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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

In the 13th century, Richard of Chichester prayed:

''Day by day, dear Lord, of Thee three things I pray:

''To see Thee more clearly,

''To love Thee more dearly,

''To follow Thee more nearly.''

This is our longing for this new day, dear God. Help us to see You in the beauty of the world around us, in the never to be repeated miracles of Your grace, in the people of our lives, and in Your providential care in timely interventions to help us in the circumstances of life. Yes Lord, we do want to see You more clearly.

We love You not just for what You do for us, but most of all, for who You are. Your loving kindness, mercy, and faithfulness are our stability in a world of change. You are our help when we are helpless, our hope when we are tired in body and troubled in mind. Yes Lord, we do want to love You more dearly.

We hear Your summons to follow You sounding in our souls. We commit ourselves to walk humbly with You through this day. May we neither run ahead of You or lag behind, but keep pace with You. Help us to know what You desire and give us the strength to do what love requires. Yes Lord, we do want to follow You more nearly. In the name of Jesus, amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Mr. DOLE, is recognized.

SCHEDULE

Mr. DOLE. Mr. President, for the information of all of my colleagues, we have morning business until 2 p.m. today with Senators to speak for up to 5 minutes each, except for the following: Senator DASCHLE, or his designee, 60 minutes; and Senator THOMAS for 60 minutes.

It is possible that the VA–HUD conference report will arrive from the House today. If that should happen, we will take that up today. Therefore, rollcall votes are possible during today's session.

As my colleagues know, the budget negotiations are underway. They start at 11 o'clock in the morning, and they meet again in the afternoon. So that will be an ongoing process, and I assume for the next 8 to 10 days.

If we can complete action on VA–HUD and send that to the White House, that would still leave five appropriations bills that have not been acted upon.

I am hoping the President will sign the Defense appropriations bill today. If not, it will become law, which will occur at 12 midnight today. It is a very important bill, and particularly important in view of the President's plan to deploy 20,000 American troops in Bosnia because it contains money for that purpose. It is my hope that the President will sign the bill.

(Mr. FRIST assumed the chair)

RECESS

Mr. DOLE. Mr. President, I move that the Senate stand in recess until 11 a.m.

The motion was agreed to, and, the Senate, at 10:04 a.m., recessed until 11 a.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. CAMPBELL].

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m., with Senators permitted to speak for up to 5 minutes each.

The Chair, in his capacity as a Senator from the State of Colorado, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator has 1 hour.

FRESHMAN FOCUS

Mr. THOMAS. Thank you, Mr. President. I do not intend to take the hour.

We did set aside some time, however, and I hope to be joined later by some of my colleagues from the freshman class who have sought to come to the floor from time to time to talk a bit about what, in our view at least, our collective view, we are seeking to do during this session of Congress. What we have sought to do, of course, along with the other Senators in this body, throughout this year, is to make some substantial changes.

I think those of us who have just come this year perhaps feel more strongly about making changes, more strongly because we are not as wedded to the operations that have gone on here for 30 years as some may be. I think we are probably more sensitive to voters, having just come fairly recently off an election, an election in

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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which most agree that people said we have too much Government, it costs too much, we need to be as fiscally and financially responsible as a country as you and I expect to be as individuals in our families and our homes and our businesses.

So we feel very strongly about that. Balancing the budget has been and continues to be the prime issue, I think, for a number of reasons, not only because of the arithmetic, not only because for 30 years this Congress has not balanced the budget. We have spent more than we have taken in for a very long time. In order to do that, we have maxed out our credit card. We have charged it to our children and to our grandchildren and continue on at that rate, continue on to add to the debt to where we now have a $5 trillion debt, which is more money than most of us can imagine. Maybe even more directly, we have an interest payment every year we must make of $260 billion, probably next year the largest single line item in the budget, one that, of course, cannot be adjusted or changed. If it continues to grow at the rate it has, it will absorb more and more of the available funds.

So, balancing the budget is something that we have not paid a lot of attention to, collectively, over the years. The deficit sort of happened. Nobody felt much pain, and we continued to do that. It is financially irresponsible. As we look to moving into a new century we must ask ourselves, I think, what kind of a Government, what kind of a country do we pass on? One that is continuing to grow a $5 trillion debt, adding on every day? Or do we, in fact, want to make some changes that will bring about different results?

In addition to that, however, balancing the budget has some other fundamental changes. It has to do with spending. I suppose you can balance the budget by raising income, raising taxes, raising revenue, which of course was what the President did in 1993. It was the largest tax increase the world has ever known. It did, to some extent, reduce the deficit. I guess you can do that. The real issue, however, is what do you want to do about spending? If, in fact, the message was that Government is too big and spends too much, then in addition to balancing the budget, you also have to balance it on the basis of holding spending, or at least reducing the increase in spending, which has an impact on Government. If you have too much Government, if you have too much regulation, if Government is too intrusive in your life—as many people believe it is, as I believe it is—then balancing the budget and the level of spending have something to do with that.

