

roduced in this Congress by Representative Henry Hyde. Not only does this bill strengthen and expand restrictions on abortion, but it also addresses the problem of infanticide by making clear the right of all children, including those who are handicapped, to appropriate medical treatment.

May this march prove a hallmark in the struggle to correct a great wrong and may God bless your efforts in the future.

RONALD REAGAN.

S. 467

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act may be cited as the "Respect Human Life Act of 1983".*

SECTION. 1. The Congress finds that—

(a) it is the policy of the Government of the United States to protect innocent life, both before and after birth, and that the Government of the United States affirms that all human beings are endowed by their Creator with certain unalienable rights among which is the right to life, as embodied in our Declaration of Independence;

(b) the American Convention on Human Rights of the Organization of American States in 1969 affirmed that every person has the right to have his life protected by law from the moment of conception and that no one shall be arbitrarily deprived of life;

(c) the Declaration of the Rights of the Child of the United Nations in 1959 affirmed that every child needs appropriate legal protection before as well as after birth;

(d) at the Nuremberg International Military Tribunal for the trial of war criminals the promotion of abortion among minority populations, especially the denial of the protection of the law to the unborn children of Russian and Polish women, was considered a crime against humanity;

(e) as early as 1859 the American medical profession affirmed the independent and actual existence of the child before birth as a living being and condemned the practice of abortion at every period of gestation as the destruction of human life;

(f) scientific evidence demonstrates the life of each human being begins at conception;

(g) the Supreme Court of the United States in the case of Roe against Wade erred in not recognizing the humanity of the unborn child and the compelling interest of the several States in protecting the life of each person before birth;

(h) the Supreme Court of the United States in the case of Roe against Wade erred in excluding unborn children from the safeguards afforded by the equal protection and due process provisions of the Constitution of the United States; and

(i) a growing tolerance of infanticide in America has followed the 'quality of life' ethic as was established by the United States Supreme Court in the Roe against Wade decision, and as recently evidenced by the starvation death of an innocent handicapped newborn child in Bloomington, Indiana.

SEC. 2. No agency of the United States shall perform abortions, except when the life of the mother would be endangered if the child were carried to term.

SEC. 3. No funds appropriated by Congress shall be used to perform abortions, to reimburse or pay for abortions, or to refer for abortions, except when the life of the mother would be endangered if the child were carried to term.

SEC. 4. No agency of the United States shall promote, encourage, counsel, refer, pay for, including travel expenses, or assist

in the performance of abortions abroad as a matter of our foreign policy, except when the life of the mother would be endangered if the child were carried to term.

SEC. 5. The United States shall not enter into any contract for insurance that provides for payment or reimbursement for abortions other than when the life of the mother would be endangered if the child were carried to term.

SEC. 6. No institution that receives Federal financial assistance shall discriminate against any employee, applicant for employment, student, or applicant for admission as a student, on the basis of that person's opposition to abortion or refusal to counsel or assist in the performance of abortions.

SEC. 7. No institution that receives Federal financial assistance shall withhold from a handicapped infant nutritional sustenance or medical or surgical treatment required to correct a life threatening condition if: (1) the withholding is based on the fact that the infant is handicapped; and (2) the handicap does not render treatment medically contraindicated. Any institution or agency in violation of such restrictions shall be denied any further Federal assistance.

SEC. 8. In light of the provisions of this title, and to expedite Supreme Court consideration of the interest of the States in protecting the lives of all human beings within their jurisdiction, if any State enforces or enacts legislation which prohibits or restricts abortions or infanticide and such legislation is invalidated by interlocutory or final order of any court of the United States, any party to such case shall have a right to direct appeal to the Supreme Court of the United States, under the same provisions as govern appeals pursuant to section 1252 of title 28, United States Code, notwithstanding the absence of the United States as a party to such case. Notwithstanding any other provision of Federal law, attorneys' fees shall not be allowable in any civil action involving, directly or indirectly, the provisions of this title.

SEC. 9. If any provision of this title or the application thereof to any person or circumstances is judicially determined to be invalid, the validity of the remainder of this title and the application of such provision to other persons and circumstances shall not be affected by such determination.

By Mr. HEINZ (for himself, Mr. GLENN, and Mr. HUMPHREY):

S.J. Res. 27. Joint resolution authorizing and requesting the President to designate the week of March 13-19, 1983, as "National Employ the Older Worker Week"; to the Committee on the Judiciary.

(The remarks of Mr. HEINZ on this legislation appear earlier in today's RECORD.)

By Mr. TSONGAS (for himself, Mr. HATFIELD, and Mr. HART):

S.J. Res. 28. Joint resolution calling for immediate negotiations for a ban on weapons of any kind in space; to the Committee on Foreign Relations.

