

Mr. NUNN. Mr. President, I say to my friend from Louisiana that the answer is yes. I will certainly continue to discuss any modification of this amendment that makes sense from the small business perspective, and also from the point of view of regulatory overload. This is a difficult area. None of us knows precisely what the numbers of regulations that are going to be affected here. So we are dealing with an unknown. But I do think that when we are in doubt, we ought to tilt toward not having a regulatory burden overwhelming the small business community. That would be my perspective. But I will be glad to continue to try to work with him in this regard because I know he has the same goal. We will continue to discuss it even as we debate it here on the floor.

Mr. JOHNSTON. Mr. President, I thank the Senator from Georgia for his answer.

Mr. NUNN. Mr. President, I yield the floor.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I withhold.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, first I want to thank my colleague from Georgia, Senator NUNN, for his dedication to this effort on behalf of small business. And we are all particularly sympathetic to the malady with which he returned from the recess. We wish him well soon.

I also want to answer the question of the Senator from Louisiana. As we continue through the process with Senator DOLE and his bill, we would obviously keep on the table discussions to try to facilitate his concern. We did not have enough time to talk a little earlier. But while we remain concerned about agency overload, I think the Senator from Louisiana would join with myself and the Senator from Georgia and others in sympathy for the overload that small business America has been suffering for too long, way too long.

Just to cite some of the figures, sometimes I think we forget what we are talking about when we talk about small business. There are over 5 million employers in the United States. Sixty percent of them are small businesses that have four—four—employees or less.

If you run a family business, or any endeavor, you understand what a limited resource that is standing against the aura of the Federal Government. I remember years ago walking into our family business. My mother had come down to help us. We had four—myself, my father, my mother and one other at that time. I looked across the table. She was just staring across the room. This is many regulations ago. I asked her what the problem was. She had some government form in front of her,

and she was literally scared to death. She was afraid that she was going to make a mistake that would somehow do harm to our family and our company. Even at that time it was threatening. And since that time—probably some 15 years ago—it has been regulation after regulation after regulation by the hundreds, by the thousands. People that had four employees or less had an enormous problem trying to respond to what all these regulations ask of small business.

Here is an even more startling figure. Of the 5 million companies, 94 percent have 50 employees or less. That means only 6 percent of the companies in the United States fall into this category where they have the kinds of resources—even as expensive as they are—to defend themselves.

Half the small businesses are started with less than \$20,000. More than half the 800,000 to 900,000 businesses that are formed each year will go out of business within 5 years. One of the reasons is they cannot keep up with what their Federal Government is demanding of them.

From 1988 to 1990 small businesses with fewer than 20 employees accounted for 4.1 million net jobs. Large firms—that is the 6 percent—lost half a million jobs.

The point I am making here is that these small businesses need a lot of nurturing and help and assistance from a friendly partner and not a lot of burden and bludgeoning from a bully partner. As we have restructured corporate America, it is the small business that has given us the most to be optimistic about. They are creative, they take risk, and they are hiring people. They are virtually the only sector right now that is hiring people.

The point I am making is that we need to underscore how much attention we as a Congress need to give to facilitating small business. We have a lot of financial problems in our country that we have to resolve in the very near term. That is what all the balanced budget fights are about. But one of the four key components to fixing our financial discipline today is to expand the economy. We have such a large economy that a modest expansion gives us enormous relief, and the one place that we have the best chance of expanding our economy is small business. It literally makes no sense for us to not only be not attentive to relieving them from regulatory burden and threat and cost, but we should be very focused on the reverse; that is, creating every incentive that we can think possible to aid and abet small business.

Mr. President, the Congress has recognized this for a long time. And in 1980, as Senator NUNN has acknowledged, the Regulatory Flexibility Act was enacted. The idea was we were already worried about what was happening to small business. We were already treating small business like it was General Motors. So the Congress passed legislation that made the Gov-

ernment begin to become more flexible to analyze the proportionate impact of regulations on small business. The problem was that it did not require a cost analysis and there was no judicial review. So it had been ignored far too much.