I have a hunch that one of the rules of nature or science or whatever is that government grows to the extent possible by available funds and available debt. Until you do something about that, it continues to grow. So this has been the pivotal issue and continues to be. We have done a number of things this year with respect to it. One of the early ones was to seek to have a balanced budget amendment to the Constitution. I support that idea. Some do not. Some say you do not need to do it. You do not need to tamper with the Constitution. You just do it.

The evidence is that does not work very well. We have been saying that for a long time. It has not happened. It has not happened. Others say we just have to get at it. I am for a balanced budget amendment, but that proposal died by one vote here in the Senate. I believe it is necessary, frankly, to have a constitutional amendment to provide some discipline. Public bodies are awfully hard to discipline. Everyone comes from a constituency. Everyone has a constituency that needs a new bridge or new road or whatever. So it is very difficult to have the discipline to say no to some things, to live within a budget. The constitutional restraints help do that. I come from a State that requires a balanced budget in the State constitution. And no one thinks a lot about it. We know that you cannot spend more than is available, more than you take in. So you have to make adjustments. I think it is a great idea.

One of the problems with spending in this country is that we are over here talking about the benefits of spending but we do not then relate it to the cost of paying for it. One of the simplest and most direct cost-benefit ratios comes from the local school district. You say to the constituents that we need a new junior high, and it is going to cost you $220 a year on your property tax. So you say to yourself, OK, is it worth $220 a year? Then you go vote, and you decide based on what the benefits are of the school based on what it is going to cost. We are too far removed from that on the Federal level. So spending is over here. You pay for it over here, and the two never come together in terms of a cost-benefit ratio. That is not good for government.

So we did not get a balanced budget amendment. So then we set about to balance the budget over a period of 7 years by doing it through appropriations, and beginning to decrease the growth of spending in appropriations. And we have worked on that all year and have not yet finished, as a matter of fact.

I introduced yesterday a bill that would provide for a biennial budget, thinking we would be much better off if we had a 2-year budget so that at some time, when we would get through doing appropriations, we would have time to do other things like health care, and environmental issues, and have oversight of the spending that we have approved. At any rate, that is another matter. We are still working on it. It is not finished.

We still have out of the 13 appropriations bills I think 7 that are not completed. That is what brought us, of course, to the shutdown of the Government several weeks ago and to the controversy over that which allows for the potential of another one on the 14th or 15th of December when this continuing resolution runs out.

Some folks in the media have said, ''Oh, my gosh. That is just an adolescent food fight going on in Washington. These guys ought to grow up.'' It is not that, Mr. President. It is a very fundamental controversy over the direction of this Government—whether you are going to continue to spend more and more, or whether you are going to reduce the level of spending and come to a balanced budget. That is what it is about.

You will recall in the last one the confrontation between the Republicans and the Democrats and the administration, which turned out to be a continuing agreement that said, yes, we will have a balanced budget. We will participate in putting together a balanced budget. We will commit to a balanced budget. We will commit to a balanced budget in 7 years, and we will commit to a balanced budget that is based on real numbers, in this case the Congressional Budget Office numbers. However, there were some other words added—some words that are a little less easy to define, such as we are going to protect Medicare, we are going to protect Medicaid, we are going to protect farmers, and we are going to protect the environment. I do not know what that means. I suppose protection of those things can be interpreted to mean many things. So that is where we are.

In addition, of course, to the appropriations comes a balanced budget bill which makes the changes in programs necessary to over 7 years balance the budget. The toughest ones are entitlements. Congress really has very little to do with the amount of money spent on entitlements. You set up an entitlement. If you qualify, you get paid. Welfare is one. So if you really want to do something about the rate of growth, you finally have to do something about entitlements.

That is what this is about—and welfare, to make block grants to the States so that they can, indeed, find growth that fits. My State of Wyoming has different needs than Pennsylvania or New York. So the block grants would allow for States to have the flexibility to put together programs that do work.

Medicare—to change Medicare so that it does not go broke in the year 2002, and, if we do not change it, it will. The question is not whether you do something. The question is what do you do if you want to continue to have health care for the elderly.

So what has happened is that I think some have taken the position that we need to make the changes needed, that you are going to have different results, and you have to do some things differently. Others have said, ''Well, I really do not want to do that. We can talk about balancing the budget, but I am not sure I am for that today.'' Everyone who stands up starts by saying,

''I am for a balanced budget'' and then goes on for another 30 minutes announcing why he cannot, and becoming a defender of those programs which are kind of scare tactics. Some have called it mediscare, and somehow you are going to do away with the benefits. It is not true, of course. We reduce the growth rate from 10.5, to 6.5. We reduce the amounts available per beneficiary that will grow $4,700 to $6,700 over this 7-year period.

