

Senate

THURSDAY, APRIL 17, 1986

(Legislative day of Tuesday, April 8, 1986)

The Senate met at 10 a.m., on the expiration of the recess, 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.

Righteous God, trouble comes in like a flood—like an avalanche threatening to bury us: Libya and the Middle East, Nicaragua and Central America—oil crisis and farm crisis, with chain reactions exploding in many different directions—budget deadline and deadlock like an irresistible force meeting an immovable object—an incomprehensible national debt—unfavorable balance of trade with potential trade wars seething—and a host of other intransigent domestic and international issues that challenge and provoke—and the Senate right in the middle of all of it. Help us to see, wise Father, that God alone is big enough to handle this cosmic mess and He is ready to enable those who bear the burden to find resolution. In His name Who is the way, the truth, the life. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished majority leader, Senator DOLE, is recognized.

Mr. DOLE. I thank the President pro tempore, Senator THURMOND.

SCHEDULE

Mr. DOLE. Mr. President, under the standing order, the leaders have 10 minutes each, to be followed by special orders for not to exceed 5 minutes each for Senators HAWKINS, CRANSTON, WILSON, DIXON, ROCKEFELLER, BINGAMAN, CHILES, LEVIN, RIEGLE, BAUCUS, GORE, and PROXMIRE.

Mr. President, I would indicate that the list for special orders seems to be growing on a daily basis. I would hope sometime in the next few weeks we can reach some agreement for dividing special orders for the morning and afternoon, or limiting the amount of time for special orders. Special orders today will require 1 hour and 5 minutes.

Following the execution of the special orders, there will be a period for

the transaction of routine morning business, not to extend beyond the hour of 11:30 a.m.

Mr. President, we are hoping we can move the rollcall vote from 11:30 to 12 noon. I will make that request, if the minority leader has no objection.

Mr. President, I ask unanimous consent that the vote on the hydrorelicensing bill occur at 12 noon rather than 11:30 a.m.

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

Mr. DOLE. Mr. President, as soon as we complete action on the hydrorelicensing bill, which will just be the vote, we will move to S. 2923, the bankruptcy judges bill. It is my understanding that that will not take more than a couple of hours.

We have completed action on the Federal Deposit Insurance Act. That will leave the technical amendments to the crime bill. I think I am in a position to say there will be no votes tomorrow. Maybe we will lay something down today and there might be some debate tomorrow, but I think this is a particularly bad week for Members on both sides who want to visit their home States.

Mr. President, I hope Members will cooperate and try to clean up these minor bills that are on the calendar.

I want to thank the Senator from Illinois [Mr. DIXON] for his cooperation on the Federal Deposit Insurance Act last night. That action will be helpful to Senator BOREN and others with particular problems in their States.

Mr. President, I see no reason why we could not complete our work fairly early this evening. However, there will be rollcall votes today.

S. 2335—ANTI-TERRORISM ACT OF 1986

Mr. DOLE. Mr. President, I will introduce later today a bill that will clarify Presidential authority and strengthen the President's hand in dealing with international terrorism directed at our country and our citizens. I am honored to be joined as an original cosponsor of this bill by the distinguished Senator from Alabama and chairman of the Judiciary's Subcommittee on Security and Terrorism, JEREMIAH DENTON. In addition to his work on this bill, Senator DENTON has a number of other important legisla-

tive initiatives on the matter of terrorism.

I would also note that I have worked closely in developing this legislation with three distinguished Members of the House of Representatives: Congressman JOE BARTON of Texas, who first suggested a bill and came up with the basic concepts we have included in it; and Congressmen DUNCAN HUNTER of California, and BOB LIVINGSTON of Louisiana, each of whom has made valuable contributions to the final product. Those three Congressmen will be introducing the bill in the House today.

NOT A "QUICK FIX"

In light of ongoing events involving Libya, this is obviously an appropriate time for the Senate to consider legislation related to terrorism. And, as my remarks will indicate, the substance of this bill will have direct bearing on situations such as the one we see unfolding in Libya.

But it is important to emphasize that this bill is not any kind of "quick fix" reaction of the Libyan situation. I and my cosponsors have been considering terrorism legislation for several months and have been working on this bill for several weeks. It deals with an issue broader than Libya and more enduring than Qadhafi. Terrorism is a long-term problem and requires a long-term solution. Passage of the bill will provide one more important tool to help find that solution.

