based on anonymous sources. Dr. Pillsbury has denied disclosing the information cited in that story. An investigation is under way to determine who really did leak the information.

I want to point out further that Dr. Pillsbury now works for four Senators, one of which is the Senator from New Hampshire. I would not like the comment of the Senator based on the Washington Post to pass without mentioning for the Record that there is another side of this story that is yet to be fully told.

(Conclusion of later proceedings.)

Mr. GOLDWATER. Mr. President, I know of no other Senator on this side who cares to speak. I am perfectly willing to yield back my time, if my colleague is, and we can proceed to a vote.

Does the Senator want a yeas or nays vote?

Mr. DeCONCINI. Yes.

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

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

The yeas and nays were ordered.

Mr. GOLDWATER. Mr. President, I yield back my time.

Mr. DeCONCINI. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Arizona [Mr. DeCONCINI]. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

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

The result was announced—yeas 37, nays 63, as follows:

[Rollcall Vote No. 185 Leg.]

YEAS—37

Biden	Hatfield	Mitchell
Blagaman	Hollings	Packwood
Bradley	Inouye	Pell
Burdick	Johnston	Proxmire
Chafee	Kassebaum	Pryor
Cranston	Kennedy	Riegle
D'Amato	Kerry	Sarbanes
DeConcini	Lautenberg	Sasser
Eagleton	Leahy	Simon
Ford	Mathias	Specter
Gore	Matsunaga	Weicker
Harkin	Melcher	
Hart	Metzenbaum	

NAYS—63

Abdnor	Cochran	Garn
Andrews	Cohen	Glenn
Armstrong	Danforth	Goldwater
Baucus	Denton	Gorton
Bentsen	Dixon	Gramm
Boren	Dodd	Grassley
Boschwitz	Dole	Hatch
Broyhill	Domenici	Hawkins
Bumpers	Durenberger	Hecht
Byrd	Evans	Heflin
Chiles	Exon	Heinz

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Helms	Moynihan	Stafford
Humphrey	Murkowski	Stennis
Kasten	Nickles	Stevens
Laxalt	Nunn	Symms
Levin	Pressler	Thurmond
Long	Quayle	Trible
Lugar	Rockefeller	Wallop
Mattingly	Roth	Warner
McClure	Rudman	Wilson
McConnell	Simpson	Zorinsky

So the amendment (No. 2617) was rejected.

□ 1630

Mr. GOLDWATER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. DOLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I will just take a moment. I have been having a brief discussion with the chairman of the Appropriations Committee. I would like to yield to him for the purpose of his extending a parliamentary inquiry.

Mr. HATFIELD. Mr. President, I thank the majority leader.

I would like propound to the Chair a series of parliamentary inquiries relating to the bill that is now pending before the body.

Mr. President, I do not intend to make a point of order if these are valid points that could be made. I want to make that clear statement from the beginning. I merely want to raise the application of the Budget Act to the total legislative proceedings of this body. I suppose being extraordinarily sensitive to the fact that appropriations bills which have been frequently the target of points of order as they may violate or appear to violate the Budget Act.

I do want to make these inquiries of the Chair now, if I could.

Under section 302(c) of the Budget Act, as amended by Gramm-Rudman-Hollings, it is not in order for this body to consider legislation that provides new direct spending authority or new entitlement authority if reported by any committee which has received an allocation under 302(a) of the Budget Act with respect to the most recently agreed to budget resolution for the coming fiscal year and that committee has not filed the 302(b) report required by the Budget Act. That is, the committee's report subdividing its allocation among its subcommittees or programs over which it has jurisdiction.

Mr. President, is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HATFIELD. Mr. President, is it not true that the Senate Armed Services Committee has received an allocation pursuant to section 302(a) of the Congressional Budget Act with respect to the budget resolution for fiscal year 1987, Senate Concurrent Resolution 120?

The PRESIDING OFFICER (Mr. QUAYLE). The Senator is correct.

Mr. HATFIELD. Mr. President, is it also correct to say that the Senate Armed Services has not yet filed the report required by section 302(b) of the Budget Act? Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. HATFIELD. Now, Mr. President, the bill we are considering, S. 2638, the National Defense Authorization Act for fiscal year 1987, has been reported by the Senate Armed Services Committee. It is my understanding that the bill, as reported and further amended by the committee, provides new direct spending authority.

□ 1640

For example, section 1214 of the bill provides for an increase in capitalization of the special defense acquisition fund and affects direct spending in functions 050 and 150 according to the Congressional Budget Office. Am I correct in saying that this bill provides new direct spending authority?

The PRESIDING OFFICER. The Senator is correct.