So they say, ''Gosh. This is radical stuff. And you are tearing it all apart.'' Let me see how radical you think some of this is.

Mandatory Medicare spending will increase each and every year from $178 billion in 1995 to $289 billion in the year 2002. That is a 62-percent increase. That is radical reduction? Overall mandatory spending—overall mandatory spending would increase in each and every year from $739 billion in 1995 to $1.93 trillion in 2002, a 48-percent increase. Overall, Federal outlay—listen to this—will increase every year from $1.518 trillion in 1995, what we spend now, to $1.856 trillion in 2002, a 22-percent increase in total spending. But if you listen to some of the Members of this body, if you listen to the media, draconian cuts are taking place. And we are going to do something about it.

Here is what the minority leader said:

> So, if we cannot get the Republicans to come off those extreme positions, then I think we are advantaged in not reaching an agreement.

Mr. President, reaching an agreement is I believe our responsibility. I believe it is the thing that we have to do.

I forgot to mention, of course, that what is going on here is the President has submitted two budgets, and neither of them balance. Neither of them were accepted. Neither of them have gotten any votes in this Senate.

So we have to say, Is there a real effort made to do this? I hope so. I hope so. Collectively, for this country we need to make a move to balance the budget. We have the best chance we have ever had. We are on the way to doing that. We can do it in 7 years. We can do it with real numbers. We can do it, and provide the benefits that need to be provided. We simply need to have the will. Frankly, we need to have the will to come to the snubbing post, and say, ''Here is what we need to do.''

Now the notion is that it is all pain. Let me tell you it is not. A balanced budget will bring a good deal of stability to this country that will help the markets, that will reduce interest rates so that on your home, as some have suggested, it could be up to $2,000 a year in savings in interest on a long-term date.

Mr. INHOFE. Will the Senator yield?

Mr. THOMAS. Certainly.

Mr. INHOFE. I have been listening to the Senator from Wyoming. He hit upon something here I do not think people are fully aware of or sensitive to, and that is the effect what we are doing here is having on the markets. We keep hearing if something happens, that there is an impasse, it is going to have a deteriorating effect. The markets have been very good. Interest rates are low. Things are going very well right now mostly because of the anticipation of the fact we are going to have a balanced budget.

I can remember so well, as the Senator can remember, when we had the discussion on the balanced budget amendment to the Constitution, and we lost it by one or two votes and what happened to the markets after that and the devaluation of the dollar against the yen and the mark. The deterioration was unprecedented. And so I would suggest that what the Senator from Wyoming says is true. There is nothing we could do that would enhance the optimistic future of the economy than to go ahead and take this Balanced Budget Act of 1995 and pass it.

I do not think most people are aware, Mr. President, that we have passed a Balanced Budget Act of 1995 which essentially does what the President committed to do during the last continuing resolution. It does provide for a balanced budget, and it uses real numbers, CBO numbers, those numbers that come from the Congressional Budget Office, which the President stood before a joint session of the legislature and said is the most reliable source that we can use, so we can end smoke and mirrors and we can handle what is out there.

The thing that concerns me more than anything else, and I ask the Senator from Wyoming if he agrees, is that we have passed a budget. It does what the American people asked us to do in November of 1994. And the President does not have a budget. So while I am not in on the negotiations, how do you negotiate when you have a budget and the other side does not have one? I wondered if the Senator had figured that out yet.

Mr. THOMAS. Mr. President, the Senator from Oklahoma asks a difficult question. I do not know, nor am I in on the negotiations. If there is bona fide negotiations, both sides need to put their proposals on the table and find some common ground and there can be some adjustment.

I think the key feature to the Republican proposal to balancing the budget is to have a spending limit. Within that spending limit, there are choices, priorities of how you do that. The key is to be able to have projections out into the future using CBO numbers with the contribution of the OMB and whoever else has knowledge, to have that projection and use the same numbers so that you are not using smoke and mirrors. Most anybody can balance the budget if they find some numbers that show revenues increasing out all the time and then it does not materialize. We have done some of that before. On the contrary, we ought to use the more conservative number so if we are wrong, we will err to have more surplus rather than less and add that to the reduction of the deficit and keep spending down.

So the Senator from Oklahoma is exactly right. If there is going to be bona fide negotiation, you need to come to the table with some ideas. And we are dedicated to doing that. So I hope that we do.

Let me yield the floor so that my friend from Oklahoma may proceed.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. I thank the Senator for yielding.

CRITICAL TIMES IN AMERICA

THE BUDGET NEGOTIATIONS

Mr. INHOFE. Mr. President, I wholeheartedly agree with the Senator from Wyoming. I have to say also that the people of Oklahoma, a lot of times—say you are reading these polls, and people are saying, well, we really do not want to balance the budget yet; let us wait until the President gets back; we do not want to be too harsh. There is a myth that is floating around that we are going to be cutting Medicare when in fact we are saving Medicare, and without our doing that, according to his own board of trustees, Medicare would go under.

