

the city to provide some service, or if it will grant an exclusive monopoly. What we are trying to get are barriers to entry, and we are reserving to the State and local governments certain authorities. So the certainty we are looking for we have taken away—no guarantee that entry barriers will be toppled and no guarantee of uniformity across the country.

The committee has dealt with federalism concerns throughout this legislation. Let me say that this debate goes to the heart of a technical detail of federalism and the Federal Government's relationship to State and local government. It is one of the most complicated areas of this bill. Believe me, it is hard to strike a balance. But if we strike this out, it gives every city in the country the right to put up barriers to entry. It lets every State have the right to have a monopoly unless they can extract something for the State in one way or another. I would not blame cities and States. If we do that, it goes to the very heart of this bill.

Now, I take a back seat to no one in advocating federalism principles. I like much power in the State and local government. It must be balanced with our other goal—removing the anticompetitive restrictions at the local level which restrict competition. Exclusive franchising in the cable and telephone markets is the very way that established monopolies in the past.

So, to conclude my statements on this, I understand that there may be a possible second-degree amendment to this tomorrow that would deal with the language on line 8 on page 55, "preemption," which would deal with the words, or is consistent with. But I am not certain that that second degree will be offered.

In any event, to conclude, this particular section of the bill goes to the heart of dealing with the federalism issue. Are we going to allow the cities and the State to put up barriers of entry to telecommunications firms? In the past, we have done so, with cable television. We have allowed cities not only to add a franchise fee, but also to require certain programming, and sometimes the companies do something else for the city as an incentive.

In telephones, we have allowed our States to set up a monopoly in the State and sometimes to collect certain things or to put certain requirements on. In this bill, S. 652, we are trying to deregulate, open up markets, and we are trying to let that fresh air of competition come forward. If our companies and our investors have the uncertainty of not knowing what every city will do, of not knowing what every State will do and each State legislature and each city council may change, the companies will be in the position of having to endlessly lobby city officials and State officials on these issues—not only that, at any time certainty is taken out.

This bill, S. 652—if we pass it—will provide a clear roadmap with certainty

for competition. It will create an explosion of a new investment in telecommunications and new jobs and new techniques. And it will help consumers with lower telephone rates and lower cable rates. It has been carefully crafted and worked out in close to 90 nights of meetings, and on Saturdays and Sundays, plus last year, a whole year, plus a lot of Senators' input. I know it sounds good to give the power to the city and the State, and I am usually for that. In this case, we reserve powers to the city and State, but we very firmly say that the barrier to entry must be removed.

Mr. President, I wish to point out that I think there may be a second-degree amendment to this tomorrow at some point. I want to give Senators notice of that. There may not be. But I rise in opposition to the amendment.

Mr. LOTT. Mr. President, I do have some business to conduct, including the closing statement. At this juncture, I would like to do a couple of things, and if the Senator from Nebraska wants to make a statement, I will withhold on the closing unanimous consent.

#### CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk.

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

The assistant 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. 652, the Telecommunications Competition and Deregulation Act:

Trent Lott, Larry Pressler, Judd Gregg, Don Nickles, Rod Grams, Rick Santorum, Craig Thomas, Spencer Abraham, J. James Exon, Bob Dole, Ted Stevens, Larry E. Craig, Mike DeWine, John Ashcroft, Robert F. Bennett, Hank Brown, Conrad R. Burns.

The PRESIDING OFFICER. The acting majority leader.

REMOVAL OF INJUNCTION OF SECRECY—EXTRADITION TREATY WITH BELGIUM (TREATY DOCUMENT NO. 104-7); SUPPLEMENTARY EXTRADITION TREATY WITH BELGIUM TO PROMOTE THE REPRESSION OF TERRORISM (TREATY DOCUMENT NO. 104-8); AND EXTRADITION TREATY WITH SWITZERLAND (TREATY DOCUMENT NO. 104-9)

Mr. LOTT. Mr. President on behalf of the leader, as in executive session. I ask unanimous consent that the injunction of secrecy be removed from the following three treaties transmitted to the Senate on June 9, 1995, by the President of the United States:

Extradition Treaty with Belgium (Treaty Document No. 104-7);

Supplementary Extradition Treaty with Belgium to Promote the Repression of Terrorism (Treaty Document No. 104-8); and

Extradition Treaty with Switzerland (Treaty Document No. 104-9).

I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

#### *To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty Between the United States of America and the Kingdom of Belgium signed at Brussels on April 27, 1987. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Treaty.

This Treaty is designed to update and standardize the conditions and procedures for extradition between the United States and Belgium. Most significantly, it substitutes a dual-criminality clause for the current list of extraditable offenses, thereby expanding the number of crimes for which extradition can be granted. The Treaty also provides a legal basis for temporarily surrendering prisoners to stand trial for crimes against the laws of the Requesting State.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States. Upon entry into force, it will supersede the Treaty for the Mutual Extradition of Fugitives from Justice Between the United States and the Kingdom of Belgium, signed at Washington on October 26, 1901, and the Supplementary Extradition Conventions to the Extradition Convention of October 26, 1901, signed at Washington on June 20, 1935, and at Brussels on November 14, 1963.

This Treaty will make a significant contribution to international cooperation in law enforcement. I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 9, 1995.

