

Its defensive "footprint" is on the order of 42 miles. In Israel, the "kills" scored by Patriots took place within its operating envelope, and when it destroyed a SCUD, the scrap iron fell like rain.

Given the choice, would you rather have your Tel Aviv apartment hit by a shard of metal from a SCUD or by an exploding warhead? The tragic answer to that question was written at the American Al Khobar barracks near Dhahran in Saudi Arabia on Feb. 25. The two SCUD batteries protecting that point were not functioning because of a computer glitch. A warhead hit and exploded in the barracks, killing 28 American military personnel, the largest single American toll in the gulf war.

The Patriot's battle-tested technological weaknesses were corrected, with improved results. Although the score card for Patriot is classified, we do know that 100 SCUD missiles were launched by Iraq, 50 of them were within areas protected by Patriot, that the SCUD kill rate was about 50 percent in Israel and 90 percent in Saudi Arabia. The performance differed because weapons fired at Saudi targets were aimed at specific (focused) points, whereas those launched at Israel were intended to hit a broad populated area between Haifa and Tel Aviv.

Patriot was the first missile used in war to destroy another missile. The success rate of this old system is high enough to justify the development of better defensive missile systems that can engage at greater distances, so that the litter will fall where it does the least damage. We need to do this because intelligence sources have warned us that the missile threat is growing.

Last year, CIA Director William Webster told a congressional hearing that by the year 2000, at least six Third World countries will have missiles with ranges as great as 3,400 miles. At least 15 nations will have ballistic missiles capable of firing conventional, chemical, biological and, in some cases, nuclear warheads over lesser distances. There is the further possibility that the turbulent Soviet Union may break up into ethnic pieces, creating several new nuclear powers that would be beyond any arms control agreements that exist.

That being so, the United States and the Soviet Union both have reasons for scrapping the 1972 Anti-Ballistic Missile (ABM) treaty, to clear away any ambiguities about whether either nation has the right to build and employ defenses against ballistic missiles in the hands of rogue tyrants. Certainly this country urgently needs to protect its shores with weapons that offer far more coverage and power than a kindergarten system like Patriot.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,293d day that Terry Anderson has been held captive in Lebanon.

MESSAGE OF THE U.N. SECRETARY GENERAL ON DRUG TRAFFICKING

Mr. BIDEN. Mr. President, today marks the U.N. International Day against Drug Abuse and Illicit Trafficking. In connection with this observance, the Secretary General of the United Nations, Javier Perez de Cuellar, has issued a statement urging the world community to redouble its efforts to fight the drug trade. I ask

unanimous consent to insert the text of his statement into the RECORD, and commend it to the attention of my colleagues.

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

SECRETARY GENERAL'S MESSAGE ON INTERNATIONAL DAY AGAINST DRUG ABUSE AND ILLICIT TRAFFICKING, JUNE 21, 1991

Following is the text of the message by Secretary-General Javier Perez de Cuellar, issued in connection with the International Day against Drug Abuse and Illicit Trafficking, 26 June:

This year's observance of the International Day against Drug Abuse and Illicit Trafficking occurs at a time of growing concern on the part of the international community about the relentless increase in production, trafficking and abuse of illicit drugs, which undermines the very fabric of society in many countries around the world. The Day underscores the recognition by Governments everywhere that the phenomenon of drug abuse respects no national boundary, and that unflagging efforts are required at the international level to combat the devastation which this scourge inflicts on individuals and communities in both developing and developed countries.

Over the past year, the international community has renewed its commitment to join forces and to respond energetically, with coordinated and coherent action, to this global threat. The United Nations General Assembly declared last autumn that the last decade of the twentieth century would be known as the United Nations Decade against Drug Abuse (1991-2000). It also called for the creation of a United Nations International Drug Control Programme which would integrate fully the structures and functions of three existing drug abuse control units located in Vienna. This new Programme, which came into existence in March of this year, will enable the United Nations to provide effective leadership and to play a major role in the international drug control effort.

I should like to take this opportunity to draw attention to the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which entered into force in November 1990. Treaty compliance is a cornerstone of international cooperation against drug abuse and illicit trafficking. I would urge the international community to redouble its efforts and to take the necessary measures to ensure that all States ratify or accede to the Convention as soon as possible.

Since last year's observance, there have been a few encouraging signs in scattered parts of the world—some stagnation in demand detected in certain countries, some reduction in traffic in others. But the menace to society as a whole has not diminished overall, and the United Nations will endeavour to follow a balanced approach in addressing this situation. It will respond to the imperative of demand reduction, while stressing at the same time the need to halt illicit trafficking, and to curb illegal production of narcotic drugs through measures designed to promote development.