I believe that when I go back, as I do every weekend, to Oklahoma and I talk to what I refer to—and it has offended several people in this Chamber—as real people, they tell me that they do not want us to back down. They say that this is our opportunity to have a balanced budget.

I can stand on the floor of this Senate and say in my honest opinion this is the last opportunity probably in my lifetime that we will have to have a balanced budget. And if we cave in now, we are not going to be able to have it. I do not think we will have another chance. And I think the President has every intention of having us cave in because he has a lot of discretionary programs he wants to keep funding. He is holding on to the past with white knuckles, to the last 30 years of reckless spending that has brought us where we are today, and he is trying to use the very sensitive argument that we cannot do this to all these people, that there are all these programs that are going to be cut, which are not going to be cut.

I would say that if you want to make a moral issue out of this, the moral issue is to go ahead with this, with the Balanced Budget Act of 1995, which passed in this Chamber and they passed in the House of Representatives, and get this passed because if we do not do it, we know what we are subjecting our future generations to. Many Members in this body are much younger than I am, and they have young families. I have grandchildren coming up now. One is due any minute now. If we do not change the trend that we established in the 1960's and that has continued until today, a person born today is

going to have to pay 82 percent of his or her lifetime income just to service the Government.

I do not think that is what we want. I know that is not what the American people want. But some people just do not want to change. Some people refuse to look at the elections and the post-election analyses and polls that said very distinctly that the American people in November 1994 voted for a change, a change from the Great Society programs of the 1960's that have been perpetuating themselves and growing ever since then. So I think this is the last chance we have.

This is our last stand. I encourage the negotiators to keep that in mind. I am talking about Republicans and Democrats. It is too important to future generations.

U.S. TROOPS IN BOSNIA

It is ironic now that we have two things that are going on that are very, very critical to all of America, not just this budget matter that we have been talking about—and the distinguished Senator from Wyoming is right when he draws the attention to the significance of what is going on—but something else is happening, too. My frustration, which I have expressed in the Chamber every day for the last several days, is that while the President is out rejoicing in his new posture of being the international peacemaker in Belfast and other places, time is going by and American troops as we speak are being sent to Bosnia. It goes all the way back to 2½ years ago when this President made a decision to do airdrops into Bosnia. I can remember serving in the other body at that time and asking the question: You are doing airdrops. How do you know that the stuff you are dropping is going to the good guys instead of the bad guys? And the response in that committee meeting was: ''Well, we do not know.'' There was a hesitation. This was the military talking: ''I am not sure that we know who the good guys and the bad guys are.''

I think if you take any snapshot in the history of Bosnia over the last 500 years, you could come to the conclusion legitimately that the Serbs are the bad guys or the Croats are the bad guys or even the Moslems are the bad guys. If you look at what has happened in the last week over there, people have been killed, tortured; there have been uprisings. I read from several articles yesterday of the hostile area and what is happening over there.

The mayor of a town not far from where the Senator was when he was over there said, speaking in behalf of the people—we hear a lot of the military, of the three known factions and of the rogue groups that are over there but these are civilians—he says, ''We will still fight, and if the multinational force tries to drive us from our homes or take away our right to defend ourselves, there will be no authority on Earth, including the Serbian authorities, that can stop us. We will not leave, we will not withdraw, and we will not live under Moslem rule.''

This is coming from an area that is going to be under Moslem rule if this initial peace accord would take place. And you have another big group, too, not just those who have found happy homes and feel that they ought to be able to stay in those homes. You also have what I have been stating as 3 million, but I know the conservative figure is 2 million, refugees that we can identify in those areas, and they are scattered throughout Bosnia. We have heard from all of the sources—our Embassy people, the military people, U.N. people, Gen. Rupert Smith, the British general who is in charge of the U.N. forces in Bosnia, as we speak—that more than 50 percent of these 2 million refugees, under the plan that we have here, will not be able to return to their homes.

What does a refugee want to do? If you have peace, it means you get to go home. More than half of these will not get to go home. So you are going to have new rogue elements rising up.

Just this morning in the newspapers—I will just read one part of an article here that said, ''The worst problem though is likely''—keep in mind this is an article that showed this morning 10 more American soldiers showed up. There are only 10. I understand that is not a very large number. But tomorrow it will be 10 more, the next day 10 more; then larger and larger numbers will be coming because that is the President's plan, as he hides over in Europe and allows more and more of our soldiers to go over to put us in a position where we have to support him to send ground troops in.

> The worst problem though is likely to be minefields. There are believed to be millions of mines of all shapes and sizes in the Tuzla region. There are mines everywhere. And neither side has maps. We have to move one centimeter at a time.