REAFFIRMING THE PRESIDENT'S AUTHORITY

Let me briefly outline the contents of the bill. As I noted, its central purpose is clarifying the extent of the President's authority to deal with terrorism, thereby strengthening his hand as he copes with this problem.

Personally, I do not believe this bill gives the President any new authority. In my view, the President's constitutional role as Commander in Chief, his clear obligation and authority to defend the United States and its citizens and our country's right of self-defense embodied in the Constitution and specifically included in the United Nations Charter already endows the President with decisive, independent power to respond to terrorist acts and to the threat of terror against America and Americans.

But I am aware that some dispute that view. Certainly, our current debate—an unfortunate debate, in my opinion—over whether the President

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

adequately consulted the Congress prior to the recent air strikes on Libya and whether and how the War Powers Resolution of 1973 applies to the current situation reflects the fact that there is honest disagreement on this issue.

Harry Truman is famous for saying that the "buck stops" in the Oval Office. Maybe that was true in Truman's day. But today every Senator seemingly insists on putting in his 2 cents' worth on that buck. This is no way to make or implement policies on terrorism.

So it is very important to make clear in law—and equally important to make clear to the world, including the world's terrorists—that the President does have extensive, flexible authority to do what is necessary to strike back against terrorists and to preempt planned terrorist attacks against the United States and its Citizens. By passing this legislation, we will cement the authority in law and send a strong message around the globe: The President has the power to act and has the political backing of the American Congress in doing what he must. And if that message is sent now, through passage of this bill, perhaps in the future, the President will not have to send as many of the kind of messages our F-111's delivered to Qadhafi this week.

DEFINITIONS OF "TERRORISM" AND "TERRORIST"

What, exactly, does the bill do? It defines terrorism as a "form of aggression" against the United States. As such, it broadens the conception of terrorism from being just another kind of criminal act and calls it what it is—an attack on our country and our national interests. In that way, the bill will underscore that the President's powers as Commander in Chief come directly and automatically into play when terrorism occurs or is being planned.

The bill defines "terrorist" and "terrorist organization" to include all of those people and groups which can be shown to be directly involved in the planning or conduct of terrorist acts or which directly support such planning or acts. It is not only the bombthrowers we have to deal with; it is everyone in the network, up to and including governments like Libya's, which openly and aggressively espouse state-sponsored terrorism as an instrument of policy, and people like Qadhafi, who masquerade as legitimate national leaders.

USE OF ALL APPROPRIATE MEASURES

When such groups or people engage in specific acts of terror aimed at Americans, or when the President has clear evidence that they intend to, the bill reaffirms his authority, notwithstanding the provisions of any other law, to "use all such antiterrorism and counterterrorism measures as may be necessary to prevent the loss of lives of U.S. citizens," including use of "deadly force."

Should the President utilize the authority affirmed in the bill, he would be required to report to the Congress within 10 days, specifying "in detail the terrorist threat or terrorist act which justified" his action.

AUTHORITY LIMITED TO TERRORISM SITUATIONS

Perhaps the best summation of the bill is that it affirms the President's very broad authority but only in the relatively narrow—but, of course, critical—field of dealing with terrorism. The bill has no application—and makes no judgment, one way or the other—on the question of Presidential authority to deal with other threats to our Nation or other international situations. The bill does not seek to expand, or in fact expand, any Presidential authority in these broader national security or foreign policy fields.

I have my own views about what the President can do in those areas, and each Senator undoubtedly has his or her own views, too. But this bill purposely avoids those issues. The question of terrorism and our ability to deal with it is too urgent to get bogged down in an endless re-debate of the War Powers Resolution of 1973.

PARTIALLY SUPERSEDES WAR POWERS RESOLUTION

Having said that, though, let me make clear that this bill would supersede the War Powers Resolution in those instances—but only in those instances—when the President might use, or contemplate the use of, American military forces to deal with terrorism.

NO SPECIFIC REQUIREMENT FOR CONSULTATIONS

In such circumstances, the bill would eliminate the near requirement—and I say "near requirement" because even the War Powers Resolution qualifies it by saying "in every possible instance"—for prior consultations with Congress before using American forces.

Let me also stress here that, in eliminating the legal requirement for the consultations, I am not suggesting there should be no consultations. On the contrary, such consultations are very desirable and helpful, to both the President and the Congress, whenever they are feasible and can be conducted in a manner consistent with the President's overriding need to avoid jeopardizing the safety of our armed forces.