#### BAN ON WEAPONS IN SPACE

Mr. HATFIELD. Mr. President, the joint resolution being introduced today by the Senator from Massachusetts (Mr. TSONGAS) calls for the United States to resume negotiations toward a mutual, verifiable ban on antisatellite (Asat) weapons and all weapons in space.

Military space systems, particularly surveillance and warning satellites and

command and control systems have played a critical role in preserving the peace for the last two decades. The military surveillance systems of the United States and the Soviet Union have contributed immeasurably to peace by reducing the element of surprise to a potential attacker and thereby, the perceived advantage of a first strike. Space systems provide time for analysis, confirmation, consultation, and deliberation, and reduce the potential for hair trigger responses to ambiguous situations. They have also provided the technical means of verification which have made arms control possible.

Antisatellite weapons (Asat's) now threaten to negate the beneficial and stabilizing influence of surveillance and warning satellites.

Recognizing the fact that a world without Asat's would be more secure than a world with them, it had been our policy for years to negotiate a ban on the weapons.

Now we are ignoring that fact. We seem to be intent on surpassing the Soviets in the arms race in space and are therefore about to test an Asat whose deployment will be almost impossible to verify. The testing of our Asat weapon will make it very difficult if not impossible to return space to the status of a sanctuary for peace and nonthreatening military support systems.

As long as there are nuclear weapons and delivery systems for them, the United States and the Soviet Union are going to need space surveillance systems to provide some measure of stability.

To allow those systems to be threatened by antisatellite weapons is reckless and foolhardy.

This danger is compounded by our pursuit of weapons with a first-strike capability. Once the United States has both a first-strike capability and an Asat capability, what happens if a Soviet warning satellite is struck by a meteor or suffers a catastrophic electrical failure? Might they not reasonably assume that we have just destroyed their satellite? Will they not then be likely to give the order to launch a "retaliatory" attack?

Way back in the 1950's, Bernard Brodie, in this classic book, "Strategy in the Missile Age," said the following:

Deterrence after all depends on a subjective feeling which we are trying to create in the opponent's mind, a feeling compounded of respect and fear, and we have to ask ourselves whether it is not possible to overshoot the mark. It is possible to make him fear us too much, especially if what we make him fear is our overreadiness to react, whether or not he translates it into clear evidence of our aggressive intent. The effective operation of deterrence over the long term requires that the other party be willing to live with our possession of the capability upon which it rests.

What seems to be missing from the strategies of both superpowers is a recognition of the difference between

making an opponent respect your retaliatory capability and making him fear your irrational behavior.

Allowing the arms race to extend into space will greatly increase the danger of nuclear war by putting at risk our satellite warning system, creating a situation where accidental war is highly likely, and compounding the destabilizing fear caused by new nuclear weapons with first-strike capabilities.

In addition, the weaponization of space would consume staggering amounts of money, brainpower, technology, and industrial capacity—resources which could otherwise be put to better use. It will in all likelihood foreclose promising opportunities for East-West cooperation in joint space ventures for the benefit of the whole world, with the attendant hope for better understanding, lessened tensions, and eventual elimination of the threat of war.

Negotiations with the Soviet Union aimed at preventing an arms race in space were cut off by the United States following the invasion of Afghanistan. Now, enamored with the possibilities of high-tech weaponry in space, and engaged in a Quixotic quest for a return to strategic superiority, we are refusing to resume those negotiations. We have spurned a proposal by the Soviets to ban all kinds of weapons in space. We have preceeded with a massive militarization of NASA. We have emasculated NASA's traditional capability to carry out peaceful space exploration and scientific ventures. And we are flirting with the possibility of embarking on space weapons developments which can not defend us and whose eventual cost could be staggering. An arms race in space can only cause great harm to our economy and result in a further reduction of our security.

The Soviets are in a similar situation. Both superpowers have a common interest in preventing accidental war and in preserving the systems which have helped maintain a measure of stability in these dangerous times. We therefore have the opportunity to reach agreement on a treaty clearly in both our interests as we did a decade ago with the ABM Treaty. It is always easier to ban weapons which do not yet exist than to get rid of those we already have. Let us not forsake this opportunity. And let us not complicate the task by testing new weapons which would make the verifiability of a treaty more difficult. We must act now, before an arms race in space adds yet another uncontrollable dimension to the nuclear arms race. I urge the most serious consideration of this resolution.

Mr. TSONGAS. Mr. President, today I am introducing a joint resolution that seeks a ban on weapons of any kind in space. We now face the possibility of a serious escalation of the arms race. This Nation is about to extend this race into space.