This is a quote from the lieutenant colonel who works directly under General Haukland, the Norwegian general that I talked to in Tuzla. He also said that in the past 3 weeks his men have demined nearly 300 yards of road. Heavy snowfall will only complicate the problem. This is the very ground that I stood on 3 weeks ago in the Tuzla area. There are only two Members of Congress who went up into that area, Senator HANK BROWN from Colorado and myself. We stood there. And I can tell you that there are mines there. These reports are accurate. That is where we are going to be having some 25,000 Americans up in that region.

Yesterday we showed a map—and I said, I do not know who did the negotiating for the United States of America—where we ended up with the northeast sector, the most hostile area. But that is where we are. And we are there very clearly today.

So, that is what we are faced with. And I think it is time to draw some other lines, too. I know that the President is over in Europe right now, believing that we are going to end up being able to vote to support his program.

Let me just serve notice to the U.S. Senate at this time, there are not going to be any free rides on this deal. A lot of people are saying, well, let us have a weak resolution or wait until we have so many troops over there and say we are going to support our troops. Sure we are going to support our troops. But now is when we can make a decision and say, ''Mr. President, you are wrong. We do not want you to send ground troops into Bosnia.''

There is going to be a recorded vote. We might as well know it. By the way, I went back and did some research just this morning. If you remember back in 1991, when George Bush was President of the United States, George Bush wanted to send troops into the Persian Gulf. We all recognized that we did have strategic interests in the Persian Gulf. Our ability to fight a war was dependent upon our protecting those interests in the Persian Gulf.

There are no strategic interests in Bosnia. But I would like to read some things. I am reading this for one reason; that is, that there was a lunch that took place just a couple days ago where the President talked to the Democrats of this Senate. And the word I got is they are all going to line up, that they all agreed that they would support the President in sending ground troops in.

Mr. THOMAS. Will the Senator yield for a minute?

Mr. INHOFE. Yes.

Mr. THOMAS. This has been an interesting process. Certainly everyone subscribes to the notion that the President has some authorities—in the case of emergencies and in the case of war. But it seems to me that the Congress also has some responsibilities as representatives of the people. It seems to me what has happened is when we get into these situations, like in Bosnia—it has been going on now for 3 years—and then there comes, ''Well, we're going to have a peace agreement, so we can't talk to you about it until we get a peace agreement. We don't want you to get involved here until there's a peace agreement.'' Then when there is a peace agreement, the answer is, ''Well, we've already got a peace agreement, so there's nothing for you to do.''

Does it strike the Senator that we are essentially being left out of any decisions, those of us who represent our States?

Mr. INHOFE. That is exactly what is happening, I would respond to the Senator from Wyoming. I am particularly sensitive to this because I serve on the Senate Armed Services Committee. Let us take this out of a partisan realm, because I opposed—it was George Bush, not Bill Clinton, who originally sent troops into Somalia. I was opposed to it at that time. It was supposed to be, as I recall, a 45-day humanitarian mission to open up the routes so we could send humanitarian goods in.

Then, of course, he went out of office. President Clinton came in. And each month—and the Senator from Wyoming will remember this because he and I were both serving in the other body when this happened—each month we sent a resolution to the President saying, bring back our troops from Somalia. We did not have any strategic interest there that related to our Nation's security. And he did not do it. And he did not do it. And he did not do it. It was not until 18 of our Rangers were brutally murdered in Somalia and their corpses dragged through the streets of Mogadishu that the people finally stood up and said, ''We have had enough,'' and we brought them home.

I do not want that to happen in Bosnia. But the Senator is exactly right, the President sends these troops all over the world. Then he comes back for an emergency supplemental. That puts us in the position that, if we do not vote for the emergency supplemental which might violate everything we are trying to do with our budget balancing effort, he will take the amount of money out of the existing military budget, which is already down to the bare bones anyway. We went through this in this Chamber just a few weeks a ago, a $1.4 billion emergency supplemental to take care of all these Haiti and Somalia episodes.

Now there is some talk about the cost of this war in Bosnia. They are trying to say it is between $1.5 and $2 billion. The cost figures that I get are far greater than that. There have been many people who have evaluated that and come up with figures from $4.5 to $6 billion. So there is a dollar consideration here as well as a human life consideration.

The Senator is exactly right, we are being put in a situation where the people of this Nation cannot be heard in decisions as critical as risking American lives in a war-infested place like Bosnia. We are irrelevant. It does not matter what we say or do. This is what the President apparently is telling us.

But I was going to go back in history to 1991 just for a moment to read some of the arguments that I heard from the other side of the aisle. I repeat again, there are not going to be any free rides on this thing because we are going to have recorded votes. I will not mention the names of all of them because I do not think doing so would serve any useful purpose, but these are mostly in the leadership of the Democrat side, those who I understand are going to be supporting the President in his effort to send 25,000 or more troops into that war-infested area.

''Some argue that we must go''—this is 1991. This is when we had security interests in the Persian Gulf. ''Some argue that we must go to prevent a coalition from falling apart. I disagree. The use of American military should not be a substitute for the weakness of any coalition. America is not 911 for every problem.'' I would say there is no more accurate statement that could describe what has been happening up in Dayton, OH, for the last several weeks.