But this is an age when madmen like Qadhafi have sophisticated weapons which can instantly annihilate large numbers of American military personnel and, regrettably, when almost every word uttered in the deepest secrecy on Capitol Hill ends up shortly thereafter on the evening news and in the morning paper. In this environment, like it or not, we simply cannot undermine the President's ability to act against terrorism by requiring him in every case to thrash out with some or all of 535 Congressmen the details of sensitive antiterrorist military operations before they are underway.

EXTENDS PERIOD FOR PRESIDENTIAL REPORT

The bill would also supersede the War Powers Resolution in a second way—but, again, only when the issue at hand is terrorism—by extending to 10 days (from the resolution's 48 hours) the time during which the President would have to report to Congress on action taken pursuant to the authority outlined in the bill. That additional time would provide the opportunity for a more comprehensive, useful report.

NO ARBITRARY TIME LIMITS

Finally, contrary to the 60- and 90-day limits of the War Powers Resolution, the bill would not put any time limit on the President's use of forces in a terrorist situation. It would be my presumption that use of this authority, in situations such as we have just seen in Libya, would almost always be for operations of very short duration, well under any 60- or 90-day time-frame. But prudence dictates, to me at least, that we not build in any artificial limits on the President's flexibility to do what is necessary, when it is necessary.

THE CHALLENGE OF TERRORISM

Mr. President, international terrorism is one of the most serious challenges which confronts our Nation and our President. To deal effectively with it, the President needs two things above all else. First, he needs the clear and indisputable authority to strike at terrorism and terrorists with his full powers as Commander in Chief. This bill will reaffirm unequivocally that he has that authority.

Second, he needs the political support of the Congress and the people of the United States in doing what must be done. Passage of this bill will make it clear to everyone, everywhere—friend and foe alike—that our President has that political support.

Mr. President, I urge all of my colleagues to join with Senator DENTON and me in passing this bill promptly and decisively.

Mr. President, as an original cosponsor of the War Powers Act of 1970, with Senator Javits, I ask my colleagues to take a look at the debates and report on the War Powers Act. I do not think we ever dealt with state international terrorism. In 1970 and 1973 when the War Powers Act was passed, that was not a matter of great concern. Terrorism had been around for a long time but it was not concentrated, widespread, or state sponsored.

Mr. President, in effect what we seek to do, is to clarify the President's authority to make certain the President will be able to respond to an act of terrorism without a long consultation with Members of Congress, and that it will not in any way compromise our efforts or compromise the security of the American forces.

Earlier in my statement, I outlined what I believe to be a number of areas of concern. We are not trying to give the President new authority. The au-

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thority is limited to acts of international terrorism. The bill will outline what an act of terrorism is. It defines who may be participating in terrorism, whether it is a group, whether it is an individual, or whether it may be a government that is involved.

So I hope my colleagues on both sides of the aisle will have an opportunity to take a look at this bill. It is not partisan. It is nonpartisan; and I hope that we could have a number of cosponsors, Republicans and Democrats. I will be joining Senator DENTON in writing my colleagues a note to outline the provisions.

I am hoping that later today the bill can be introduced and jointly referred to Foreign Relations and Judiciary but that has not been cleared by the distinguished minority leader. I will do that later.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at this point, followed by a fact sheet.

There being no objection, the bill and fact sheet were ordered to be printed in the RECORD, as follows:

S. 2335

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the "Anti-Terrorism Act of 1986".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds and declares that terrorism is—

(1) a form of aggression which results in the killing of innocent persons, the loss of civil liberties through intimidation and coercion, or the loss of property;

(2) a form of aggression that has as its goal the furtherance of a political or ideological objective by violent means;

(3) directed against the orderly and democratic conduct and security of all people;

(4) a threat to the national security and national interests of the United States;

(5) a threat to the safety of all United States persons; and

(6) a threat to the continued and effective operation of the Government of the United States.

