

Madam President, during this time, OSHA should go back to the drawing board and talk to the people with actual logging experience. These folks can help OSHA create rules that are specifically tailored to the region, compatible to the nature of the work and help, rather than hinder, the logger.

I urge my colleagues to support my call for a halt to the implementation of these regulations as they are currently written.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Vermont.

Mr. LEAHY. Madam President, I applaud the Senator from Montana, and I hope that OSHA will pay attention to his letter. I own a small tree farm in Vermont. In fact, I live on it. We harvest mixed types of trees, mostly hard wood, some soft woods, doing probably 25 to 35 acres a year. The man who does the harvesting was named a couple years in a row as the best forester in Vermont.

He did not get that way by taking unnecessary risks. He has a very good logging business, hires a number of people, logs primarily in the wintertime when the ground is frozen, and moves things out.

Frankly, I would trust him to make some of these judgments, some of the things the Senator is describing. They make no sense in our State, either.

I remember one day walking down the road last winter. It was between 30 and 35 degrees below zero. He was standing with his truck. He really loved it because the roads were frozen and he could move. And he had the roads to himself. But I can see him trying to walk with the type of boots the Senator is talking about. I can see him just breathing into any kind of face mask the Senator is talking about, where it is 30 to 35 degrees below zero. You are going to have nothing but sheer ice on the inside of that face mask. I wonder what kind of safety factor that is going to be.

So, Madam President, I would ask the distinguished senior Senator from Montana, one who has paid more attention to these issues than just about anybody I know in this body, if he would share with me the response to his letter because I think he raises a valid point.

Mr. BAUCUS. Madam President, I very much would like to and will share the response I get.

I am curious whether they are going to apply windshield wipers on the face shield.

Mr. LEAHY. Defrosters.

Mr. BAUCUS. Defrosters. I wonder whether, if they are battery powered, the logger will have to carry a battery pack for the windshield wiper on the face mask or the defroster on the face mask because, as the Senator said, and as you know, Madam President, in your State of Maine—our States are northern States—snow falls in the win-

ter. It gets a little cold when we are out in the woods. They could easily fog up. So I am not sure whether the OSHA people are thinking only about dead of summer logging or whether they are also thinking about logging operations the time of the year when it sometimes gets a little cooler.

But I thank the Senator for his observations and I will give him a copy of the letter I get.

#### HOLDING THE COURSE TOWARD MIDDLE EAST PEACE

Mr. LEAHY. Madam President, we all know that making peace has never been easy. It is hard to forget the pain of having lost loved ones. It is hard to abandon the image of an enemy as fundamentally evil and begin to recognize that same enemy as a fellow human being. It is hard all of a sudden to forget the vocabulary of hatred and re-creation and start using words like "goodwill" and "trust" and "cooperation."

It is even harder to lead others to do these things. The risks are enormous. The enemy leader may doublecross you, or his followers may try to do that. You may be branded as weak and gullible. In fact, extremists on each side may try to undermine the process. And then, if you are the peacemaker, extremists on your side may prevent you from keeping your promises or, worse yet, attack you. The chances are great that you will end up being blamed for any bloodshed rather than being praised for the bloodshed you prevented.

Madam President, I wish to take a moment today to recognize one who, despite all the risks, embarked on the road to peace and who, despite all the efforts to derail him, remains on it. I am speaking of the Prime Minister of Israel, Yitzhak Rabin.

Sunday, Israel was shaken by yet another bomb attack: 19 Israelis were killed and dozens injured. And once more, understandably, families are grieving. Once more, they are wondering what peace with the Palestinians means. And once more, the voices of those who oppose peace are raised high, many calling for Prime Minister Rabin's resignation.

I hope he does not resign. Israel needs him. The Palestinians need him. We Americans need him. In fact, we all need leaders who are willing to take risks for peace wherever that might be in the world.

We grieve, obviously, for the most recent victims of terrorism. A victim of terrorism is a victim of terrorism no matter who initiated it. How tragic that even now, a year after President Clinton brought Prime Minister Rabin and Chairman Arafat to the White House to shake hands, there are still people who cannot put the pain of past losses behind them, people who still fail to see that continuation of confrontation only brings more pain, people who are still not ready to work to-

gether for a better future for their children.