Here is one here. It says, ''The worst-case scenario''—again 1991, Democrats arguing against sending troops into the Persian Gulf. ''The worst-case scenario could have us losing thousands and thousands of young Americans. The worst-case scenario could have us bogged down for months and months and maybe years. This is not an easy war to be fought. And this is not a war that ought to be fought.''

If there is any war that should not be fought, it is the war in the Balkans. We do not even know who the good guys and the bad guys are. If this were a snapshot in history, 50 years ago it would be the Croats, not the Serbs, that would be the bad guys. And you could go to any other time in history and find that to be true.

This is another prominent Democrat who made this statement on the floor of this body. ''I cannot back a policy I believe is ill-advised, when Americans' lives hang in the balance, just for the sake of displaying a united front.''

Is that not the argument we have been hearing? We have to have this united front, we have to protect the integrity of NATO at any cost, particularly American lives, at any financial cost. We heard yesterday the distinguished Senator from Alaska talking about that so far we have funded 70 percent of the cost of the efforts over there in the Balkans, and yet we are farther away than anybody else in the alliance.

Here is one that I think is one of the best. It says, ''But do these goals''—1991—''qualify as a sufficient reason to suffer the tragic loss of American life, especially before we have exhausted every available alternative? My deep conviction is no, no they do not. I cannot look my 17-year-old son and my 19-year-old daughter in the eye and say, 'Moving Saddam Hussein out of Kuwait, obtaining the necessary oil from the Persian Gulf, protecting our allies or saving jobs is worth your life.' I cannot say that. If at this time I cannot say that to them, how in good conscience can I say it to a mother or a father? How can I say it to a sister or brother?''

I came back from that northeast sector of Bosnia, around the Tuzla area, and I stopped on the way back at the 1st Armored Division training area in Germany, where I think the Senator from Wyoming has been. And he probably talked to some of the troops, as I did.

I went by and had breakfast in the mess hall with these guys and gals who were being trained in that 12-by-6 mile box that they said is supposed to emulate the terrain of Bosnia. It did not look anymore like the terrain of Bosnia than the hill around Washington, DC does. But they are out there training. They are getting good training. They are preparing themselves mentally to be deployed, but they are saying: ''We haven't been told yet why we're going.''

I think in all fairness to the officials and those officers who are in charge over there—and I have the utmost respect for General Yates and General Nash—that they themselves do not have a clear understanding of what their mission is.

The President, in his very eloquent, persuasive speech 3 days ago, said we have a clear and concise mission, but he never told us what that mission was. He never told us what the rules of engagement were. I do not think—I suspect—our own troops, the ones over there today, do not really have a well-defined understanding of what our rules of engagement are.

We hear about the conditions under which we can withdraw, like 12 months, a time condition, systemic violations. What is a systemic violation to a corporal out in the field who gets fired upon? Does that firepower come from a Serb element or from a Croatian element, or maybe from one of these rogue elements or a Moslem element? He will not have any way of knowing, and yet that could, in fact, be a systemic violation, because a systemic violation—which they have not yet defined—I have to assume it is something systemic, meaning the entire element is acting as a group—whether it be the Croats, Serbs, or Moslems—and are breaking the peace accord.

Well, I do not think there is any way of determining how that could be enforced.

Mr. THOMAS. Will the Senator yield?

Mr. INHOFE. I will yield.

Mr. THOMAS. I was struck by your quotation on the necessity to maintain the alliance. I was, as you pointed out, in Bosnia about a month ago. Seven of us went to Sarajevo. We also met in Brussels with the NATO group, and all 16 of the Ambassadors were there, as a matter of fact. Each of them stood up in order and almost as if by pushing a button said, ''Why, we just can't do this without the leadership of the United States.''

The President is now in Europe. I guess I would say, what would you expect Europeans to do with him there? Of course, they will applaud the United States taking the burden, paying the major part of the bill and the major part of having troops on the ground. I think it is a very thoughtful way of promoting this idea.

We were also struck about this very same question. Here are our U.S. soldiers. They are going in there, according to the plan, to be peacekeepers. So then what happens if you are attacked by an armed group and you respond? The notion is, and I think properly, that you can respond to defend yourself. We asked the general of the European group what happens if there is an organized effort. ''Well, then we leave, because we are not there to fight the war.''

It is very indecisive in terms of what they do. And I agree with the Senator

that certainly you can say that the goal is well defined but, in fact, it has not been well defined.

Mr. INHOFE. The Senator from Wyoming, since he was in the Sarajevo area, I am sure observed the same thing I did. Keep in mind, this is the area where there has been fighting only in the last week, since this accord, if that is what it is, has been initialed.

