House Contract with America, we do not believe that term limits will be able to be given its proper consideration by the Senate if the vote is held this fall. We do not think there is adequate time available to the members or the citizens to focus the necessary national attention on term limits if it is wedged among the issues now facing Congress.

It is further our belief that the most important contribution you can make at this point in time toward helping to maximize the Senate's support for term limits is by granting to the supporters of term limits a specified time on the Senate calendar for April, 1996 to schedule a vote on term limits. If April is not acceptable, we would request that you advise us now of another time certain in the spring of next year when term limits will be rescheduled for a Senate vote.

We believe that this is more appropriate timing that will benefit the issue of term limits and the ability of the American people to focus their attention—and that of their Senators—on the importance of this vote.

We urgently request that you adopt this strategy and notify us as soon as possible as to whether we can expect a Senate vote in April of 1996, or exactly when such a vote would be rescheduled. We look forward to the opportunity to work with your leadership team to encourage passage of the constitutional amendment for term limits next year.

Thank you for your consideration.

Organizations Supporting Term Limits: Americans Back in Charge, American Conservative Union, Christian Coalition, Council for Government Reform, Seniors Coalition, and Council for Citizens Against Government Waste.

Mr. LEVIN. Mr. President, I will vote to table the Ashcroft amendment to H.R. 927, the Cuban Liberty and Democratic Solidarity Act.

I have not yet decided how I will vote on an amendment to the Constitution proposing limits on the terms of office for Members of Congress when it comes before the Senate next year.

The Ashcroft amendment is not a constitutional amendment. It is a sense-of-the-Senate resolution lacking the force of law. Its language is totally open-ended without restrictions and standards. Therefore, although I may support specific constitutional amendment language when it is offered, I cannot support and will vote to table the Ashcroft amendment.

The PRESIDING OFFICER. The pending question is on agreeing to the motion to table amendment No. 2916 offered by the Senator from Missouri.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mrs. BOXER (When her name was called). Present.

Mr. LOTT. I announce that the Senator from Oregon [Mr. HATFIELD] is necessarily absent.

Mr. FORD. I announce that the Senator from Nebraska [Mr. EXON], the Senator from Maryland [Ms. MIKULSKI], and the Senator from Florida [Ms. MOSELEY-BRAUN] are necessarily absent.

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

The result was announced—yeas 49, nays 45, as follows:

[Rollcall Vote No. 490 Leg.]

YEAS—49

Akaka	Glenn	Lugar
Baucus	Graham	McConnell
Biden	Harkin	Moynihan
Bingaman	Heflin	Murray
Bradley	Hollings	Nunn
Breaux	Inouye	Pell
Bryan	Jeffords	Pryor
Bumpers	Johnston	Reid
Byrd	Kassebaum	Robb
Chafee	Kennedy	Rockefeller
Cochran	Kerrey	Roth
Conrad	Kerry	Sarbanes
Daschle	Lautenberg	Simon
Dodd	Leahy	Snowe
Dorgan	Levin	Specter
Feingold	Lieberman	
Ford	Lott	

NAYS—45

Abraham	Faircloth	Mack
Ashcroft	Feinstein	McCain
Bennett	Frist	Murkowski
Bond	Gorton	Nickles
Brown	Gramm	Pressler
Burns	Grams	Santorum
Campbell	Grassley	Shelby
Coats	Gregg	Simpson
Cohen	Hatch	Smith
Coverdell	Helms	Stevens
Craig	Hutchison	Thomas
D'Amato	Inhofe	Thompson
DeWine	Kempthorne	Thurmond
Dole	Kohl	Warner
Domenici	Kyl	Wellstone

NOT VOTING—4

Exon	Mikulski
Hatfield	Moseley-Braun

ANSWERED ''PRESENT''—1

Boxer

So the motion to lay on the table the amendment (No. 2916) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, there will be no more votes this evening.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. DOLE. Mr. President, I ask that there now be a period for the transaction of morning business not to extend beyond the hour of 7 p.m. with Members entitled to speak therein for up to 5 minutes each.

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

The Senator from Kansas is recognized.

Mr. DOLE. I thank the Chair.

(The remarks of Mr. DOLE pertaining to the introduction of S. 1329 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

CENSUS BUREAU BURDENS ON SMALL BUSINESS

Mr. COVERDELL. Mr. President, I rise today to bring your attention to a single example of what I believe to be an all too common practice of our Government bullying small businesses with burdensome requirements.