Sometime this year, the Air Force is expected to test an antisatellite weapon (ASAT) to be launched from a high-flying F-15 fighter aircraft. This missile is the United States response to the Soviet ASAT, a co-orbital system capable of destroying satellites in low-Earth orbit. The U.S. ASAT will greatly outperform the Soviet counterpart, although it too can reach only satellites in low-Earth orbit.

Once our system is tested, every F-15 becomes a potential ASAT platform, making a verifiable ban on ASAT weapons virtually impossible. Without a treaty prohibiting further ASAT development, we can expect the Soviets to match us system for system and dollar for dollar.

It will not be a cheap race. The U.S. military depends on satellites for functions such as weather forecasting, navigation, early warning, treaty verification, and reconnaissance. Satellites are of great importance to our civilian communications industry and are becoming increasingly important in exploring for natural resources and in forecasting the weather.

Extensions of the arms race into space would endanger these satellites that are vital to our national defense and more and more economically significant.

Already underway is the next, still more costly, step in the space war: Weapons to destroy ballistic missiles, including Star Wars-style laser and particle beam weapons. Such systems are not just science fiction; they are now being developed, both in this country and in the Soviet Union, for deployment before the end of the century.

The question is: Do we want to pay for these systems? Or, on the contrary, do we want a peaceful space where civilian enterprises can operate free of war and weapons?

Congressman MOAKLEY is introducing a joint resolution in the House which calls upon the President to negotiate a verifiable ban on all weapons in space, as well as on all weapons designed to be used against space-based targets. Together with Senators HATFIELD and HART, I am introducing that resolution in the Senate.

Mr. President, I strongly urge my colleagues to adopt this critical resolution and ask unanimous consent that the joint resolution be printed in the RECORD.

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

S.J. RES. 28

Whereas the peaceful exploration of space has greatly benefited the development of the theoretical and applied sciences and the continued peaceful exploration of space offers an enormous potential for expanding the limits of our knowledge and providing additional benefits to the human race;

Whereas mankind's continued preoccupation with developing weapons of destruction already threatens the quality and existence of life on Earth as we know it;

Whereas the quality and existence of such life will face an even greater threat should the arms race be extended into space; and

Whereas an international agreement to prohibit the introduction of weapons of any kind into space is needed in order to avoid the financial, social, and human costs that could result from such an arms race: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall resume immediately bilateral talks with the Soviet Union for the purpose of negotiating a comprehensive treaty prohibiting—

(1) the testing, production, deployment, or use of any space-based, air-based, or ground-based weapons system which is designed to damage, destroy, or interfere with the functioning of any spacecraft of any nation; and

(2) the stationing in orbit around the Earth, on any celestial body, or at any other location in outer space of any weapon which has been designed to inflict injury or cause any other form of damage on the Earth, in the atmosphere, or on objects placed in space.

Any such treaty shall establish a procedure for verifying compliance with its terms.

Sec. 2. The President shall request that the United Nations take the necessary steps to bring about multilateral negotiations aimed at an extension of Article IV of the Outer Space Treaty of 1967 to include a ban on all weapons based in space for use against any target and all anti-satellite weapons regardless of where they are based.

By Mr. KENNEDY (for himself, Mr. MATHIAS, Mr. BAUCUS, Mr. BIDEN, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. CHAFEE, Mr. CRANSTON, Mr. DANFORTH, Mr. DIXON, Mr. DOBB, Mr. DUR-ENBERGER, Mr. EAGLETON, Mr. FORD, Mr. GLENN, Mr. HART, Mr. HATFIELD, Mr. HEINZ, Mr. HUDDLESTON, Mr. INOUE, Mrs. KASSEBAUM, Mr. LEAHY, Mr. LEVIN, Mr. MATSUNAGA, Mr. MELCHER, Mr. METZENBAUM, Mr. MITCHELL, Mr. MOYNIHAN, Mr. PELL, Mr. PROXMIRE, Mr. PRYOR, Mr. RIEGLE, Mr. SARBANES, Mr. STAFFORD, and Mr. TSONGAS):

S.J. Res. 29. Joint resolution to prevent nuclear testing; to the Committee on Foreign Relations.

PREVENTION OF NUCLEAR TESTING

Mr. KENNEDY. Mr. President, I am proud to reintroduce today, with my good friend and distinguished colleague, Senator MATHIAS, of Maryland, and others, a joint resolution to prevent nuclear testing. Congressmen BEDELL, MARKEY, and LEACH have reintroduced our resolution in the House of Representatives, where it has already received the support of 65 Members of Congress.

We are especially pleased that over one-third of the Senate has decided to cosponsor this resolution and, in so doing, to press for an end to all nuclear testing as an essential step to halting the nuclear arms race.

Last July, Senator MATHIAS joined with me in introducing the same resolution, Senate Joint Resolution 224,