JAMES QUELLO DESERVES RENOMINATION

Mr. PRESSLER. Mr. President, yesterday the Senate confirmed the nomination of Mr. James H. Quello for the post of Federal Communications Commission [FCC] member.

As a member of the Senate Communications Subcommittee, I have worked with Commissioner Quello on a number of key telecommunications issues. This has been a pleasant experience for me, and I want my distinguished colleagues to know that Commissioner Quello has done an excellent job at the FCC. In particular, I have been impressed with his visionary approach to our Nation's telecommunications infrastructure improvements efforts. As policymakers, our fundamental challenge is to ensure that our Nation's communications infrastructure will be able to handle the information demands and needs of the future. Mr. Quello certainly recognizes and appreciates these priorities.

We are very fortunate to have an individual of Mr. Quello's caliber serving in the Federal Government. I am pleased that the Senate has confirmed Commissioner James H. Quello to another 5-year term on the FCC.

In addition, our colleagues may be interested to read a speech Mr. Quello gave at the height of the recent gulf war. Commissioner Quello, who served as a battalion commander with the 180th Infantry Battalion of the famous Thunderbird 45th Division in Europe in World War II, has some important insights into the role of the media during the gulf war. I ask unanimous consent that Mr. Quello's speech appear in the RECORD.

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

REMARKS BY COMMISSIONER JAMES H. QUELLO BEFORE THE OKLAHOMA ASSOCIATION OF BROADCASTERS, TULSA, OK, FEBRUARY 8, 1991

"You Can't Be the Land of the Free Without the Home of the Brave."—President George Bush

I'm always glad to visit Oklahoma and Oklahoma broadcasters, particularly at this agonizing time with our nation at war. Oklahoma is the proud home of the famous "Thunderbird" 45th infantry division. Your division was officially designated by U.S. Military Historian, General S.L.A. Marshall, as the best infantry division in Europe during World War II. As some of you older veterans may recall, it was the only infantry division that produced two distinguished Corp. Commanders—Lt. General Troy Middleton and his former artillery division commander, Lt. General James McClean.

As I have reminded everyone I have ever known from Oklahoma, I served in the 180th infantry regiment of the 45th Division as an infantry battalion exec and battalion commander during 1944 and 1945. I believe World War II was the last military engagement where a patriotic American public wholeheartedly supported our troops and war efforts. I believe this type of public support is absolutely essential for the effective conduct and successful conclusion of any war—but more about that aspect later. (In the meantime, please notice my lapel pin with the Thunderbird insignia between the American and Oklahoma flags.) Incidentally, Oklahoman Dawson "Tack" Nail, venerable executive editor of Communications Daily and TV Digest, won a bronze star in Korea as an artillery forward observer with the 179th infantry regiment of the 45th.

It's also a special pleasure to appear before a state broadcasting association. As many of you know, I don't have to search for any mutuality of interest. I was a Michigan broadcaster for 27 years and a former president of the Michigan Association of Broadcasters. As president, I proposed the annual (now highly successful) Congressional dinner 34 years ago. Thirty four years ago! Should I even admit it! I feel much too young to be that old—and I find myself comforted when a good old friend says "Remember, the sweetest music is played on the oldest violins." Another benefit of senior citizenship is a kinder, noncompetitive treatment you receive from your associates and others. There is even increased recognition for your contributions. I appreciate what I humorously refer to as my "preposthumous" awards.

In my numerous appearances before educational, communications and public groups, I usually update and personally evaluate major FCC regulatory issues. However, I'm asking your special indulgence today. Our war in the midwest transcends regulatory issues in importance and future impact. All else pales in comparison.

I'm asking that you indulge this veteran Thunderbird hawk in a departure from your normal convention expectations.

At a recent National Religious Broadcasters breakfast, President Bush, himself a distinguished air combat veteran, left an indelible impact on my mind with a memorable statement "You can't have the land of the free without the home of the brave." I thought it should have been headlined and repeated over and over again. I missed seeing or hearing it in the press.

I don't believe we can effectively implement "the home of the brave" without overwhelming support on the home front. That means understanding the inescapable casualties, confusion, and mistakes of ground and air combat. To achieve such support, I believe it also entails sensible wartime restraints as to reporting on troop locations, military equipment and even the number and cause of casualties. I want to see the positive attitude and support I knew in Africa, Sicily, Italy, France and Germany with the Ninth Infantry and 45th Infantry Divisions. We need the positive spirit and press support of World War II not the kind of adversarial reporting of Vietnam that over-zealously discredited the government and military of our own country, and undermined our efforts. It caused an inglorious, unnecessary defeat of American forces for the first time in the proud history of our nation. I believe the negative reporting on "a Vietnam deception," the Tet offensive, and on General Westmoreland represented shoddy, inaccurate, sensationalized journalism. The reports distorted and discredited our efforts and disserved the nation. This subject was fully treated in my "Press Under Fire" speech in March 1985.