(b) PURPOSES.—It is the purpose of this Act—

(1) to protect United States persons from terrorism; and

(2) to grant the President under appropriate circumstances the authority to punish terrorists or terrorist organizations for acts committed against United States persons.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term "terrorism" means activity, directed against United States persons, which—

(A) is committed by an individual who is not a national or permanent resident alien of the United States;

(B) involves violent acts or acts dangerous to human life which would be a criminal violation if committed within the jurisdiction of the United States; and

(C) is intended—

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by assassination or kidnapping;

(2) the terms "terrorist" and "terrorist organization" mean an individual, group, or

any combination thereof which are involved in an act of terrorism;

(3) the term "national of the United States" means—

(A) a natural person who is a citizen of the United States or a natural person (other than an alien) who, though not a citizen of the United States, owes permanent allegiance to the United States; or

(B) a corporation or other entity which is organized under the laws of the United States, if natural persons (described in subparagraph (A)) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such legal entity;

(4) the term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States; and

(5) the term "United States person" means any individual, organization, corporation, or entity which is either a permanent resident alien or national of the United States or subject to its domestic jurisdiction.

SEC. 4. OFFENSE OF TERRORISM.

(a) OFFENSE.—Notwithstanding any other provision of law, whoever organizes, attempts, commits, procures, or supports the commission of an act of terrorism shall be considered to have committed an act of aggression against the United States and may be pursued with deadly force.

(b) AUTHORIZATION OF PRESIDENTIAL ACTION.—Notwithstanding any other provision of law and except as provided in subsection (d), the President is authorized to undertake actions to protect United States persons against terrorists and terrorist activity through the use of all such anti-terrorism and counterterrorism measures as he deems necessary.

(c) DURATION OF AUTHORITY.—Notwithstanding any other provision of law, subsection (b) shall apply—

(1) to all terrorists wherever they may be; and

(2) until such time as the President determines that no terrorist poses a threat to United States persons.

(d) CONSTITUTIONAL LIMITATION.—The authority granted to the President under this Act may be exercised in the United States only in accordance with the provisions of the United States Constitution.

(e) INTERPRETATION.—Nothing in this Act may be construed as granting any authority to use deadly force within the United States which authority would not exist in the absence of this Act.

SEC. 5. REPORT.

The President shall submit a report to the Congress not later than 10 days after the President takes any action under section 4(b). The report shall describe in detail the terrorist threat or terrorist act which justified such action.

FACT SHEET ON TERRORISM BILL

ELEMENTS OF THE BILL

Defines terrorism as an act of aggression by a foreigner, aimed at U.S. citizens and corporations, with the purpose of influencing our policy.

Gives the President clear-cut authority to deal with specific acts of terrorism with all appropriate means, including deadly force.

Gives the President authority to act to preempt as well as respond to specific acts of terrorism.

Makes clear terrorists include not only actual "bomb throwers" but also those who organize, lead, fund and support terrorists.

Requires the President to report to Congress within ten days of utilizing his author-

ity, specifying in detail the terrorist threat or terrorist act that justified his action.

Supercedes the War Powers Resolution by: (1) imposing no time limit, such as the 60 and 90 day time limits in the resolution, on the President's use of force in a terrorist situation; (2) requiring no prior consultation with Congress; (3) and extending the reporting period from 48 hours to 10 days.

PROTECTIONS IN THE BILL

Limits the authority to terrorist situations.

Insures, through the reporting requirement, that the authority will be used only to combat specific acts of terror.

Does not expand the President's traditional powers to conduct foreign policy—only to react to terrorism.

Applies only to acts by foreigners and has no impact on the rights of Americans.

Mr. DENTON. Mr. President, I rise today to voice my strong support for the "Anti-Terrorism Act of 1986," which I am pleased to cosponsor together with the distinguished majority leader from Kansas. I congratulate Senator DOLE for his leadership in introducing this important legislation, which I believe is an essential factor in the continuing development of a comprehensive U.S. policy to combat international terrorism.

Mr. President, a consistent thrust of mine as a Senator has been to develop improvements in the credibility of the United States ability to act promptly against terrorism with unity of resolve and proper regard for the separation of powers within our Government. Terrorism can be discouraged only if would-be terrorists believe that the President of the United States has the power to take appropriate action promptly, with the backing of the Congress, irrespective of the political party of the President or the party in majority in either House of Congress.

In this regard, I believe that this bill is one of the most important introduced since I have been in the Senate. The bill defines terrorism as an act of aggression against the United States, thereby triggering the President's authority as Commander in Chief of the Armed Forces, to pursue terrorists with deadly force, if necessary. As such, the bill does not create new authority for the President, but rather, as Senator DOLE has so eloquently stated, clarifies the extent of the President's authority to deal with terrorism.