So while the Congress came forward and said we are going to do this, we are going to really try to improve the situation for small business, it was a hollow promise. It has not achieved what it set out to do.

So the Nunn-Coverdell amendment takes the Regulatory Flexibility Act—which we have already passed; we have already acknowledged the purpose—and it said it will have to have meaning. It already requires extensive review and analysis. So we are simply saying that it will have to add a cost analysis and that there is a regulatory review so that it is enforceable, so that what the Congress meant to do in 1980 will in fact happen in 1995, 15 years later. That says something else about our Government.

The Senator from Louisiana has raised a legitimate problem. We are concerned about the administrative functions of Government. But if I have to choose between where the balance of the burden should rest, should it rest on the U.S. Government, the EPA, OSHA, the Labor Department, and their millions and their thousands of employees, or should it rest on the little company in Georgia that has three employees? And if I have to pick between those two, I am going with the little company in Georgia. Given the scope of the resources both have, the problem is a lot more fixable from a burden standpoint on the part of the Government than it is on that little firm and thousands of, millions of, others like it across the country.

This is a good amendment. This will help small business. If we help small business, Mr. President, they are going to help America because they are going to hire people looking for a job by the millions. And they are going to expand our economy.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. I wonder if I might have a few minutes on another topic. Is the time divided?

The PRESIDING OFFICER. Time is not divided.

Mr. DOLE. If I may be permitted to speak out of order on two other matters.

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

FAILED APPROACH IN BOSNIA

Mr. DOLE. Mr. President, as the Serbian advance on Srebrenica continues, the administration, the U.N. bureaucracy, and some of our allies are busy defending their failed approach in Bosnia. They argue that the Bosnians are better off if the U.N. forces stay in

Bosnia, that lifting sanctions on Serbia is the key to peace, that the Serb air defenses do not pose a threat to NATO air crews—the news from Bosnia notwithstanding.

In his response to a letter from Speaker GINGRICH and me, the President stated that he believed that the United States must support the U.N. protection forces' continued presence in Bosnia. He said that UNPROFOR had played and was playing a "critical role" in diminishing the conflict and was assisting the U.N. high commission on refugees in providing aid to the Bosnian population.

In order to believe that the United States and European approach in Bosnia is working, one simply has to play a game I call "let's pretend." The rules are simple. It goes like this:

Pretend that the U.N. forces are delivering humanitarian aid to those in need;

Pretend that the U.N. forces control Sarajevo airport;

Pretend that the U.N. forces are protecting safe havens such as Sarajevo and Srebrenica and that no Bosnians are dying from artillery assaults and shelling;

Pretend that there is a credible threat of serious NATO air strikes;

Pretend that the no-fly zone is being enforced;

Pretend that Serbian President Milosevic is not supporting Bosnian Serb forces;

Pretend that Bosnian Serb air defenses are not deployed against NATO aircraft and are not integrated into Serbia's air defense system.

Pretend that the rapid reaction force will react forcefully and rapidly under the same U.N. rules of engagement which have made UNPROFOR impotent;

Pretend that U.N. forces can stay in Bosnia forever and that we will never have to contemplate U.N. withdrawal.

Mr. President, if you can pretend all of the above, you can easily accept the administration's defense. On the other hand, if you react to reality and do not engage in multilateral make-believe, then you will not be persuaded by the administration's case. Without taking the time to review the last year or two or three in Bosnia, let us just look at the reports from the last week or so:

In Srebrenica, a so-called U.N. designated safe area, Serb forces overran U.N. observation posts and Serb tanks are within a mile of the town center—in fact, we have just had a report that they are even closer than that;

In Sarajevo, the hospital was shelled and more children were slaughtered;

Information surfaced that Bosnian Serb air defenses are tied into Belgrade's air defense system;

The no-fly zone was violated and NATO did not respond;

U.N. envoy Akashi assured the Bosnian Serbs that the United Nations would continue business as usual in the wake of the downing of U.S. pilot O'Grady and the taking of U.N. hostages.

Mr. President, these are only a few examples of the reality in Bosnia. It is this reality that should drive U.S. policy. It is this reality that has moved the Bosnian Government to reassess the U.N. presence in Bosnia. It is this reality that should prompt us to do the same.