Undoubtedly, my attitude on public support and press restraint have been shaped by my wartime experience. I believe combat veterans can understand the confusion, local disasters and casualties which are an integral part of combat. I think veterans understand the necessity of censoring locations, troop movements, casualties and losses—any information that may lend encouragement to the enemy.

Even with the positive, supportive press and protective censorship of World War II, reporters around the headquarters of combat units often represented an inconvenient intrusion. I admit that I enjoyed talking briefly to the famous Ernie Pyle and an AP reporter in Africa and Sicily. But even genial Ernie, who was the leading proponent of the now coveted combat badge

and \$10.00 monthly extra in World War II for soldiers in combat, asked in Africa "What's holding you up from taking Bizerte?" I impudently replied "We will be glad to follow you in." No sooner had I spoken when we saw a jeep frantically racing and zigzagging toward our wooded area with two German 88s seroing in. Fortunately, the jeep reached a covered wooded area. Normally Ernie's syndicated writings empathized with the frantic, dangerous, life of the frontline dogfaces. He was universally revered. I was delighted when the VFW presented me an Ernie Pyle plaque after the war for distinguished service to veterans.

I have many vivid memories of World War II—some pleasant, some inspiring and some tragic. Among the more inspiring was General Patton's very first profane fight talk to the entire Ninth Division before embarking for overseas. (Recite if time and interest permit.) As an aside, the phrase "We are going to kill their men and debase their women" was omitted from future fight talks. We didn't know whether George was officially censored or just caught hell from his wife. Probably both.

Among other vivid memories was the German bombing and strafing during the initial months of the African campaign. We defined our air superiority as "for every plane the Germans have in the air, we have two on the ground." As one who temporarily experienced the effect of air bombing and strafing, there is no way the large Iraqi army can prevail against overwhelming allied air superiority. Every Iraqi truck, tank and troop movement will be subject to devastating allied air attack day or night. Another memory: our confused opposed crossing of the Rhine at Worms, Germany—Three days earlier we could have crossed unopposed. Reporters could have had a field day with that situation—not realizing that we had to wait for other troops to secure our flanks before crossing.

The most tragic memory was seeing the inhumanities of Dachau immediately after it's capture, the emaciated stacks of bodies, ashes, bones in the furnaces and a carload backlog of corpses. I will carry with me for life a horrible mental photograph of that scene. It gives me a greater appreciation for the desperate stake Israel has in guaranteeing its own security against hostile surroundings and particularly against Saddam Hussein, the Hitler of the 90s. A little Hitler perhaps, but with the same grandiose designs and brutal demeanor.

I also remember the house-to-house fighting in Nuremberg and particularly the leaflets the discerning Mayor, Karl Holtz, had distributed throughout the city. The leaflets read "We Must Fight to the Last Man against Russian savagery, British arrogance and American irresponsibility." He had us figured.

My most vivid memory was the last big battle of World War II involving the 45th Division. I was the Battalion Commander of the First Battalion, 186th Infantry that drew the unfortunate and surprise assignment of taking the German SS College in the Northern outskirts of Munich. I have attached a clipping from the 45th Division paper of May 13, 1945 that substantiates the story. I'm grateful to Nancy Carey, then Commissioner Washburn's legal assistant, who found the story after a month of research. As veteran war stories tend to get more heroic with each passing year, I'm glad to have this *prima facie* evidence of my battalion involvement in this historic struggle. In summary, we took the SS College late at night after a hectic battle. Every company commander was wounded, four officers in one company hit, 80 Germans killed, many more wounded.

After 32 months overseas experience in WW II with friendly, though at times intrusive, war correspondents and enjoying complete support from a patriotic home front, it was difficult for me to understand the adversarial press in Vietnam. I could not accept what I perceived as a frantic zeal to discredit the military and the government of our own country, destroy morale and undermine national will.

I am concerned again with what I initially sensed as an adversarial press attitude in the Middle East. I noticed negative, sometimes ludicrous probing questions at official briefings. Fortunately, there is good news: the American public has maintained its perspective during this crisis. As evidence of this, a recent "Good Morning America" poll on press coverage of the war received over 62,000 calls from across the nation. Of those responding, 82% said that the press is not doing a responsible and fair job of reporting the way. Only 17% felt that the press is being responsible and fair.