The problem that I see over there is that there is no way to define who the other side is in Sarajevo. In Sarajevo, we have a convolution of parties that have come in and taken up the vacuum that has been left by the pounding of the various dwellings—the single-family dwellings and apartment buildings—in Sarajevo. The true inhabitants of those dwellings, those wonderful people who were there during the winter Olympics, are not there anymore, and the ones who are in there now are refugees. We do not know where they came from. We do not know if they are Serbs, Croatians, or any other, perhaps rogue, element. So it makes it that much more difficult.

Before yielding to the Senator from Georgia, let me just make one other comment about something that the Senator from Wyoming said. He used the term ''peacekeeping.'' I suggest to you now that they are not using peacekeeping. If there is ever a classic area for mission creep, this is it, because we have already crept from peacekeeping to peace implementation.

There is a big difference between peacekeeping and peace implementation. Peacekeeping is an assumption that there is peace to keep. We know there is not peace to keep. The President stood and he said the war is over, we are in a cease-fire. I stood in Tuzla and heard areas where the war is not over. There is firing up there. The President has not been there so perhaps he does not know and perhaps his advisers are not adequately advising.

Before we go back to a budget discussion, I want to state again what I stated yesterday. I may be one last Senator standing alone, but I am going to fight with every fiber of my being to stop the President from this obsession he has been living with for a year and a half, and that is to send American troops on the ground in Bosnia.

CONCLUSION

I am very concerned with the discussion we were having earlier about what is happening in our budget battle. I guess I will sign off by stating at least my position.

We passed a good bill, the Balanced Budget Act of 1995, through this body and through the other body. It is one that is consistent with the mandates of the election of 1994, and I do believe that we have done a good job.

I certainly encourage the President to use the guidelines he committed to during the last CR—that is, a balanced budget in 7 years using real numbers—and come up with something that is acceptable.

At this point, I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia [Mr. COVERDELL] is recognized.

Mr. COVERDELL. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business up to 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator should be aware, under morning business, the Senator has 5 minutes.

Mr. COVERDELL. Unanimous consent is approved for 10 minutes?

The PRESIDING OFFICER. The Senator is correct.

PUT THE FISCAL HOUSE OF GOVERNMENT IN ORDER

Mr. COVERDELL. Mr. President, I want to respond to the remarks of the good Senator and my colleague from Oklahoma who has closed his remarks by talking about the importance of a balanced budget. Let me take just a minute to frame where we are.

It has been a rigorous year, and both the House and the Senate have now passed a Balanced Budget Act, just before Thanksgiving. This is the first time that this has happened in nearly three decades—a Balanced Budget Act in response to the American people. The American people have said over and over to put the fiscal house of their Government in order, like they have to do at home.

We have done it. We came here with a promise, and we have passed a balanced budget. We are sending it to the President. This balanced budget balances it in 7 years, reforms welfare, saves Medicare and lowers taxes. That is our plan.

There are currently meetings underway with representatives of the Senate and the House and the administration. They have not been productive as yet, because there is no balanced budget proposal from the President.

The President says he is going to veto this first balanced budget that the Congress has sent him. He said, ''I will not accept it.'' That is his prerogative, but my question to the President is this: Where is your plan?

We have done our job. We have made our best faith effort. We have sent a rational and reasonable plan to the President. With all the debate and discussions in Washington, you almost have to step back from it to measure the reasonableness of it because all the financial markets in America are responding positively. The stock market is up. Interest rates are dropping. The people in the real world, the people running businesses and running families all across the land, are responding positively to what we have done.

It is time for the President to tell the country and to tell these conferees what his plan is.

Back when I was in high school, they would say, ''The jig is up.'' We have done our work; we have laid the plan before him. He says it is not acceptable. Give us your plan, Mr. President. Then we can work the two plans together. But this business of criticizing our plan while you have none of your own cannot go on, and America will not accept it.

Mr. President, I would like to talk just a moment about what our plan does and why it is so reasonable. Take Medicare. The trustees told us that Medicare will go out of business in 6 years—broke, bankrupt. It said that the Congress and the President need to step forward and do something about it. Our balanced budget plan does just that. It expands Medicare because it expands the investment in it over the next 7 years by 65 percent. It grows 65 percent larger under our plan. It takes the solvency of it and expands it from the 6 years that are left and pushes the solvency of the plan out almost a quarter of a century. And it expands the choices people can make about the kind of coverage they want.

We increase Social Security spending 44 percent. We increase the size of Medicaid 65 percent. We increase overall Federal outlays 22 percent. The U.S. economy, we are told, will grow $32 billion in new disposable income. We will create 6.1 million new jobs. We will have $66 billion in new purchases and 100,000 new housing starts. Ten million more Americans will be able to purchase their first home. We will lower interest payments on the average family's mortgage by $1,500 to $2,000 per year. We will lower the interest payments on their car $200 per year. We will lower the interest payments on their student loan or the back porch another $200 a year. Because of the tax credits of $500 per child, in the average family we are going to add another thousand dollars of disposable income.