Such clarification is absolutely necessary in view of the second guessing frequently engaged in by some Members of Congress and the media which clouds the President's existing authority to order military strikes when necessary to prevent terrorist attacks on Americans. Even now, in the wake of the strike conducted against Libya this week, we hear expressions of doubt about the President's authority to take such action. The bill introduced today will ensure that the President does not speak with an empty voice in acting against terrorism. This unfortunately has been the practice in the past on occasion when 535 Secretaries

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of State undercut foreign policy decisions which the Chief Executive sought to implement.

I believe that prompt enactment of the "Anti-Terrorism Act of 1986" will demonstrate that we are finally on the road to developing an effective policy against terrorism. For far too long, United States policy toward terrorism has been fragmented, reactive, defensive and ad hoc, dealing with each incident as though it were an isolated occurrence, entirely unrelated to other terrorist acts. This approach has ignored the voluminous record developed by the Senate Judiciary Subcommittee on Security and Terrorism.

Over the past 5 years, the Subcommittee has held numerous hearings on terrorism which have yielded abundant and conclusive evidence of a network, a global unity, in the sources of support, strategy, tactics, and goals of international terrorists. The thrust and power of this network amounts to a new, highly effective form of low intensity warfare which is being waged by various nation-states—including, particularly, Libya, Iran, Syria, North Korea, and Cuba—to erode the influence and strategic position of the United States and Western democracies, in general, and to enhance the power of the Soviet Union, its client states and allies, in particular.

This reservoir of information regarding the global and interrelated nature of terrorist activities has not been tapped sufficiently by the Congress, the public or the executive branch. Thus, our spasmodic and ad hoc policy toward international terrorism has persisted, despite the publicly declared policies and intentions of terrorist groups and the states, such as Libya, which support them.

However, the events of the last several weeks have focused American and European attention as never before on the strategic and operational coordination of international terrorists. Despite protestations to the contrary by Qadhafi, United States and European intelligence services were able to confirm that the terrorist attack on the West Berlin disco received support, encouragement, and direction from Libya and other sponsors of international terrorism outside Germany.

Presented with such intelligence, the President must be able to act quickly to prevent a terrorist attack, if possible. If prevention is not possible in a given case, the President must act to punish, while the gun is still smoking, the terrorist group or groups involved and the nation-states which have facilitated their criminal acts. The bill introduced today will make it clear that the President is authorized to take such actions, and that we in the Congress stand behind him.

In addition to defining terrorism and clarifying the President's powers to deal with terrorists, the bill's definition of "terrorists" and "terrorist organizations" would cover not only the individuals and groups who actually per-

petrate an act of terrorism, but also the leaders of a state which organizes or supports the act. The bill makes any offense of terrorism committed against a U.S. person an act of aggression against the United States, itself, which may be pursued with deadly force.

Finally, in order to protect Congress' oversight responsibility, the bill requires the President to submit a report to the Congress within 10 days after the President takes any action under the bill against terrorists or terrorist activity.

The "Anti-Terrorism Act of 1986" is landmark legislation which could at least cause the tide of terrorism to ebb. Its enactment will demonstrate to terrorists that Congress and the American people are solidly united in supporting prompt action by the President to prevent terrorist acts and punish terrorists. The act will evidence, as well, the growing consensus in this country which is helping to develop a sound and consistent U.S. policy against terrorism.

I urge my colleagues to support prompt consideration and passage of this legislation.

ORDER OF BUSINESS

Mr. BYRD. Mr. President, on this side we ran the hot line about changing the time for the vote and there were no responses. I took that to mean that there would not be any problems. I now learn that a Senator has called to say he can be here and vote at 11 or 1, but cannot be here at 12. Will the distinguished majority leader review this matter and see if that vote could be changed?

Mr. DOLE. Yes.

Mr. BYRD. Mr. President, I thank the distinguished majority leader.

Mr. President, before the distinguished majority leader leaves the floor, I think his statement earlier was clear enough but I want to be sure that I understood it. I believe the distinguished majority leader indicated there definitely would not be any rollcall votes tomorrow. Am I correct?

Mr. DOLE. That is correct.

Mr. BYRD. Does the distinguished majority leader contemplate a session tomorrow?

Mr. DOLE. I am not certain of that, but I will give that information. I am certain there will be no rollcall votes tomorrow.

Mr. BYRD. I thank the majority leader.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. Under the previous order, the minority leader is recognized.

ACTION ON THE BUDGET RESOLUTION

Mr. BYRD. On several occasions I have stated the feeling that the budget resolution should be called up and debated on this floor and that there should not be further delay.