The fact is that despite the presence of over 25,000 U.N. peacekeepers and despite the impending arrival of the rapid reaction force, the Bosnians are still being slaughtered, safe areas are under siege, and the United Nations continues to accommodate Serb demands and veto even limited military action designed to protect United States air crews. The fact is that the United Nations has become one of the means of securing Serb gains made through brutal aggression and genocide.

As Jim Hoagland aptly pointed out yesterday in the Washington Post, and I quote,

The war has now reached a point where the U.N.'s value free equation of Serbs who are willing to kill with Bosnians who are willing to die cannot be sustained and cannot be allowed to spread deeper into the Clinton administration which too docilely accepted Akashi's veto on retaliation. Americans will no long support humanitarianism based on self-serving bureaucratic cynicism and fear.

Not my quote but a quote in the Washington Post from Jim Hoagland, who, I must say, has had a shift in his thinking recently.

The time for make-believe is over. The United Nations mission in Bosnia is a failure. The Bosnians deserve and are entitled to defend themselves. The United Nations must begin to withdraw and the arms embargo must be lifted. Therefore, I intend to take up a modified version of the Dole-Lieberman arms embargo bill following disposition of the regulatory reform bill.

Mr. President, I think every day it is worse and worse, if it can become worse, in Bosnia, particularly for the Bosnians. It seems to me it is high time to act.

I ask unanimous consent that the entire column in the Washington Post by Jim Hoagland be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 9, 1995]

BOSNIA: THE U.N.'S MORAL ROT

(By Jim Hoagland)

The Serb missilemen who shot down Capt. Scott O'Grady's F-16 over Bosnia committed attempted murder and got away with it. After a month, there has been no American retaliation for an act of treachery that once would have brought the heavens down on its perpetrators.

Understand why the American government swallowed this humiliation (without even a serious denunciation of the Serb politicians in Belgrade who oversaw the shoot-down), and you understand why the international effort in Bosnia has failed so miserably—and why it should now be terminated.

A line has been crossed in Bosnia, a line that separates humanitarian impulse from moral rot; a line that divides ineffectiveness from dishonor. The United Nations is now on

the wrong side of that line, protecting the Serbs (and the status quo) from retaliation for having downed O'Grady and for killing, wounding, imprisoning and harassing British, French, Spanish, Danish and other soldiers operating in Bosnia under the U.N. peacekeeping flag.

This can only undermine U.S. and European support for keeping those troops there and continuing an arms embargo against Bosnia. It is now embarrassingly evident that in Bosnia and elsewhere U.N. "humanitarian" operations are guided by bureaucratic dedication to career and organization. There is no room for justice, or for outrage over the Serbs' long record of atrocity and betrayal, in the mandate of Yasushi Akashi.

These are the two straws that break the United Nations' back in Bosnia:

(1) Akashi, the Japanese diplomat who is Secretary General Boutros Boutros-Ghali's representative in Bosnia, actively blocked French and British efforts to form outside the U.N. command a rapid reaction force to strike back at the Serbs after hundreds of peacekeepers were taken hostage by the Serbs and then released in June.

The rapid reaction force will be under Akashi's control and will observe the same peacekeeping rules imposed on the 22,500-man international army already there, Akashi promised the Serbs in a secret letter disclosed to reporters by the Bosnian government.

The new troops, like the old troops, will not be permitted to make distinctions between Serb aggressors, who have "ethnically cleansed" Muslim territories and the forces of the U.N.-recognized Bosnian government trying to regain its lost lands. If Akashi has his way, the United Nations will go on equating Serbs who blockade food shipments with Bosnians who starve because those shipments do not get through.

(2) Following O'Grady's escape, Akashi, with the backing of France and Russia, vetoed any new bombing raids on the Serbs. The U.S. Air Force was denied the chastising effect of retaliation and the preemptive protection of taking out Serb anti-aircraft missile batteries that are linked to computer networks controlled from Belgrade.

The chilling hostage-taking changes nothing, except to make the United Nations command even more timid. The murder attempt on O'Grady changes nothing except to end effective enforcement of the no-fly zone over Bosnia. Score in this exchange: Serbs everything, U.N. nothing.

