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

COMMITEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, January 31, 1995, to conduct a hearing to look into the Mexican peso crisis and the administration's proposed loan guarantee package to Mexico.

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

COMMITTEE ON FINANCE

Mr. HATCH. Mr. President, I ask unanimous consent that the Finance Committee be permitted to meet Tuesday, January 31, 1995, beginning at 9:30 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing on the importance of savings in our economy.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, January 31, 1995, at 10:00 a.m. to hold a hearing on consideration of ratification of the START II Treaty (Treaty Doc. 103–1).

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT AND THE DISTRICT OF COLUMBIA

Mr. HATCH. Mr. President, I would like to ask unanimous consent that the Subcommittee on Oversight of Government Management and the District of Columbia, Committee on Government Affairs, be granted authority to meet during the session of the Senate on Tuesday, January 31, 1995, at 2 p.m., to hold a hearing on oversight of the FDIC and the RTC's use of D'Oench Duhme.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY AND SPACE

Mr. HATCH. Mr. President, I ask unanimous consent that the Science, Technology and Space Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on January 31, 1995, at 10:00 a.m. on Department of Commerce Science and Technology Programs Oversight.

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

ADDITIONAL STATEMENTS

THE DEATH PENALTY—A PIVOTAL ISSUE

● Mr. SIMON. Mr. President, the issue of capital punishment is going to rear its head again in this session of Congress, and, once again, we will probably do what is politically expedient but is wrong.

I will continue to vote against capital punishment.

Recently, William H. Rentschler of my State, a member of the executive committee of the National Council on Crime and Delinquency, had an op-ed piece in the Chicago Tribune on the question of capital punishment. It contains so much common sense that I ask to insert it into the RECORD at this point.

The article follows:

[From the Chicago Tribune, Nov. 29, 1994]

THE DEATH PENALTY—A PIVOTAL ISSUE

(By William H. Rentschler)

Autumn of 1994 was ''the killing season.''

The ancient art of state-sanctioned killing clearly was a dominant issue, largely ignored in most post-election analyses of the Nov. 8 balloting.

The death penalty probably was as decisive a factor in the Republican sweep as the call for less government intrusion, even though the two are philosophical opposites.

Virtually every major winner, in upsetting incumbents, promised, in effect, to kill more human beings for an ever wider assortment of crimes, and to kill them deader and quicker.

Today, an overwhelming percentage of Americans tell pollsters they favor capital punishment, which seems to have become nearly as popular as tax cuts, Sunday afternoon football and strawberry yogurt. Which, of course, is why candidates seized on the issue with such self-righteous, drum-beating fervor.

If indeed all those elected keep their promises to enforce the death penalty more vigorously and broadly, this nation, in the final years of the 20th Century, will be witness to the greatest killing spree on American soil since the Civil War.

Never mind that:

There is no valid evidence capital punishment deters homicides and other violent crimes. Quite the contrary, homicides typically increase in the proximity of where an execution is carried out.

In our society, where the criminal justice system is erratic and uncertain, we inevitably will continue to execute some innocents.

A grossly disproportionate percentage of those who die at the hands of the state or wait their fate on death row are poor, illiterate, African-American or Hispanic. The homicide rate is highest in those states where executions are most frequent. Texas is the prime example. The death penalty no longer exists in any Western nation except the United States.

The public is angry and uptight. People are terrified and intolerant of escalating crime. Many want to rid society permanently of the slavering brutes they perceive as perpetrators of violence. A sizable majority of citizens would give the state virtual carte blanche to exterminate these beasts.

But wait. The ''slavering brute'' image embraces only a fraction of those who murder, maim and commit hideous, heinous crimes. Chicago Police Commissioner Matt Rodriguez states that homicides are committed in great numbers by family members, including parents and children, friends, neighbors, and business associates, than by prowling, predatory strangers. And the increasing numbers of random murders by violent, out-of-control youths, especially gang members, occur mainly in their own urban neighborhoods, according to Rodriguez.

Slight, bespectacled Susan Smith, the small-town South Carolina mother who rolled her two tiny sons to a watery grave in the family car, hardly fits the bestial profile society embraces so readily. Yet her apparent crime was monstrous and unfathomable.

Many, I believe, wish somehow the murderer would have been the black male of her fictional alibi. Then the answer would have been neat and simple; it would have fed inherent prejudice. That the killer, by her own confession, turned out to be the pathetically confused and conscienceless young (white) mother, tortured by the demons of a failed marriage, mounting bills and doomed romance, is much more complicated and challenging to our emotions, attitudes and pat, built-in assumptions.

The death penalty is so widely accepted largely because it provides a measure of seeming certainty to a society greatly frustrated by its inability to solve its most vexatious problems. But it is a simplistic answer, akin to the primitive law of the jungle. It is evidence of a society unwilling and incapable of coming to grips rationally with hard challenges.

Capital punishment makes a mockery of such noble legal canons as equal justice under law and the bedrock right of all to simple fairness.

No matter how atrocious Smith's crime, precedent tells us she almost certainly will not be executed; yet the make-believe black man of her grotesque fairy tale surely would have been found guilty and put to death if her charade had been accepted.

Los Angeles prosecutor Gil Garcetti already has announced O.J. Simpson, a rich celebrity and one-time role model, will not be executed if convicted of two murders by a jury. Nor will any murderer of wealth, fame and community standing. This confirms an old Russian proverb: ''No one is hanged who has money in his pocket.''

The death penalty is reserved exclusively for society's little people, its powerless, its rabble, its dregs. This alone makes capital punishment wrong in a just society.

Since we really execute very few, since the death penalty will never be a prime factor in curbing violent crime, since the nation is faced with many other nagging concerns begging for solutions, it is hardly unreasonable to say that those candidates who collectively spent countless hours and millions of TV dollars trumpeting their passionate support for capital punishment were behaving irresponsibly and short-changing voters.●

ORDERS FOR WEDNESDAY, FEBRUARY 1, 1995

Mr. HATCH. I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. on Wednesday, February 1, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, and the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business not to extend beyond the hour of 11:30 a.m., with Senators permitted to speak therein for not more than 5 minutes, each with the exception of the following Senators: Senator GRAHAM, of Florida, 20 minutes; Senator HARKIN, 20 minutes; Senator BRADLEY, 15 minutes; Senator BENNETT, 15 minutes; Senator MURKOWSKI, 15 minutes; Senator DORGAN, 10 minutes; Senator GRAMS, 10 minutes.

I further ask that at 11:30 a.m. the Senate resume consideration of House Joint Resolution 1, the constitutional

amendment calling for a balanced budget.

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

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. HATCH. If there be no further business to come before the Senate, and no other Senator is seeking recognition, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 6:03 p.m., recessed until Wednesday, February 1, 1995, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate January 31, 1995:

THE JUDICIARY

JAMES L. DENNIS, OF LOUISIANA, TO BE U.S. CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE CHARLES CLARK, RETIRED.

NATIONAL COUNCIL ON DISABILITY

RAE E. UNZICKER, OF NORTH DAKOTA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1997, VICE MARY ANN MOBLEY-COLLINS, TERM EXPIRED.

HUGHEY WALKER, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1996, VICE ELLIS B. BODRON, TERM EXPIRED.

ELA YAZZIE-KING, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL COUNCIL OF DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1996, VICE LINDA ALLISON, TERM EXPIRED.