There are many reasons, Mr. President, for avoiding further delay. One important consideration has been brought to my attention. I had the opportunity to meet on Tuesday with a group of presidents from colleges and universities around the country, including one or more in my own State. These were both large and small institutions. They warned me of the concerns which delay in acting on the budget will occasion.

Mr. Joseph Murphy of the City University of New York put it to me succinctly: "While nothing happens, something bad happens." That "something bad" is the uncertainty in which students all around the country are finding themselves because they do not know what to plan in terms of student aid.

This is the time of the year when students make decisions about attending colleges and universities next fall. Delay in making decisions about the level of Federal support for student aid programs could affect hundreds of thousands of students nationwide. Some students, faced with this uncertainty, may plan a course of part-time instruction rather than full time. Worst of all, some students may decide to forgo college entirely because of the lack of certainty that aid will even be available. And this is true for many students who will need to depend on a Pell grant.

It is not only the students who are put into this state of uncertainty by failure to produce a budget; counselors in high schools are also unable to advise students on the wise course of action concerning their college plans, and financial aid officers in the colleges and universities are unable to plan for the coming term.

We know that the President's draconian budget cuts in higher education programs are dead. The President's budget was rejected in the House. In the Senate it was rejected in the committee. But what do we do? I was told in this meeting to which I have referred that 70 percent of the Pell grants in West Virginia, indeed a similar amount nationwide I was told, have been affected by the Gramm-Rudman legislation.

If the Senate does not get to work on a responsible budget, we may see even deeper cuts for next year. Students in West Virginia and around the country need to know what the Senate and the House will do about the student aid on which they desperately depend for their education.

The bipartisan budget reported by the Budget Committee is more responsible in the area of education than the President's budget—which has already

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Mr. BARTON of Texas. Mr. Speaker, today I, Congressmen DUNCAN HUNTER, and BOB LIVINGSTON, together are introducing in the House of Representatives the Antiterrorist Act of 1986. Senator DOLE and Senator DENTON are introducing identical legislation in the other body. This legislation is one part of a long-term strategy to deal with terrorism.

As signaled earlier this week, our President has decided to fight back against terrorists, and we need to give him the explicit authority to do so.

There is some question that under the existing War Powers Act our President may have to consult with Congress before he initiates any counterterrorism activities. Doing so may make it much more difficult to fight back against terrorism.

Our act does two things specifically. It redefines terrorism as an act of aggression against the United States of America, its citizens, and American corporations. Number two, it explicitly excludes antiterrorism activities from the jurisdiction of the War Powers Act.

Terrorists do not have to conduct committee meetings before they decide to strike; we should not require our President to do so either, as he attempts to fight back.

Every American citizen is a potential victim of terrorism. Let us give our President the authority to effectively fight back and prevent, if possible, any more Americans from becoming actual victims of terrorism.

IN SUPPORT OF H.R. 281

(Mr. SIKORSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIKORSKI. Mr. Speaker, I rise to speak in support of H.R. 281, the so-called double-breasting legislation and in opposition to weakening amendments.

The opponents of H.R. 281 are using some unpoetic poetic license in their debate, and I would like to take this opportunity to set the record straight.

H.R. 281 does not expand labor law into new areas. It does not deny workers freedom of choice. It is not a power-grabbing attempt by unions to give them undue influence in the industry marketplace. Its only purpose is to define already existing provisions of labor law that deal with prehire agreements which have been subverted by antiworker members of the current National Labor Relations Board.

H.R. 281 is needed to end these abuses and to restore to labor relations the original intent of Congress when it passed the Landrum-Griffin Act in 1959.

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THE FBI: FIDELITY, BRAVERY, AND INTEGRITY

(Mr. OXLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, I want to take this opportunity to express my deep sorrow to the families of the two FBI agents, Benjamin P. Grogan and Jerry Dove, who were killed in a bloody gun battle in Miami on April 11. In the same incident, five agents were wounded during an attempted arrest of suspected bank robbers. This is a great and tragic loss to the Bureau and to the entire law enforcement community.

These agents were performing routine surveillance when they spotted a stolen car with a license plate matching one suspected of being used in recent Miami-area holdups. Special Agent Joseph V. Corless, a former colleague and supervisor of the bank robbery squad when I was an agent in New York, stated that the agents radioed for backup and, when they had sufficient assistance, attempted to pull the car over. It was at that point that the agents were fired upon by machine-guns from the suspects' vehicle.

