

Tanzania a step forward on the road to greater democracy and freedom.

Since mid-1992, numerous opposition parties have been registered in Tanzania and multiparty elections have been held at local and the parliamentary by election levels. Yet, as of the results available at the end of 1994, new political parties won only 7 percent of the seats in contested elections. Half of the elections were uncontested. While the Constitution recognizes a multiparty system, the electoral policies and practices of Tanzania continue to support a single-party government.

Clearly, a decision to hold multiparty elections does not mean that democracy, political rights and civil liberties have been fully embraced. Freedom House, a highly respected non-profit organization that monitors political rights and civil liberties worldwide, rates Tanzania as not free. Likewise the Carter Center describes Tanzania as being moderately democratic, reflecting that while the Government of Tanzania makes formal commitments to a democratic transition, their deeds are not yet commensurate with their pledges.

In October 1995, Tanzania will hold its first national multiparty election. This could be, given transparent and unbiased election practices, a major achievement in the political life of Tanzania. But now is the time for the Government of Tanzania to match the rhetoric of democracy with the tangible actions needed for real democracy to blossom and flourish.

Constitutional adoption of multiparty elections has provided an opportunity for greater democracy. Freedom of the press, equal access to the public media—particularly the national radio—for all political parties, and a politically independent election commission will move democracy closer to a reality. Tanzania has made some progress in recent months. It can make significantly more in the months ahead. I encourage Tanzania's leaders to move forward to provide a level playing field for all political parties for their upcoming national elections.●

#### ORDERS FOR FRIDAY, MAY 5, 1995

Mr. DOLE. Mr. President, my understanding is that this request has been cleared with the Democratic leader, Senator DASCHLE.

I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 10 a.m. on Friday, May 5; that, following the prayer, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in day; and, that there then be a period for the transaction of morning business not to extend beyond the hour of 11 a.m. with Senators permitted to speak therein for up to 5 minutes each, except for the following: Senator DORGAN for 20 minutes.

I further ask unanimous consent that at the hour of 11 a.m. the Senate re-

sume consideration of H.R. 956, the product liability bill.

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

#### PROGRAM

Mr. DOLE. For the information of all Senators, shortly after the Senate resumes consideration of the product liability bill on Friday, I hope to be able to lay down a new substitute amendment for discussion for the remainder of Friday's session. A cloture motion will be filed on the substitute, and I hope we can reach an agreement for that cloture vote to occur at approximately 1:30 on Monday.

#### ORDER FOR RECESS UNTIL TOMORROW

Mr. DOLE. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order following the remarks of Senator SPECTER, who I understand is on the way to the floor.

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

Mr. DOLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CLOTURE VOTE TO OCCUR AT 4 P.M. ON MONDAY, MAY 8, 1995

Mr. LOTT. Mr. President, at the direction of the majority leader, in consultation with the minority, I would like to make one change in the leader's earlier announcement.

A cloture motion will be filed on the substitute, and the cloture vote will occur at approximately 4 p.m. on Monday, instead of 11:30. This is to accommodate the maximum number of Members for that vote.

Under the prior arrangement, I believe Senator SPECTER will be recognized at this point for his remarks.

I yield the floor, Mr. President.

Mr. SPECTER. Mr. President, I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PRODUCT LIABILITY BILL

Mr. SPECTER. Mr. President, I have sought recognition to make a few com-

ments on the pending product liability bill and the cloture votes which were taken today; that is, the vote to close off debate so that there could be a vote on the bill ultimately on final passage, with the rules of our body having unlimited debate and the rules of our Senate requiring there be 60 Senators join on what is called cloture to close off debate, and we had two such votes today. One was 46 in favor, 53 against. The second was 47 in favor and 52 against. So it is obvious on the current State of the record, the Senate is long away from having 60 votes to close off debate and move to a final decision on product liability.

I think that when there are significant, really major, really fundamental changes to a system as profoundly important as the legal system in the United States, that it is a matter that requires very, very careful deliberation, and it is appropriate for the cloture route to be followed and for 60 votes to be required to pass legislation of this importance, of this far-reaching nature.

Mr. President, I have stated on the floor of the Senate on a number of occasions that I believe that reforms are warranted on product liability, but I think they have to be very, very carefully crafted. I believe that after experience representing both plaintiffs and defendants in litigation and having had substantial experience in products liability litigation.

The matter came up in the last Congress, and I voted for cloture at that time in the hopes that we could get a carefully crafted bill. I think that it is appropriate to have a bill which would provide for alternative dispute resolution, as is provided in the current legislation, to adopt the collateral source rule which is contested. But it provides that if an individual has bought insurance and has collected on his or her own insurance policy, then that individual cannot collect again in a lawsuit. The plaintiffs and the individuals and the consumers objected to collateral source rule on the ground that the individual has paid for it so that whatever benefit is received from the insurance policy ought not to be discounted for the defendant. But I think that on balance, given all the factors, that it is appropriate to limit that aspect of a plaintiff's recovery.

I believe that it is worthwhile to have a tightening of the rules on frivolous lawsuits, and perhaps the frivolous lawsuit is really at the core of the litigation problem in America today, lawsuits which are brought without any real merit or without any real foundation.

I think that if we could set the rules to discourage, to eliminate frivolous lawsuits, we would have really solved most of the problem that is present in the litigation system today, to stop lawsuits which are being brought