My office recently received a letter from a small business in Georgia describing the mounds of reports required by the U.S. Bureau of the Census. I believe this case serves as an excellent example of the kind of bully Government so many of us in the Senate have worked to control through regulation reform and paper work reduction. The most troubling message to me in this letter is that this small company does not perceive such Government burdens as atypical, just as a normal course of doing business in America.

How far are we going to stretch the limited resources of our small businesses? Let me list for you the reports this company, the Great American Cookie Co., must submit to the Bureau of the Census or face Federal penalties: Report of Organization, Survey of Industrial Research and Development, Survey of Business, Investment Plans Survey, Current Retail Sales and Inventory Report, Annual Trade Report, and Annual Capital Expenditures Survey.

In addition, it also provides much of the same information to each of the more than 40 States and in some cases municipalities in which it operates retail outlets. These State reports include summaries on payroll taxes, income taxes, property taxes, sales taxes, worker's compensation, property and liability insurance, annual reports and franchise returns.

As you and my other colleagues know, we succeeded in getting a provision included in the Paper Work Reduction Act to reduce the burden of firms who are forced to file quarterly reports by the Bureau of the Census used to compile the ''Quarterly Financial Report for Manufacturing, Mining, and Trade Corporations.'' While I am pleased this is now law, I firmly believe we can do more to reduce the formidable burdens imposed by the Bureau of the Census, especially for small businesses.

By allowing this veritable gauntlet of requirements for doing business in America to continue, I wonder at the kind of message we, the Members of the U.S. Senate, are sending to small businesses.

Mr. President, I ask unanimous consent that the content of the letter be printed in the RECORD.

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

GREAT AMERICAN COOKIE CO., INC.,
Atlanta, GA, September 14, 1995.

Hon. PAUL COVERDELL,
U.S. Senate, Washington, DC.

DEAR SENATOR COVERDELL: I am writing this letter to express concern over reporting requirements of the Census Bureau upon The Great American Cookie Company, Inc. (the Company). The Company is currently responsible for the following reports: Report of Organization, Survey of Industrial Research and Development, Survey of Businesses, Investment Plans Survey, Current Retail Sales and Inventory Report, Annual Trade Report and Annual Capital Expenditures Survey. We understand that, as a governmental agency, the information provided by these reports is a valuable tool for monitoring certain types of business activity. However, as a small business with limited resources, these reporting requirements place an undue burden on us.

The initial difficulty arises from the fact that we currently have over 100 retail outlets located in over 40 states. As a result, we are already providing a multitude of information to each state (and in some instances, each municipality). These reporting requirements include, but are not limited to, payroll, income, property, sales and use taxes, worker's compensation, property and liability insurance, annual reports and franchise returns. Along with these requirements come the inevitable compliance audits. These reporting requirements, that are merely a cost of doing business in each locality, considerably increase our administrative costs.

Furthermore, over the past two years, our form of business organization has changed. Late in 1993, our company became subject to The Security and Exchange Commission's reporting requirements as defined in The Securities Exchange Act of 1934. To satisfy these reporting requirements, we have had to stretch our resources further.

As a company, we view our circumstances not as excuses, but rather as evidence that governmental controls can sometimes create more of a burden to certain businesses instead of a benefit. Certainly, the letter of the law can require us to continue to report the requested information or incur the penalties. However, in keeping with the spirit of the law, we respectfully submit this letter as a plea to be relieved of our Census Bureau reporting requirements.

Thank you for your consideration in this matter.

Best regards,

W. JAMES SQUIRE III, CFE,
Senior Vice President—Franchising.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the skyrocketing Federal debt, now about $25 billion short of $5 trillion, has been fueled for a generation by bureaucratic hot air; it is sort of like the weather, everybody has talked about it but almost nobody did much about it. That attitude began to change immediately after the elections in November 1994.

When the new 104th Congress convened this past January, the U.S. House of Representatives quickly approved a balanced budget amendment to the U.S. Constitution. On the Senate side, all but one of the 54 Republican Senators supported the balanced budget amendment.

That was the good news. The bad news was that only 13 Democrat Senators supported it, and that killed the balanced budget amendment for the time being. Since a two-thirds vote—67 Senators, if all Senators are present—is necessary to approve a constitutional amendment, the proposed Senate amendment failed by one vote. There will be another vote during the 104th Congress.

Here is today's bad debt boxscore:

As of the close of business Monday, October 16, the Federal debt—down to the penny—stood at exactly $4,967,827,640,196.29 or $18,857.96 for every man, woman, and child on a per capita basis.