As a former broadcaster and newscaster, I have consistently supported full first amendment rights. I usually prefer to be on the journalists' side. I condone press restrictions reluctantly, but find it necessary in wartime and particularly in combat conditions. But the Supreme Court historically has held that in "exceptional cases," the government can restrict the dissemination of such information as "the sailing dates of transports or the number and location of troops." The Pentagon's press guidelines fall squarely in this category.

I want to emphasize that I am not ignoring the right of dissent in a free society. President Bush acknowledged as much in his State of the Union address. And there has been no shortage of dissent. But America's brave young men and women are currently committed to a struggle for a just cause in which their lives are on the line—a commitment that began only after our nation went through the democratic process of congressional debate. In my view, once we have troops in the field, we must give them wholehearted home front support.

I'm delighted that current public opinion polls strongly support the President, our national commander-in-chief, and also the military briefings of the press. According to a recent Times-Mirror poll, for example, 8 out of 10 Americans support the Pentagon's restrictions on journalists covering the Persian Gulf war. The majority of our responsible citizens and thousands of old veterans (like me) are opposed to another Vietnam-type press. A more discerning and sophisticated TV public seems more capable than ever of reaching independent judgements on issues of vital national interest. The public will no longer believe an adversarial press emphasizing the negative, trivializing our military efforts, questioning our reason for military involvement and headlining and repeating every casualty, accident or human error to prove their point and thus inadvertently giving comfort to the enemy.

Casualties, confusion and errors are inherent to all parties in combat. Even without combat, any area containing over 400,000 troops will have the usual accidents and noncombat conflicts.

As for me, I can't understand adversarial attitudes when America is committed to a just cause that is strongly supported by an unprecedented coalition of other countries.

President Bush rejected Saddam Hussein's attempt to characterize the conflict as a religious war. He told the National Religious Broadcasters "This war has nothing to do with religion per se. It has, on the other hand, everything to do with what religion embodies—good versus evil, right versus

wrong, human dignity and freedom versus tyranny and oppression."

We must not give comfort or aid to a ruthless enemy dictator whose principal objective is to divide American public opinion and undermine America's will. In fact, it seems his only hope of winning at this time is headlining our casualties, repeating body counts, showing anti-war demonstrations, and emphasizing our errors. These are all morale boosters for Saddam Hussein who has complete control over his press.

I hope Hussein saw the Giant's all pro line-backer, Lawrence Taylor, tell the nation on TV "This is no time for protest demonstrations. It's time to support our troops in the Middle East and support our country." I also hope Hussein saw the American patriotic fervor at half-time during the Super bowl game and the many pro-American demonstrations. A solid, united America is exactly what is needed to convince Hussein of the hopelessness of his position.

In this time of national need, I hope Oklahoma broadcasters can emulate the patriotic fighting tradition of your distinguished Thunderbird division. Anyone who has had the privilege of serving in the 45th fully appreciates that Oklahoma is the home of the brave.

All Americans, in our own way, must support our troops and our country in a war against a deceitful, tyrannical dictator with ambitions (now shattered) for world domination who possesses the brutal, genocidal, anti-humanitarian instincts of Adolf Hitler.

In the process, let us keep the highest priority on winning the war and secondly, on disseminating detailed press information. We can learn from the security systems in force in Great Britain, Saudi Arabia, Turkey, Egypt, Kuwait and Israel, the countries most experienced in Middle East intrigue and intelligence capabilities. This will include practical wartime press limitations. We should especially notice the effective security and censorship system of Israel, a country with a desperate stake in survival and a courageous people vastly outnumbered by surrounding enemies and potential enemies.

I'll be glad to discuss Washington communications developments in DAB, HDTV, regulatory enforcement cable effective competition, fin/syn (limited), telco-cable, MFJ, etc. with you at an informal post-reception or dinner gathering.

Please forgive this unabashedly patriotic Thunderbird veteran for allotting the highest priority to our present wartime commitment and for lauding citizen support of our efforts. Our cause is just. With superior fighting men and technology, dedicated, appreciative allies, strong support from a patriotic home front, we will win the war and hasten the longed-for peace. We will prove to the world and to ourselves that America, the land of the free, is truly the home of the brave!

[From the 45th Division News, May 13, 1945]

LAST BIG FIGHT PITTED 180TH INF. AGAINST SS MEN

When most of the rest of Munich had been occupied and other troops were beginning to take it easy, 1st Bn., 180th Inf., was starting the toughest fighting it has seen since the Siegfried Line.

