

public toilets—in short, any action other than to restrict land use.

Some have said this amendment goes too far. I think it does not. The President has plenty of exceptions that allow him to escape the impact of my amendment. There are exceptions for national security, law enforcement, health and safety, and international trade, among other things. And in the final analysis, it is the President who makes the final call as to what regulations are impacted by this law. The intent of my amendment is clear—I want to put a halt to agency actions that needlessly restrict the use of public lands.

Mr. President, I commend my colleague from Delaware, Senator ROTH, and his committee staff, particularly Frank Polk, Paul Noe, and Mickey Prosser for their efforts in reporting this regulatory moratorium legislation.

#### PRESIDENT CLINTON IMPLEMENTS THE VIOLENCE AGAINST WOMEN ACT

Mr. KENNEDY. Mr. President, earlier today, President Clinton took a major step toward effective implementation of the new Violence Against Women Act, which was enacted as part of the omnibus crime control law last year.

President Clinton established a new Violence Against Women Office at the Department of Justice, and appointed former Iowa Attorney General Bonnie Campbell as Director of the Office. Ms. Campbell was the first woman to hold the office of attorney general in Iowa, and in that capacity, authored one of the Nation's first antistalking laws.

President Clinton also announced \$26 million in State grants and a toll-free domestic violence hotline. I was proud to be a strong supporter of the act and to be the Senate sponsor of the hotline.

I commend the President for taking this important step in the fight to end violent crimes against women. The rates of violent crimes committed against women continue to rise. Nationwide a woman is beaten every 15 seconds. Three to four million women a year are victims of family violence. In Massachusetts last year, a woman was murdered every 16 days, and in this year alone, 17 women have been murdered as a result of domestic violence.

It is clear that far more needs to be done to stop this violence. One of the most effective measures is to improve our methods of law enforcement and do more to prosecute and convict the perpetrators of these crimes.

The Violence Against Women Act provides \$1.6 billion over the next 6 years to combat such violence. Included in those funds are grants to States to train and hire more police and prosecutors for domestic violence or sexual assault units, open new crisis centers for victims, hire advocates and crisis counselors, and improve lighting for unsafe streets and parks.

These grants are a critical part of a comprehensive new effort to combat violence against women. Police need better training, so that they will make arrests when the situation warrants. Prosecutors need better training in how to work with victims, using victims' advocates when possible. Judges need to understand that domestic violence and other attacks against women are serious crimes. Often, when women are abused or beaten, the police, prosecutors, and judges fail to take the crimes seriously enough. As a result, many women are reluctant to call the police or seek help in other ways. These grants will help States address these problems.

This new law is the first comprehensive Federal effort to deal with violence against women. It protects the rights of victims. It makes it a Federal offense to cross State lines to abuse a fleeing spouse or partner. It gives victims of violent crime or sexual abuse the right to speak at the sentencing hearings of their assailants. It prohibits those facing a restraining order on domestic abuse from possessing a firearm.

I am particularly gratified by the restoration of the national, toll-free domestic violence hotline, which will be administered by the Department of Health and Human Services. Before the hotline was shut down for lack of funds in 1992, it averaged over 180 calls a day, or 65,000 calls a year, during the 5 years it was in operation. The hotline is a lifeline for women in danger. The nationwide system will enable any woman in trouble to call an 800 number and be advised by a trained counselor on what to do immediately and where to go for help in her area.

I commend President Clinton for his leadership in implementing this law, and I look forward to working with the administration to continue to fight to end the tragedy of violence against women.

#### IS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Mr. President, the impression simply will not go away; the enormous Federal debt greatly resembles that well-known energizer bunny we see, and see, and see on television. The Federal debt keeps going and going and going—always at the expense, of course, of the American taxpayers.

A lot of politicians talk a good game—when they home to campaign—about bringing Federal deficits and the Federal debt under control. But so many of these same politicians regularly voted for one bloated spending bill after another during the 103d Congress—which could have been a primary factor in the new configuration of U.S. Senators as a result of last November's elections.

In any event, Mr. President, as of yesterday, Monday, March 20, at the close of business, the total Federal debt stood—down to the penny—at ex-

actly \$4,842,719,633,258.54 or \$18,383.05 per person.

The lawyers have a Latin expression which they use frequently—"res ipsa loquatur"—"the thing speaks for itself." Indeed it does.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. KYL). Morning business is closed.