Madam President, as we here in America grieve, I hope we do not lose our bearings. I hope we keep sharply focused on what is the goal, which is peace in the Middle East.

Madam President, I say this because over the past several months, we have seen some interesting activity here on Capitol Hill. I know in my case, and in others, we have had a group of Israelis coming to our offices informing us what American national interests are. Not Israeli interests they would like us to support—in fact, no reference to Israel or the interests of the Israeli Government. They say they are doing us the service of helping us figure out what American interests are.

Frankly, Madam President, I think that is what I was elected for; that is what I am paid for. And I will try to make that determination without someone from another country coming in and telling me what our interests are. I am referring here to those Israelis who are waging a campaign to have Congress in advance forbid American participation in any eventual peace monitoring force in the Golan Heights between Israel and Syria. Why are they doing this? Is there a peace agreement between Israel and Syria? No. Has the Israeli Government asked us to commit ourselves to participate? No. In fact, on the contrary, Madam President, Prime Minister Rabin and Israeli Ambassador to the United States Itaman Rabinovich have made clear that their Government is very anxious to have United States participation in a Golan Heights peace-monitoring force, assuming that at some point possibly one is created, just as the United States has participated and continues to participate effectively in the Sinai force monitoring the peace between Israel and Egypt, something that we have done for years, since the time of the Camp David Accords.

So, why, Madam President, would anyone want the U.S. Government to forbid American participation in a venture even before we know what the venture is? There will be time enough to make that determination once and if there is a peace agreement and we are asked to help. In fact, I ask why would Israelis be working in Washington to persuade the United States Government to act against the wishes of their own Government?

I assume they are here to oppose their own Government, and they would like Americans to help bring down their Government. I am opposed to that. And I am opposed to those who come here who really want to stop the peace process.

Madam President, I do not envy Prime Minister Rabin having to negotiate with Syrian President Assad. He is not a person to whom I take very kindly, President Assad, the same President Assad who has been responsible for terrorist attacks against the Israeli people for decades. This is the

same President Assad who aided the attack on the barracks in Beirut almost 15 years ago, when dozens and dozens and dozens and dozens of brave U.S. marines died needlessly. I am a father of a former marine myself. When I remember that, I have great difficulty in contemplating reaching engagement with such a person. I am sure, because of his own personal experiences, Prime Minister Rabin has even more difficulty.

But Prime Minister Rabin has gone forward. He knows that continued confrontation with Syria will just bring more attacks, more deaths, more suffering. He knows that. In order to create a world in which Israeli children can grow up without guns all around them, without the prospect of new attacks, he swallows his anger.

Madam President, as angry as I feel towards President Assad, I know that my anger is mild compared to that of Prime Minister Rabin. But in order to have peace, you do not negotiate with your friends, you negotiate with your enemies. It has always been that way. We Americans have always yearned for peace in the Middle East. Prime Minister Rabin is working for peace, and I for one applaud him.

Madam President, I see others in the Chamber seeking recognition, so I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

#### UNFUNDED MANDATE REFORM ACT

The Senate continued with the consideration of the bill.

AMENDMENTS NOS. 215 AND 216

Mr. GRAMM. Madam President, under the previous unanimous consent request, all amendments have to be submitted before 3 o'clock, so I ask unanimous consent that I might send two amendments to the desk for immediate consideration.

The PRESIDING OFFICER. If there are no objections, the Senate may set aside the pending amendment. The clerk will report.

The legislative clerk read as follows: The Senator from Texas [Mr. GRAMM] proposes amendments numbered 215 and 216.

Madam President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 215

(Purpose: To require that each conference report that includes any Federal mandate, be accompanied by a report by the Director of the Congressional Budget Office on the cost of the Federal mandate)

On page, 21, between lines 13 and 14, insert the following:

"(2) AMENDED BILLS AND JOINT RESOLUTIONS: CONFERENCE REPORTS.—If a bill or joint resolution is passed in an amended form (including if passed by one House as an amendment in the nature of a substitute for the text of a bill or joint resolution from the

other House) or is reported by a committee of conference in amended form, the committee of conference shall ensure, to the greatest extent practicable, that the Director shall prepare a statement as provided in paragraph (1) or a supplemental statement for the bill or joint resolution in that amended form."