G-2 reports told them there were two battalions of SS men holed up in the old SS college and the only way to approach it was over 1,000 yards of open ground. To make the first battalion bitter was their recollection they had passed through the 3rd Bn. the day before, and the 3rd had rounded up

a thousand prisoners with practically no trouble.

The SSers were prepared to fight for their old alma mater. They had dug nice dugouts in the open field, where they could sweat out the shelling, then come out into trenches to fire on the advancing Americans. Their defense consisted of rifle, burp gun, machine gun and 88 fire at close range.

To assist A and B Companies in the assault, the 20th Armored Division contributed about a dozen tanks—and the men in them were in their third day of combat.

The morning's attack got under way with fire from our artillery, our 60 and 81 mm mortars and chemical mortars from 2nd Chemical Bn. The fire was not precisely adjusted, and the attack got nowhere. Observation hadn't been good.

First Bn. tried it again that afternoon. "We showed them a powerhouse", reports Maj. James H. Quello, Detroit, Companies A and B were behind and between the tanks. Two hundred yards behind came the armored infantry and half tracks. Co. C tailed the armored infantry.

"Then we got the best artillery support I've ever seen", continued the major. "They were dropping smoke and HE just 100 yards in front of the tanks. The mortars, as usual, were right on the money."

Tanks and infantry went forward, firing to beat hell. The SS men lay in their holes until the tanks had passed, then got up to fire at the back of the infantrymen.

Co. B went into the barracks and started mopping up, and Co. A outflanked its opposition, going through to B's right, where it belonged.

Some of the stalwart SS men had taken off when they saw what was coming, but many stayed. Seventy-five were taken prisoners and 80 killed.

One of the prisoners had been run over by a tank, covered with dirt, and just his mouth and nose were showing. He walked away with his captors, which might indicate how tough the 1st's opposition were.

The fight was filled with incident. Pfc's Homer Bearden and William Trimmer, Co. D heavy .30 MG men with Co. A, set up their gun to find they were directly across from a German 88 set far away. A dual ensued between 88 and MG. The 30 obviously couldn't hurt the gun, but Bearden and Trimmer kept the lead running for an hour, all through the fighting, and kept the 88's crew flat on their bellies, their gun out of the fight.

First Lt. William F. Jennings, New York City, took over one of the companies after four of its officers had been shot, reorganized it on the spot, and led it in the attack.

Capt. Edward L. Kerker, Shawnee, Okla., jumped into a hole to get out of sniper fire, found five SS men there, and took them prisoner.

The CO of Co. B led his men after he had been hit in the hip, and didn't quit until he was shot a second time.

Apparently, this was the last tough battle the 45th was to fight in the European war.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

VIOLENT CRIME CONTROL ACT

The PRESIDING OFFICER. The Senate will now resume consideration of S. 1241, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1241) to control and reduce violent crime.

The Senate resumed consideration of the bill.

Pending:
Syrans amendment No. 377, to impose capital punishment for drug-related homicides in the District of Columbia.

Helms amendment No. 378 (to amendment No. 377), to amend title VII of the Civil Rights Act of 1964 to prohibit employers from using preferential hiring practices on the basis of race.

Mitchell (for Graham) amendment No. 379, to provide for reform in habeas corpus procedures.

Hatch/Thurmond amendment No. 380 (to amendment No. 379), in the nature of a substitute.

AMENDMENT NO. 380 TO AMENDMENT NO. 379

The PRESIDING OFFICER. Under the previous order there will be 1 hour of debate on the pending Graham amendment (No. 379), and the Hatch second-degree amendment (No. 380). The time is equally divided and controlled by Senator BROWN and Senator HATCH.

Mr. HATCH. Mr. President, I would like to illustrate how the proposed habeas corpus reforms might work in an individual case. One from my home State of Utah.

The individual who has spent the longest time on death row appears to be a Utah prisoner, William Andrews. He committed his crime 17 years ago and was sentenced to death in the same year. But despite 27 separate appeals of his death sentence, he still has not been executed; 27 separate appeals at a tremendous cost to society and a tremendous cost to the families of the victims that were murdered.

On April 2, 1974, two men—Pierre Selby and William Andrews—entered a hi-fi shop in Ogden, UT, and approached the clerk behind the counter as if they were just customers. When they fled hours later, they left five people dead.

But it is too clean and antiseptic to describe their crime in these cold statistical terms. Before committing the murders, Andrews and Selby first tortured their bound and helpless victims. Three unsuspecting teenagers, who just happened to be shopping in the popular store, were forced to drink cups of poisonous liquid drain cleaner. The father of one of these young people was even forced to pour the deadly Drano down his own son's throat. He courageously refused, at gun point. Incensed that the father would not assist in the torture, Selby