#### LEGISLATIVE LINE-ITEM VETO ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 4, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 4) to grant the power to the President to reduce budget authority.

The Senate resumed consideration of the bill.

Pending:

Dole amendment No. 347, to provide for the separate enrollment for presentation to the President of each item of any appropriation bill and each item in any authorization bill or resolution providing direct spending or targeted tax benefits.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 5 minutes as if in morning business off the bill.

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

#### TELECOMMUNICATIONS DEREGULATION AND COMPETITION: ITS IMPACT ON RURAL AMERICA

Mr. DORGAN. Mr. President, when Congress passed the Communications Act in 1934, telephones were a novelty. Sixty years later, most Americans have affordable telephone service, thanks largely through a universal service system of support mechanisms. This is a success story.

Universal service has been a success because policymakers had the foresight to understand that market forces, left to their own devices, would not serve every American. Support mechanisms are necessary to ensure that every American could have access to phone service and electricity. This was true in building a nationwide phone network and it will be true in the future to deploy an advanced telecommunications network.

Today we stand at the advent of a telecommunications revolution that promises to bring an explosion of economic activity and growth in rural America that will rival the delivery of electricity to farms in the early part of the century. The information age promises to bring opportunity to previously disadvantaged areas. Until now, geography has been, a disadvantage for rural America. Much of the

business growth and development in America happens to occur in major urban centers out of geographic necessity, leaving rural America at a significant disadvantage. The telecommunications revolution is quickly changing all that, making a rural community in North Dakota as close to Manhattan as the Hudson River.

Satellites, fiber optic cable, digital switching devices and other technological developments make it possible for voice, video, and data transmission to occur effectively and immediately between two locations thousands of miles apart. This means jobs, economic development, and opportunity unprecedented in rural areas that have historically been struggling to build a promising future.

On the eve of our consideration of new major national telecommunications policy, I am concerned that issues essential to rural America may be overshadowing by the battles between the industry titans, like the regional Bell operating companies, long distance carriers and national cable networks. We cannot forget to do what is right for all, and not just a few, Americans.

There is an obsession and worship of competition and deregulation these days. After all, a free market driven by competition comprises the economic fabric on which our Nation was built. At the same time, however, the country has always understood that these principles are not always in everyone's best interest. This dichotomy is of significant note as we chart the development of our Nation's telecommunications policy and its impact on rural America.

The structure and the economics of the telecommunications industry is as complicated as scholastic philosophy. Our Nation already possesses a quality integrated telephone network that most Americans can access and enjoy the benefits of coast-to-coast communications. However, few understand and the complex interaction and coordination that is required to connect the hundreds of local phone companies and long distance carriers. Although most Americans know the difference between local and long distance phone calls, few understand and appreciate the complexities of how long distance and local phone companies interconnect.

For example, I would guess many Americans are not aware that the seven regional Bell operating companies [RBOC's] are not the Nation's only local exchange carriers [LEC's]. Many Americans are surprised to learn that there are hundreds of LEC's throughout the Nation. In fact, there are approximately 1,400 small cooperative and commercial systems serving people and communities throughout rural America. These small and rural LEC's originated to bring service to areas considered unprofitable and undesirable by the industry's early leaders.

Together, these small and rural LEC's provide telecommunications service to approximately 6.6 million rural Americans. Their combined service areas cover some 1.7 million square miles and represent approximately 1 million route miles of infrastructure. While they serve about 5 percent of the U.S. population, their service areas encompass 40 percent of the Nation's land area. On average, their investment totals approximately \$2,500 for each subscriber. And, for the most part, the services they provide are equal or superior to those offered by the industry giants.

With these facts in mind, it should come as no surprise that these low-density, high-cost areas are not natural candidates for competition and need support to deliver affordable service. They are neither magnets for capital nor market-stimulating sources of revenues and profits. Yet, despite the challenges these small and rural LEC's face, they consistently provide universal service to their constituency. This is possible only through sound public policy that has historically recognized rural is different.

That's what we really need to focus on today. Rural areas are different. This does not suggest that competition should be rejected for rural areas. Rather, we need to understand that competition in rural and high cost markets needs to be structured differently in rural areas. Universal service support is critical and the introduction of competition must be addressed with carefully constructed policy—not blind obedience to competition and deregulation.