These agents were professionals. They followed the proper procedures and reacted wisely and competently. They knew the risks, but they unfortunately lost their lives in the performance of their duty. As a former FBI special agent, I also am aware of the dangers involved in the line of duty, the risks that agents take everyday, and the selfless behavior they display when confronted with a life-or-death situation. While it is difficult to express the proper sentiments in a 1-minute statement, I again offer my condolences to the families of the two slain FBI agents and commend their bravery and that of their wounded colleagues.

Fidelity, bravery, integrity, that is what the FBI is all about.

LAFAYETTE, WHERE ARE YOU?

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, in 1917, Gen. Blackjack Pershing arrived on the shores of France and told a war-torn Europe, "Lafayette, we are here."

Today America asks, "Lafayette, where are you?"

The American people are perplexed and vexed to see pictures nightly on their TV screens of Europeans demonstrating against the American action in Libya. Congress is concerned and confused when the foreign ministers of France and Germany and Italy condemn American actions, but give us no alternative in its place. After all, Kenneth Ford, the brave sergeant killed

by Libyan terrorism a week ago, was not just defending American interests, he was defending European interests as well. And our European allies have told us we ought to resort to diplomacy.

It is their failure to join us in economic sanctions and in evicting the Libyan embassies from the face of Europe that forced upon America this action, the least desirable, but only available alternative.

To our European allies I say, we are ashamed of you. You should, at the very least, be quiet and, in fact, be doing more than that by backing up our action. Until you have a better way, please be silent.

In 1917, "Lafayette, we are here;" in 1986, "Lafayette, where are you?"

LIBYA-NICARAGUA CONNECTION IN CENTRAL AMERICA

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I would like to share with this House, Mr. Speaker, a news item on television this morning. Film reports from Managua showed Libyan soldiers marching in solidarity with their Nicaraguan counterparts and denouncing the United States.

I think it is important to note that this is the very first time that the presence of Libyan troops has been openly displayed by the Sandinista government.

This should be a lesson to those critics who misplace their naive faith in the empty words of good will from the Sandinistas. In this case, Mr. Speaker, actions speak much louder than words.

I find it hard to believe that these Libyan troops are emissaries of peace or are there to encourage the Contadora process. However, perhaps they are there to share their expertise in agriculture and irrigation with the agrarian reformers in Managua.

After all, the green revolution in Libya has made private ownership of land illegal, and the Sandinistas have demonstrated that they are eager to follow this same path.

I point this incident out, Mr. Speaker, even as we in this House continue to debate the true intentions of the Nicaraguan Government in Central America. As Managua echoes with the boots of Libya—a nation engaged in active terrorist warfare against the United States—let us fix in our minds the picture of those soldiers marching. Can a Libya-Nicaragua connection be the hope for the future of Central America? The hope for our hemisphere?

I say no, Mr. Speaker, and I say the best way to stop such a connection is to grant the freedom fighters the wherewithal to oppose this disturbing alliance. Thank you.

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CONGRESSIONAL RECORD — HOUSE

April 17, 1986

REPUBLICANS DUCK CONTRA VOTE

(Mr. FRANK asked and was given permission to address the House for 1 minute.)

Mr. FRANK. Mr. Speaker, history gets rewritten very promptly these days. We are being told that the reason the Republican Members of the House voted for the Hamilton substitute yesterday was because of their sense of outrage at a procedure which would have tied one piece of legislation to another. That is the least plausible explanation I have heard for anything in a long time.

They did that yesterday for one simple reason. They were going to lose on the McCurdy amendment. The American people will not support the President's tie to wage war by proxy in an unlimited way down there. So they knocked over the table because they did not like the way the cards were being dealt.

Before anyone believes that they were upset at the notion of tying one thing to something not fully related, remember that this is the party which gave us this year with their overwhelming vote a new subsidy for tobacco farmers as part of the reconciliation bill. These are the people who gave us the Gramm-Rudman mistake as part of a bill to extend the debt limit. These are the people, many of them who were here then, who voted for Gramm-Latta, which took a whole range of unrelated things and made them into one very inconsistent whole. There has not been a time since I have been here that the Republican Party has objected to the tactic of tying one thing to another.

They were going to lose the vote yesterday, so they kicked over the table, and now they are pretending to be procedurally outraged. They are a very unlikely set of candidates for that particular vestment.