AMENDMENT NO. 216

(Purpose: To require an affirmative vote of three-fifths of the Members to waive the requirement of a published statement on the direct cost of Federal mandates)

On page 26, line 6, redesignate subsection (b) as subsection (c), and insert the following:

(b) WAIVER.—Subsections (c) and (d) of section 904 of the Congressional Budget and Impoundment Control Act of 1974 are amended by inserting "408(c)," after "313,".

Mr. GRAMM. Madam President, let me just make a couple of points. First of all, one of these amendments is technical, one is substantive. One is trying to strengthen the mandate bill. Under the mandate bill we are now considering, if someone wanted to impose an unfunded mandate on local government, county government, or State government, there would have to be an estimate of the amount of cost. And if that cost exceeds \$50 million, the unfunded mandate would be subject to a point of order and a 50-vote margin—50 votes plus 1, a majority, would have to be achieved in order to waive that point of order.

I have gone back and looked at what 50-vote points of order have done under the Budget Act. In fact, you have to go back to 1988 to actually find 50-vote points of order that anyone raises. In 1987-88 we had five 50-vote points of order raised. This was under the Budget Act, for busting the budget.

Four of them were waived, and no one has raised one since that time, the reason being if you only have to get 50 votes to waive the point of order, since it takes 50 votes to pass the bill, almost anything that is going to pass will get the votes to waive the Budget Act. That is why we went to a 60-vote point of order, to make the point of order have some meaning and substance.

I have offered an amendment that would change the bill in one fundamental respect, and that is it would require 60 votes to waive the point of order in the Senate to allow us to impose an unfunded mandate on local government.

Madam President, I want to make one observation about this bill. I understand obstruction. I have engaged in it myself. It is an important part of the American system and, while those who are being obstructed are unhappy about it, in fact it is the guaranteed right of those who serve in the Senate to obstruct.

I would like to note one observation that I think is relevant to this process. I engaged in obstructing the passage of the President's health care bill. For 7 months I was engaged, with other Members of the Senate, in relentlessly trying to prevent the President's health care bill from being passed. I

would say, however, that I had no qualms about standing up and saying I oppose the President's health care bill and it is going to pass over my cold, dead political body, which fortunately, such as it is, is alive today. The President's health care bill is deader than Elvis. And unlike Elvis, it would not be welcomed if it came back.

But I would note it is very strange to me that, though we are in our second week of deliberation on this bill, we have been unable to get cloture to go on and pass the bill when we have 63 cosponsors. My question is this: If so many people are for this bill, why do we have so much trouble in passing it?

So I think obstructing is an important part of the process. I think it allows us to analyze, to discuss, to reason. And I think ultimately if you have a determined minority that is opposed to a bill, that you ought to be able to show voter strength in the Senate in order to override that minority. But I do continue to be puzzled by the fact that so many people say they are for this bill, and yet we cannot seem to get on with the job of passing it.

I think that is an important point to make and I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

AMENDMENT NO. 217

(Purpose: To exclude the application of a Federal intergovernmental mandate point of order to employer-related legislation, and for other purposes)

Mr. BYRD. Madam President, I send to the desk an amendment for the purpose of qualifying under the original unanimous-consent order. I have a spot on the list. I ask the number only be stated at this time and that it lie at the desk for call-up during the debate later.

The PRESIDING OFFICER. Is there objection? Without objection it is so ordered.

The clerk will state the amendment by number.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 217.

The amendment is as follows:

On page 5, beginning with line 22, strike out all through line 2 on page 6 and insert in lieu thereof:

"(I) a condition of Federal assistance;

"(II) a duty arising from participation in a voluntary Federal program, except as provided in subparagraph (B)); or

"(III) for purposes of section 408 (c)(1)(B) and (d) only, a duty that establishes or enforces any statutory right of employees in both the public and private sectors with respect to their employment; or

AMENDMENT NO. 213, AS MODIFIED

Mr. BYRD. Madam President, I now have three amendments that have been entered in accordance with the order that was previously entered. One of those amendments I wish to modify.

I ask unanimous consent I may be permitted to modify amendment No. 213.