That is galling, but it is now probably too late to fix. "You have to respond immediately," Sen. John McCain (R-Ariz.), a fighter pilot in Vietnam and prisoner of war for 5½ years, told me. "I don't think you can retaliate a month or two later and expect to have any effect."

But McCain also made this telling point: "We made a mistake in not publicizing the fact that this shoot-down could not have happened without the Belgrade computers the missile batteries are hooked up to. Instead the administration is constantly sending an envoy" to negotiate with Serb President Slobodan Milosevic—suspected by some in U.S. intelligence of having given the order both for the downing of the F-16 and the grabbing of the U.N. soldiers.

This is how moral rot spreads. The United Nations once served as useful political cover for the major powers, who wanted to limit their own involvement in the wars of ex-Yugoslavia. The administration was right to try to minimize the dangers of rupture within NATO over a unilateral U.S. lifting of the arms embargo against Bosnia.

But the war has now reached a point where the U.N.'s value-free equation of Serbs who are willing to kill with Bosnians who are

willing to die cannot be sustained and cannot be allowed to spread deeper into the Clinton administration, which too docilely accepted Akashi's veto on retaliation.

Americans will not long support humanitarianism based on self-serving bureaucratic cynicism and fear. For better or worse, American participation in the arms embargo will soon come to an end and NATO member troops will come out. The war is going to get bloodier. And the bureaucrats of the United Nations, who now pursue policies that profoundly offend a common sense of justice and decency, will not be blameless for this happening.

RELATIONS WITH VIETNAM

Mr. DOLE. Mr. President, news reports indicate that President Clinton is on the verge of making a decision about normalizing relations with Vietnam. I understand an announcement may come as soon as tomorrow. Secretary of State Warren Christopher has recommended normalization. Many Vietnam veterans support normalization—including a bipartisan group of veterans in the Senate, led by the senior Senator from Arizona, JOHN MCCAIN. Many oppose normalization as well. Just as the Vietnam war divided Americans in the 1960's and 1970's, the issue of how to finalize peace with Vietnam divides Americans today.

At the outset, let me observe that there are men and women of good will on both sides of this issue. No one should question the motives of advocates or opponents of normalization. We share similar goals: Obtaining the fullest possible accounting for American prisoners of war and missing in action; continuing the healing process in the aftermath of our most divisive war; fostering respect for human rights and political liberty in Vietnam.

I can recall in, I think, 1969 attending the first family gathering of POW's and MIA's. Only about 100 people showed up. I think I may have been the only Senator there. And I promised that group that within 3 months we would have a meeting at Constitution Hall, which seats 2,000 people, and we would fill it up. And we did. And I remember wearing the John McCain bracelet for a couple of years back in those days when JOHN MCCAIN was still a POW.

So I have had a long and I think consistent interest in the fate of POW's and MIA's starting way back when nobody knew the difference, when bracelets were not ordinary, nobody knew what a POW/MIA was for certain. And so it is something that I have had an interest in for a long, long time.

The debate over normalization is about our differences with the Government of Vietnam, not with the Vietnamese people. The people of Vietnam have suffered decades of war and brutal dictatorship. We hope for a better future for the people of Vietnam—a future of democracy and freedom, not repression and despair.

The debate over normalization is not a debate over the ends of American policy; it is a debate over the means. The

most fundamental question is whether normalizing relations with Vietnam will further the goals we share. In my view, now is not the time to normalize relations with Vietnam. The historical record shows that Vietnam cooperates on POW/MIA issues only when pressured by the United States; in the absence of sustained pressure, there is little progress on POW/MIA concerns, or on any other issue.

The facts are clear. Vietnam is still a one party Marxist dictatorship. Preserving their rule is the No. 1 priority of Vietnam's Communist Government. Many credible sources suggest Vietnam is not providing all the information it can on POW/MIA issues. In some cases, increased access has only confirmed how much more Vietnam could be doing. This is not simply my view, it is a view shared by two Asia experts—Steve Solarz, former chairman of the House Subcommittee on Asia and Pacific Affairs, and Richard Childress, National Security Council Vietnam expert from 1981 to 1989. Earlier this year, they wrote:

Vietnam could easily account for hundreds of Americans by a combination of unilateral repatriation of remains, opening its archives, and full cooperation on U.S. servicemen missing in Laos.