There are two cardinal rules I want to impress upon my colleagues today. The first rule is that telecommunications reform must protect and preserve universal service support. Without such support, the future of rural telecommunications is a guaranteed disaster rather than a promise for opportunity. The second cardinal rule is that competition in rural areas needs to be structured appropriately and it is imperative that safeguards be in place to ensure an orderly transition to a competitive marketplace.

#### PROTECTING AND PRESERVING UNIVERSAL SERVICE

A recent study entitled "Keeping Rural America Connected: Costs and Rates in the Competitive ERA" reveals how the rural telecommunications marketplace could be devastated without universal service support. Specifically, it shows that rates would skyrocket to the point that many rural Americans would be forced to simply decline service.

For example, the study demonstrates that without universal service support, local monthly rates would increase by \$12.84 on average. Monthly toll rates would climb by \$18.43. The combined monthly increase would average an astounding 72.3 percent. And these are study-wide averages; the effects in some States are even worse.

Maintaining universal telecommunications service must remain our highest priority. Any emerging national policy must embrace the concept of an ongoing and evolving universal service mandate. Moreover, such policy must ensure that universal service initiatives are financially sustained by all market providers.

Some have argued in favor of reducing, and in some cases, eliminating, the level of universal service support. This is flagrantly inconsistent with this Nation's 60-plus year commitment to universal service for all Americans. Congress and the administration alike have set many ambitious goals for the Nation's telecommunications industry—goals that can be met only if we are willing to make a renewed commitment to support, not abandon, the policy of universal service.

The objective of introducing competition in local phone service is to drive prices toward cost. In contrast, current practice reflects the long-established national policy goal of setting rates at levels that maximize subscription and use. That policy has proved very effective, enabling all of us to reap what economists call the "external benefits" of broad access to the Nation's public switched network.

The largest LEC's want to base their rates on cost in order to confront their onrushing competitors more effectively. That is certainly understandable. They are large enough to make such pricing work for both themselves and their subscribers. Nevertheless, it does not necessarily make economic sense to force similar arrangements on small, rural LEC's. Cost-based pricing by rural LEC's would lead to dramatic rate increases for rural consumers. The value of a phone in Regent, ND is the same as the value of a phone in New York City. The only way to prevent rate increases is to offset them through universal service cost recovery mechanisms. This clearly points out the importance of establishing strong universal service support mechanisms prior to permitting the modification of the industry's rate structure scheme.

Rural areas must have access to telecommunications capabilities and services comparable to those in urban areas. To ensure this, Congress, the FCC, and the telecommunications industry have established a number of support mechanisms, including geographic toll rate averaging, lifeline and linkup programs, local rate averaging, and the rural utilities service's, formerly REA, telephone loan program. These programs and policies have made state-of-the-art telecommunications technologies available to rural Americans. In return for these supports, LEC's agree to serve every resident in their service area who wants to be served. In many cases, it would have been impossible for LEC's to serve the entirety of sparsely populated service areas without support.

## COMPETITION IN RURAL MARKETS

The second cardinal rule is that blind allegiance to competition will hurt rural telecommunications delivery. The fact is that competition—without conditions—does not serve rural markets. Airline deregulation is but one example. In a deregulated environment, airlines have chosen not to serve many rural areas. Why? Because the economics of competitive industry do not drive service into rural areas.

The fundamental premise in the telecommunications reform legislation we considered last year—and that is emerging this year—is that competition will lead to lower rates and encourage investment. In most cases, this is the correct approach. Competition should be introduced into all aspects of telecommunications. When the old Ma Bell was divested of its local monopolies, separating long distance and manufacturing services into competitive markets, competition led to lower long-distance prices and a flood of new equipment into the marketplace. Nobody can question that consumers have benefited from the emergence of hundreds of long distance companies and the thousands of new products that were borne from a competitive equipment manufacturing industry. Consumers have benefited from allowing competition in long distance and manufacturing industries and I am confident that consumers will also benefit under competitive local exchange service. Introducing competition into local telephone service can produce the same positive result—but only if it is done right and a one-size-fits-all approach is not taken.

If unstructured competition is permitted in rural markets and competitors are allowed to cherry pick only the high revenue customers, serious destruction of the incumbent carrier, who is obligated to serve all customers, including the high cost residents, will occur. A local telephone exchange is like a tent and if a competitor is permitted to take out the center pole, the whole tent collapses. Larger markets may be able to sustain some cherry picking, but in smaller rural markets, the results could be higher residential rates.