BIOTECHNOLOGY PROCESS PATENTS

Mr. HATCH. Mr. President, this afternoon, the House gave final approval to S. 1111, a bill Senator KENNEDY and I have authored to remove barriers to the patenting of biotechnology processes by establishing a modified examination by the U.S. Patent and Trademark Office [PTO] of those patent applications.

Passage of this legislation is a tremendous testament to the foresight and capabilities of our House colleague, Representative CARLOS MOORHEAD, chairman of the House Judiciary Subcommittee on Courts and Intellectual Property. Chairman MOORHEAD drafted the original legislation this session, H.R. 587, which was approved in committee on June 7, 1995.

The bill now goes to the President for signature.

Mr. President, under the provisions of S. 1111, if a claimed biotechnology process uses or produces a patentable composition of matter, the process will be presumed nonobvious for the purpose of examining the process. This modified examination will resolve delays and inconsistent determinations faced by biotechnology patentees under present PTO practices, and thereby increase innovation and stimulate the development of new products and processes.

For the edification of my colleagues, I want to take this historic opportunity to explain the purpose of the bill and the need for the legislation.

Biotechnology: The Office of Technology Assessment defines biotechnology as ''any technique that uses living organisms—or substances from those organisms—to make or modify products, to improve plants or animals, or to develop microorganisms for specific uses.''

Biotechnology, in the sense of genetic manipulation, has been practiced by man for many hundreds of years. It has been used successfully by plant breeders in developing schemes for crossing plants to introduce and maintain desirable traits in various crops such as wheat or maize. Bakers and beverage producers have used yeast, a fungus, for leavening dough and for fermentation.

Today, the practice of biotechnology is far more powerful, with promising applications in diverse industries ranging from pharmaceuticals, agriculture and nutrition to environmental cleanup, new energy resources and law enforcement.

Some examples of widely known products made with the use of biotechnology include insulin, human growth hormone, home pregnancy tests, tests for diagnosing human immunodeficiency virus (HIV), vaccine against the Hepatitis B virus, and high-protein yielding corn.

The dramatic breakthroughs and future promises of biotechnology became possible in the 1950's when scientists James Watson and Francis Crick discovered the structure of DNA, or deoxyribonucleic acid. Ironically, neither scientist seemed aware that their discovery would give birth to an entire new generation of technology. In a March 12, 1953, letter to Max Delbruck, Watson wrote:

> In the next day or so Crick and I shall send a note to Nature proposing our structure (of DNA) as a possible model, at the same time emphasizing its provisional nature and the lack of proof in its favor. Even if wrong, I believe it to be interesting since it provides a concrete example of a structure composed of complementary chains. If, by chance, it is right, then I suspect we may be making a slight dent into the manner in which DNA can reproduce itself.

The discovery of DNA put more than a slight dent in our knowledge of basic biology: it became the basis of a new, promising industry that has led to significant breakthroughs in the ability to improve human life.

DNA, known as the ultimate molecule of life, contains the codes that instruct cells to grow, to differentiate into specialized structures, to duplicate, and to respond to environmental changes.

DNA guides the special functions of cells by directing the synthesis of proteins. A gene, which is comprised of a specific section of DNA, contains the special instructions the cell needs to synthesize proteins. Proteins give living organisms their unique characteristics. Some proteins give the organism its structure; others mediate the many biochemical reactions that occur within the body and are necessary for organisms to function.

The DNA code for certain genes is sometimes defective. The defect may have been present at birth or later developed due to other factors such as infection, age, or exposure to ultraviolet light. When a defect occurs, the code for the synthesis of proteins is scrambled and causes the cell to produce either a defective protein or no protein at all. If the function of this defective protein is important, this can have serious consequences for the health of the organism. For human beings, the deficiency in the protein may lead to tragic disabilities like cancer and arthritis, or even lead to death. For corn and other agricultural crops, the incorrect protein may lead to limited resistance to insects or extinguishment of the crop all together.

Once scientists determine which specific protein performs which function in an organism, they, with the aid of biotechnology, are able to effectively fight disease and other abnormalities. For example, when the absence of a certain regulatory protein leads to cancer, it is possible to stop the growth of cancerous cells by replacing the defective gene with a normal one that would produce the necessary protein in the body.

It is also possible to reproduce the normal protein in another organism and then supply it in the human body. The technology enabling this method is known as recombinant DNA technology. A well-known example of such a method is the process used to produce insulin. Insulin is produced in mass quantities in microorganisms and then