Again, not my quote but a quote by the two gentlemen mentioned. They conclude that,

Whatever the reasons or combination of reasons, Vietnam, in the current environment, has made a conscious decision to keep the POW/MIA issue alive by not resolving it.

This is a view shared by the National League of POW/MIA families which has worked tirelessly to resolve the issue for many years. It is also a view shared by major veterans groups, including the American Legion, the largest veterans group. The media have reported that the Veterans of Foreign Wars, the second largest group is supportive of normalization. Let me quote from VFW's official position adopted at its 1994 convention:

At some point in time but only after significant results have been achieved through Vietnam/U.S. cooperative efforts, we should . . . move towards normalizing diplomatic relations.

A more recent VFW statement makes clear that normalization is not opposed by the VFW if it leads to a fuller accounting of POW/MIA cases.

If President Clinton intends to normalize diplomatic relations with Vietnam, he should do so only after he can clearly state that Vietnam has done everything it reasonably can to provide the fullest possible accounting. That is the central issue. The United States has diplomatic relations with many countries which violate human rights, and repress their own people. But the United States should not establish relations with a country which withholds information about the fate of American servicemen. As President-elect Clinton said on Veterans Day, 1992, "I have sent a clear message that there will be no normalization of relations with any

nation that is at all suspected of withholding any information" on POW/MIA cases. Let me repeat: "suspected of withholding any information." Let me repeat, "suspected of withholding any information" on POW/MIA cases. I hope the standard proposed by President-elect Clinton is the same standard used by President Clinton.

No doubt about it, the Vietnamese Government wants normalization very badly. Normalization is the strongest bargaining chip America has. As such, it should only be granted when we are convinced Vietnam has done all it can do. Vietnam has taken many steps—sites are being excavated, and some remains have been returned. But there are also signs that Vietnam may be willfully withholding information. Unless the President is absolutely convinced Vietnam has done all it can to resolve the POW/MIA issue—and is willing to say so publicly and unequivocally—it would be a strategic, diplomatic and moral mistake to grant Vietnam the stamp of approval from the United States.

I ask unanimous consent that the article from which I quoted earlier be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the San Diego Union-Tribune, Mar. 19, 1995]

PRISONER ISSUE CONTINUES TO TAINT RELATIONS

(By Richard T. Childress and Stephen J. Solarz)

Although the U.S. trade embargo with Vietnam has been lifted and consular-level liaison offices have been opened, relations between the United States and Vietnam are far from normal. The major remaining bilateral obstacle, the POW/MIA issue, is still cited by the Clinton administration as the primary impediment to normalization.

Multiple intelligence studies from the war through today conclude that Vietnam could easily account for hundreds of Americans by a combination of unilateral repatriation of remains, opening of its archives and full cooperation on U.S. servicemen missing in Laos, 80 percent in Lao areas controlled by the Vietnamese during the war.

While joint Vietnamese-American efforts to excavate aircraft crash sites and otherwise "clean up the battlefield" will continue to provide some accountability, it will not be enough. What is needed is a decision by Vietnam's ruling politburo to resolve the core POW/MIA cases, including those Americans last known alive in the custody or immediate vicinity of Vietnamese forces. That decision has not been made.

Reasons offered for this have included a divided politburo, a desire to exploit the POW/MIA issue for future financial or political advantage, a continuing residue of hostility or hatred toward Americans in Hanoi's ministries of interior and defense, and a fear of embarrassment. Some also speculate that Vietnam's leadership fears the United States will "walk away" once the issue is resolved.

Whatever the reason or combination of reasons, Vietnam, in the current environment, has made a conscious decision to keep the POW/MIA issue alive by not resolving it.

This fundamental aspect of Vietnamese emphasis on the POW/MIA issue has been central from the Paris negotiations in 1968-