Mr. HATFIELD. Given this, along with the fact that the Senate Armed Services Committee has not yet filed its required report under 302(b) of the Budget Act, this bill violates section 302(c) of the Budget Act which prohibits consideration of such legislation until the committee has filed its required 302(b) report. Am I correct that this bill is subject to a point of order under section 302(c) of the Budget Act?

The PRESIDING OFFICER. The Senator is correct.

Mr. HATFIELD. To take this one step further, Mr. President, section 302(f) of the Budget Act says that it is not in order to consider any bill that provides for budget outlays or new budget authority in excess of the appropriate allocation of such outlays or authority reported by any committee in its section 302(b) report in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year. Can the Chair please advise this Senator how this body is to know if such a point of order is available to its Members under this provision of the Budget Act if a committee has not yet filed its required 302(b) report under that act?

The PRESIDING OFFICER. Under those circumstances, the point of order would not lie under section 302(f) because there is no way to measure whether any of the amounts provided are in excess of the calculations.

Mr. HATFIELD. I thank the Chair.

Can the Chair please advise this body which of the 16 Senate committees receiving a section 302(a) Budget Act allocation with respect to the fiscal year 1987 budget resolution have not filed their section 302(g) reports?

The PRESIDING OFFICER. The Chair announces the Chair does not have any such list.

Mr. HATFIELD. I thank the Chair.

Mr. President, another provision of the Budget Act, as amended—section 401(a)—prohibits the consideration of any measure providing new contract authority or new borrowing authority which is not limited by appropriations.

Is the legislation before us not also subject to a point of order under section 401(a) of the Budget Act?

The PRESIDING OFFICER. The Senator is correct.

Mr. HATFIELD. Mr. President, these are the points I wanted to raise relating to the particular application of the Budget Act to the defense authorization bill. As I indicated earlier, having been a Member of this body when the Budget Act passed and also when the Gramm-Rudman-Hollings provisions were passed, I have been on this floor trying to make certain that every appropriations bill measured up to the Budget Act requirements. We have gone through various exercises of tabling, referring, and all the other procedural motions members are quite familiar with. I merely want to point out that we are in violation here today of the Budget Act. I would like to know what the Budget Committee's views are on this.

Also, if the majority leader would permit me to do so, having yielded the floor merely for a parliamentary inquiry, the chairman of the Budget Committee has indicated that he has an amendment to correct one of this bill's provisions relating to contract authority that violates the Budget Act. I wonder if there are any thoughts that could be expressed at this moment or shared that could clarify the situation as to the other violations of the Budget Act this particular bill represents.

Mr. DOLE. Mr. President, I thank the distinguished Senator from Oregon, the chairman of the Appropriations Committee. I wonder if we might have an agreement that the Senator from New Mexico and the Senator from Florida might be recognized for 5 minutes each if they desire, not to exceed 5 minutes each.

The PRESIDING OFFICER. Is there objection? Hearing no objection, it is so ordered.

The Senator from New Mexico is recognized.

Mr. DOMENICI. I thank the distinguished majority leader. I do not need 5 minutes.

I say to my friend from Oregon the Senator from New Mexico is aware of what I consider to be a very serious violation of the Budget Act with reference to new spending authority as defined in section 401(c)(2) of the Congressional Budget Act.

I am aware of the fact that provisions of the bill are out of order if indeed they are construed to be entitlements, contract authority, or direct spending. I have an amendment pending at the desk that I filed 2 days ago. I have not called it up because I would

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like to see more of the bill evolve, but basically, I have checked it through with the manager and the ranking minority member. I intend to offer it. They said they did not intend to object to it.

Basically, it provides that any new spending authority, as defined in section 401(c)(2) of the Budget Act, provided by specified sections of this bill, shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation acts. My amendment lists the various sections of the bill which the amendment applies to—511, 625, 631, 635, 636(f), 931 1006, 1214, 2175, and 2183. Those are the sections where this Senator has found in this bill either direct spending authority or contract authority or entitlements.

If not amended, they would be construed to be direct expenditures in violation of the Budget Act. I am prepared to offer the amendment. The managers know it. I will furnish my friend, the chairman, with a copy of it.

As to the section 302(c) contention he made, it is true there are no crosswalks filed by this committee. I assume if someone desires to make a point of order under section 302(c) they could. I hope the committee would file a 302(b) allocation. I do not believe it is very difficult, not like the appropriations crosswalk.

I will assist the committee if they desire to comply on the technical matters. If they do not, I will consult with them. If it appears to the Senator from New Mexico as one Senator and chairman of the Budget Committee that they violate the Budget Act as it operates to get things under control, I shall raise appropriate points of order.