GREAT BRITAIN DESERVES OUR ENDURING GRATITUDE

(Mr. ROWLAND of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROWLAND of Connecticut. Mr. Speaker, my colleague from Missouri [Mr. SKELTON] and I have introduced a resolution today putting Congress on record as giving its highest praise and thanks to Great Britain and Prime Minister Margaret Thatcher for aiding the United States against Libyan terrorism.

When the time came to confront ruthless terrorists, Britain stood with us. No other ally wears that badge of courage.

Mrs. Thatcher took enormous personal political risks to do what was right. By taking a stand in support of free people everywhere, Mrs. Thatcher risked criticism from political opponents. She chose a courageous moral path rather than political expediency.

Her actions will fortify and inspire us to continue our fight against terrorism.

The United States and the United Kingdom have long been allied in the great World Wars against tyranny and are joined in the North Atlantic alliance to deter aggression.

A loyal ally understands that countries have interests beyond their own borders, and our British friends recognize this. And for that, they have America's enduring gratitude.

Mr. Speaker, I urge all my colleagues to join us in cosponsoring this very important resolution.

AMERICA NEEDS A SENSIBLE OIL IMPORT POLICY

(Mr. TAUZIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAUZIN. Mr. Speaker, following the U.S. air strikes against Libya, Colonel Qadhafi sent his minister to the OPEC meeting in Geneva demanding an oil embargo against the United States of America.

It is, of course, history now that the Geneva meeting denied and, in fact, ignored that request. We should not be surprised by that.

The fact is that the United States is only about 10-percent dependent upon OPEC oil today. We should, however, be reminded that in the late 1970's, when we were approximately 30-percent dependent upon OPEC oil, a similar request for a U.S. oil embargo was not only heeded, but adopted, with awful effects on this economy.

Now my father when I was very young gave me a good piece of advice. He assured me that through my life I would make a number of mistakes, but he cautioned me not to make the same mistake more than once. We in America ought to consider my father's good advice as we approach the end of this decade. Should we allow ourselves to become so dependent upon OPEC oil that the next request by the minister from Libya for an oil embargo against the United States would not only go unignored, but in fact heeded, and the United States might find itself in that same awful position?

It is time now, America, to wake up, to guard against that type of dependence on foreign oil. It is time now to adopt a sensible oil import policy for America.

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ELDERLY VETERANS CARE ACT OF 1986

(Mr. RIDGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIDGE. Mr. Speaker, ensuring adequate health care for our elderly veterans is fast becoming one of the most critical issues of the decade. With the average age of the veteran

population steadily rising, steps must be taken now to prepare the VA health care delivery system for the increasing demand for services. Consequently, I am introducing the Elderly Veterans Care Act of 1986.

This legislation provides a tax credit to the families of elderly veterans who need home-based health care. The credit covers such expenses as home health aids, adult day care, respite care, nursing care, and medical or health-related equipment and supplies.

Credit amounts will be determined by a sliding scale based on annual income, similar to the dependent care tax adopted by Congress in the Economic Recovery Tax Act of 1981. Families with \$10,000 or less in income will receive a credit for 30 percent of their home health care expenses they incur, up to a maximum credit of \$1,050. Low-income families who do not pay enough taxes will have any unusable credit refunded directly to them. The maximum amount of credit would be gradually reduced based on income over \$10,000, with families having \$50,000 or more in adjusted gross income ineligible for credit. Consequently, the most needy families receive the greatest relief.

This legislation is important because it represents a practical solution to the VA health care problem without forsaking our longstanding commitment to the men and women who have served this country. This measure promotes a compassionate alternative to institutionalized medical services by providing for care in the most natural environment—the veteran's own home. Moreover, by granting the tax credit directly to the family, the proposal recognizes the tremendous sacrifices they make as the primary caregiver to elderly veterans. It also recognizes the need for Congress to relieve the continuing financial pressure on the health care delivery system of Medicare and Medicaid.

The Veterans' Administration predicts that there will be more than 7 million veterans over the age of 65 by 1990. The VA itself has recommended the creative development of program initiatives to help meet the health-care needs of our maturing veteran population. My bill meets this challenge by providing more flexible care for veterans, while making more hospital beds available for critically ill patients.

Mr. Speaker, I'm pleased to introduce this important legislation, and I invite my colleagues to join in support of the Elderly Veterans Care Act.

CONSTRUCTION INDUSTRY LABOR LAW AMENDMENTS OF 1985

(Mr. ACKERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)