The fact is that competition can be destructive in markets that cannot sustain multiple competitors. A blind allegiance to competition could result in higher costs and diminished services for rural Americans. The question is not whether or not competition should occur in rural areas. Rather the question is how can the rules of competition be structured to ensure that rural consumers continued to receive quality, affordable service. Without caution, we could be setting the stage for competition to jeopardize the national public switched network—and universal service—that almost all Americans enjoy today.

Unstructured competition could lead to geographic winners and losers. We must not agree to any policy that cre-

ates a system of information-age haves and have-nots. I cannot and will not support public policy that leaves rural Americans reeling in its wake. An unrestricted competitive and deregulatory telecommunications policy will not work in rural America. Such policy in fact threatens higher, not lower, consumer prices. Such policy in fact threatens less, not more, consumer choice. And such policy in fact will cost taxpayers more, not less, when it forces existing LEC's out of business.

Telecommunications reform should not adopt a one-size-fits-all policy of competition and deregulation for the entire Nation. Competition and deregulation cannot work as a national policy without rural safeguards.

I am not interested in giving telephone companies a competitive advantage over other telecommunications carriers. But I am interested in ensuring an affordable, high-quality telecommunications network in rural America. The cable industry and electric utilities want to compete in the local exchange market and phone companies want to compete in cable. I support breaking down the barriers that prohibit these industries from competing in each other's businesses. However, we must adopt safeguards that are in the interest of rural consumers who must be our first concern. Only with safeguards are all rural Americans guaranteed to receive the high-quality, affordable telecommunications service they deserve. That's the bottom line. New telecommunications policy must be about rural consumers.

In exchange for universal service support mechanisms, telephone companies serving rural and high-cost areas have undertaken the obligation to serve areas that market forces would leave behind. The only reason why thousands of Americans living in rural areas have phone service is because our existing policies require certain carriers to provide that service. In addition, necessary support mechanisms to ensure that service are available so that service can be provided at an affordable rate. It seems to me that if competition is going to enter into rural and high-cost areas, competitors ought to be required to undertake the same responsibilities. Let's not close the door to competition—but let's require competitors and incumbents alike to carry the same burdens. This is the only way we can have fair competition in rural areas.

The fact is that U.S. telecommunications policy has always recognized local exchange service as essential to the well-being of all Americans. The same cannot be said of cable TV or other related services. The key point here is that we must not adopt any policy that would jeopardize the provision of essential local exchange service. And we must certainly not adopt any policy that would alter current policy so dramatically that the interests of rural consumers would suffer.

## CONCLUSION

In summary, preserving universal service is sound public policy. Universal service benefits the entire Nation, not just rural areas. As we pursue new telecommunications policy, we must also ensure that real, effective mechanisms remain in place to preserve and advance universal service. It is equally important to provide rural safeguards to ensure that competition results in positive benefits for rural consumers. The conventional wisdom of free-market economics generally does not apply to the different conditions in rural America where low population density and vast service areas translate to less demand and higher costs.

Telecommunications reform legislation is one of the most comprehensive and significant pieces of legislation that many of us will work on in our congressional careers. Not only does billions of dollars hang in the balance between some of the largest corporations in the world, but more importantly, the affordability and effectiveness of a central element of economic and social life of Americans is at stake—an advanced telecommunications network. I urge my colleagues to address this legislation with an understanding and appreciation for the complexities involved and not to resort to easy ideological solutions. There is too much at stake. Not only do all Senators have a common national goal to promote the development of an advanced telecommunications network, but we share the same responsibility to ensure that all Americans have access to that network—regardless of their geographic residence.

## LEGISLATIVE LINE-ITEM VETO ACT

The Senate continued with the consideration of the bill.

Mr. MCCAIN. Mr. President, I now move to S. 4, debate on the line-item veto.

The PRESIDING OFFICER. The bill is pending.

## CLOTURE MOTION

Mr. MCCAIN. Mr. President, I send a cloture motion to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 4, the line-item veto bill:

Bob Dole, Trent Lott, Dan Coats, Slade Gorton, Robert Bennett, John McCain, Ted Stevens, James Inhofe, Mike DeWine, John Ashcroft, Craig Thomas, Bob Smith, Alfonse D'Amato, Mitch McConnell, Larry Pressler, Don Nickles, Pete Domenici.