Mr. HATFIELD. I state again, Mr. President, that I raise these points at this time as the bill is under consideration so there will be opportunity to correct them. I wanted to make certain that, again, we do not go through the whole exercise up to third reading without some kind of action.

Again, I think if we are going to observe the Budget Act in any one area of legislation, it ought to be observed in all areas. Usually, the Budget Committee has been very helpful in reminding the rest of us where we have been in violation or potential violation of the Budget Act. I am glad to know the chairman has taken action on at least one of these violations. I am hopeful the committee will comply enough so that when we get to third reading, we will not have any technicalities on violations of the Budget Act.

If I had to vote for a question of waiving the Budget Act in order to get to this bill, I would even consider that. I want to point out that the Budget Act ought to be applied to every bit of legislation we enact, not just the appropriations bill where the Budget Act has had so much careful scrutiny. I just wanted to point out there are also questions here.

Mr. DOMENICI. Let me add that I am prepared, at a point in time when I am informed by managers that we are getting close to the end of amendments that have real significance in point of dollars, to engage in an exchange with the managers with reference to the level of authorization in this bill versus the limitations on budget authority and outlays that are imposed under the appropriations process. Clearly, this is an authorizing bill and we will discuss thoroughly with the Senate before we leave the floor the fact that if those who are proponents of this bill expect that everything within it will indeed be funded by the appropriators in its present form—it has not gone to conference yet and we are not finished yet, but if it did, clearly there is more authority and more outlays than we can accommodate in the appropriation process.

□ 1650

But everyone knows that that is the case. The Armed Services Committee has discussed it with me and we will discuss it in detail so that everyone knows how much it is over. But that does not make it subject to a point of order. That merely means you can expect the appropriators to fund this much.

Mr. NUNN. Mr. President, I am trying to understand here whether we are talking about something really substantive or whether we are talking about a technicality. In either event, I think we ought to comply with the budget. I hope the Senator from New Mexico and the Senator from Oregon could give us a little more guidance on this. It is my understanding we have been working all week with the staffs of the Senator from New Mexico and the Senator from Florida to get the entitlement question, which I understand and believe is a substantive question, worked out.

Mr. DOMENICI. It is.

Mr. NUNN. My understanding is that that was one of the points of order that the Senator from Oregon pointed out. Is it not true that we had already basically agreed to accept that amendment? Will the Senator correct that?

Mr. DOMENICI. I indeed indicated and I will repeat, the floor managers indicated their willingness to accept an amendment which makes the entitlement and direct spending that is in this bill subject to appropriations. They had agreed to that.

Mr. NUNN. The second question I would ask on the 302(b), is that the form 302(b)?

Mr. DOMENICI. They are more than B's. He is referring to some others and I believe we can help the floor managers with that and we will do that before the day is out.

Mr. NUNN. I would be delighted from our side to do everything we could to make sure we are in technical compliance, but I have to raise the

question, we brought our bill out, it was already out of committee long before we had a budget resolution. That meant that we had already gone through the subcommittee markups, the subcommittees had already reported to the full committee. The full committee had already acted. The full committee reported to the Senate. The bill is pending on the Senate floor. Now, what substantive sense would it make to go back after we got a budget resolution and give subcommittees direction when we had already gone through the whole process? That would have been a useless exercise. And again I want to comply technically, but I see that as no substantive meaning at all.

Mr. HATFIELD. Will the Senator yield at this point? The Senator is enunciating the very frustration that beset the Appropriations Committee from the very beginning and I am glad to welcome the frustration.

Let me just say we cannot draw a distinction between technical and substantive violations for the simple reason we had to go through the process—

The PRESIDING OFFICER. Under the unanimous-consent agreement, the time of the Senator from New Mexico has expired. The Senator from Florida is now recognized for 5 minutes.

Mr. GOLDWATER. Parliamentary inquiry.

Mr. CHILES. I yield back my time.

The PRESIDING OFFICER. The Senator from Florida yields back his time?

Mr. GOLDWATER addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. GOLDWATER. Under section 300 of the Budget Act, on what date is the action on the concurrent resolution due to be completed?

The PRESIDING OFFICER. April 15.

Mr. GOLDWATER. April 15. One more question, Mr. President. Let me write that down before I forget it. Under the Congressional Budget Act, what effect upon the points of order discussed here today does the failure to complete the concurrent resolution on the budget on April 15 of this year have?

The PRESIDING OFFICER. It has no effect.

Mr. GOLDWATER. It has what?

The PRESIDING OFFICER. It has no effect.

Mr. GOLDWATER. Well, Mr. President, I raise those points because I am getting a little bit tired, as the chairman of the committee, of year after year after year completing our work when we are supposed to complete it and the Budget Committee never is ready.

Now, I think we ought to change the budget setup because we are not getting anything done under it. We have