#### *To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Supplementary Treaty on Extradition Between the United States of America and the Kingdom of Belgium to Promote the Repression of Terrorism, signed at Brussels on April 27, 1987 (the "Supplementary Treaty"). Also transmitted for the information of the Senate is the report of the Department of State with respect to the Supplementary Treaty.

This Supplementary Treaty is designed to facilitate the extradition of terrorists, and is similar to the protocols to extradition treaties currently in force with other countries, including Australia, Canada, Spain, the Federal Republic of Germany, and the United Kingdom. Upon entry into force, the Supplementary Treaty will amend the Treaty for the Mutual Extradition of Fugitives from Justice, signed at Washington on October 26, 1901, as amended by the Supplementary Conventions, signed at Washington on June 20, 1935, at Brussels on November 14, 1963, if that Treaty is still in force, or the Extradition Treaty Between the United States and Belgium signed at Brussels on April 27, 1987.

I recommend that the Senate give early and favorable consideration to the Supplementary Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 9, 1995.

#### *To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty Between the Government of the United States of America and the Government of the Swiss Confederation, signed at Washington on November 14, 1990. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Treaty.

The Treaty is designed to update and standardize the conditions and procedures for extradition between the United States and Switzerland. Most significantly, it substitutes a dual-criminality clause for a current list of extraditable offenses, so that the new Treaty will cover numerous offenses not now covered by our extradition treaty with Switzerland, including certain narcotics offenses, important forms of white collar crime, and parental child abduction. The Treaty also provides a legal basis for temporarily surrendering prisoners to stand trial for crimes against the laws of the Requesting State.

The Treaty further represents an important step in combatting terrorism by excluding from the scope of the political offense exception offenses typically committed by terrorists for which both the United States and Switzerland have an obligation under a multilateral international agreement to extradite or submit to their authorities for the purpose of prosecution. These offenses include aircraft hijacking, aircraft sabotage, crimes against internationally protected persons (including diplomats), and hostage-taking.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States. Upon entry into force, it will supersede the Extradition Treaty of May 14, 1900, and the Supplementary Extradition Treaties of January 10, 1935, and January 31, 1940, Be-

tween the United States of America and the Swiss Confederation.

This Treaty will make a significant contribution to international cooperation in law enforcement. I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 9, 1995.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-955. A communication from the Secretary of Defense, transmitting, pursuant to law, the report on accounting for U.S. assistance under the Cooperative Threat Reduction Program; to the Committee on Armed Services.

EC-956. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report on the extent of compliance of the independent states of the former Soviet Union with the Biological Weapons Conventions; to the Committee on Armed Services.

EC-957. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the 1993 consolidated annual report on fair housing programs; to the Committee on Banking, Housing, and Urban Affairs.

EC-958. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report relative to intermarket coordination; to the Committee on Banking, Housing, and Urban Affairs.

EC-959. A communication from the Secretary of Housing, and Urban Development, transmitting, pursuant to law, a report relative to a collaboration between the National Science Foundation and the Department of Housing and Urban Development; to the Committee on Banking, Housing, and Urban Affairs.

EC-960. A communication from the General Counsel of the Department of Treasury and the General Counsel of the Department of Housing and Urban Development, transmitting a draft of proposed legislation entitled "Federal Home Loan Bank System Restructuring and Modernization Act of 1995"; to the Committee on Banking, Housing, and Urban Affairs.

EC-961. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report relative to the availability of housing close to places of employment; to the Committee on Banking, Housing, and Urban Affairs.

EC-962. A communication from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation entitled "American Community Partnerships Act"; to the Committee on Banking, Housing, and Urban Affairs.

EC-963. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the annual report of the Commission for fiscal year 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-964. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to the exchange stabilization fund; to the Committee on Banking, Housing, and Urban Affairs.

EC-965. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the annual report of the Board for calendar year 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-966. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a report relative to U.S. transactions with the Philippines; to the Committee on Banking, Housing, and Urban Affairs.

EC-967. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a report relative to intermarket coordination; to the Committee on Banking, Housing, and Urban Affairs.

EC-968. A communication from the Executive Director of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, a report relative to the number and condition of savings associations; to the Committee on Banking, Housing, and Urban Affairs.

#### REPORTS OF COMMITTEES

Under the authority of the order of the Senate of June 8, 1995, the following reports of committees were submitted on June 9, 1995:

By Mr. PACKWOOD, from the Committee on Finance, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 4: A bill to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence (Rept. No. 104-96).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HEFLIN (for himself and Mr. KYL):

S. 914. A bill to delineate acceptable drug testing methods, and for other purposes; to the Committee on the Judiciary.

By Mr. D'AMATO:

S. 915. A bill to govern relations between the United States and the Palestine Liberation Organization (PLO), to enforce compliance with standards of international conduct, and for other purposes; to the Committee on Foreign Relations.

By Mr. FRIST (for himself, Mrs. KASSEBAUM, Mr. JEFFORDS, Mr. COATS, Mr. DEWINE, Mr. KENNEDY, Mr. PELL, Mr. DODD, Mr. SIMON, and Mr. HARKIN):

S. 916. A bill to amend the Individuals with Disabilities Education Act to extend the Act, and for other purposes; to the Committee on Labor and Human Resources.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HEFLIN (for himself and Mr. KYL):

S. 914. A bill to delineate acceptable drug testing methods, and for other purposes; to the Committee on the Judiciary.

#### DRUG TESTING LEGISLATION

Mr. HEFLIN. Mr. President, I rise today to introduce a bill which will allow law enforcement to choose from