The bottom line here is, we are creating new jobs, new businesses, new homes, and we are putting between $2,000 and $3,000 of new disposable income on the kitchen table of every average American family. We depend on the family to nurture and grow America, to house America, to educate America. That is where we need to put our resources—on the kitchen tables in Hahira, GA, Denver, CO, or Keokuk, IA. That is where the resources need to be, not sent to Washington and redistributed by a bunch of policy mongers. We will help local government.

In my State alone, the balanced budget amendment will create $333 million over 7 years—$333 million; that is a third of a billion dollars—in lower interest payments for the State government of Georgia. In my capital city, Atlanta, we will save $100 million over 7 years in lower interest payments. That is a boon to a city putting on the Olympics next year, which is pressed from every corner to meet its needs. And $100 million would be saved. In all, $29 billion will be saved by local governments over the next 7 years—$29 billion—because we have balanced our budget.

A lot of people, including the President, who talk about the balanced budget, talk about it as if it is a painful exercise, a dreadful experience that we have to drag America through. It is the exact reverse. By taking charge of our budget, by managing our affairs, we strengthen every quadrant of America, and we keep the country strong and healthy so that it can keep on taking care of those who fall through the safety net.

Mr. President, this is history in the making. We have done our job. We have put forward a really solid plan to take charge of America's finances, to help every family in the country and to make America strong as it comes to the new century. Now it is on the President's desk. He promised America he would balance the budget in 5 years. He promised America the other day that he would join us in balancing it in 7 years. It is time for him to fulfill that promise to the country.

I yield the floor.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

THE BUDGET

Mr. ABRAHAM. Mr. President, I will be brief. Mr. President, I rise to speak along the same lines as the Senator from Georgia and talk a little bit about our apparent budget impasse. We are told—and I read in the media—that political advisers to the President have urged him to resist negotiations, to allow an impasse to continue, to theoretically take the impasse to the American electorate a year from now. That has resulted, as far as I can tell, in very limited discussions so far, limited efforts on the part of the administration to negotiate, and no plan by the administration with respect to balancing the budget, protecting Medicare, or any of the other vital priorities in this country.

I do not know what the President's decision will be. I do know what I read to be the advice he is receiving from his political counselors. I do not know, he may well decide to take the politically expedient course here, Mr. President. Before he does, I hope the President will consider the implications of taking the advice of the political experts as to what is good for next year's election and understand the consequences of doing that, because if an impasse continues for a year, if the President is responsible for there not being a balanced budget passed, it means a lot of very critical, I think, things for the American people. It means, number one, that we will not deal with the problem of Medicare insolvency that is staring this country in the face.

As the Senator from Georgia has already indicated, we stand on the brink of having part A in the Medicare trust fund bankrupt in just 6 years. If the President does not negotiate in good faith, if he plays the political card his advisers are recommending, then he will not sign, next week, the bill that would protect Medicare and keep the trust fund solvent.

If the President continues the impasse, if the advisers, the political folks at the White House, are successful, it will also mean, I believe, very detrimental things for our economy. We have been very fortunate in recent weeks, as we have seen the stock market go up and interest rates go down. There is a very clear reason for that, and the analysts on Wall Street and elsewhere in this country all say the same thing. They say that the economy and the markets are reacting to the belief that we will have significant deficit reduction when this budget process is over.

Mr. President, if they conclude that the President prefers an impasse for political reasons, then I think the robust stock market and the lower interest rates will be short-lived. Then the President will have to explain why interest rates are going back up again and why the market is going down.

But most important, if the President heeds the advice of the political counselors, instead of doing what is right for this country, the impact will be felt greatest by the families of America, because if we fail to take advantage of this unique opportunity we have right now, Mr. President, to bring the budget under control and to put us on a path toward balance, what it means for the families, as the Senator from Georgia just indicated, is very, very considerable.

It means continuing interest rates at levels beyond what they need to be. It means people paying more for their mortgage, more for their car payment, more for their student loans than they need to make. It means Washington continuing to make more money and keeping it here and making decisions for the families of America that they ought to make themselves.

Mr. President, I hope when the President returns from his trip to Europe that he will reject the opinion of the political advisers, reject the notion of allowing a long impasse to continue, reject the notion of refusing to negotiate upfront in good faith and with his own plan, and instead come to the table, begin the discussions that I think are necessary for us to bring about the kind of balanced budget that we have passed here in the Senate and the Congress and for the American people, the first balanced budget in a quarter of a century.

I hope that the President decides that the political advisers are not what matters and that next year's election is not what matters, but it is the future of this country, the future of our children that matter.

If he does, he will join the Republicans in seeking to balance the budget, seeking to end the impasse, and most importantly, seeking to protect future generations.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

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

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

THE BALANCED BUDGET

Mrs. HUTCHISON. Mr. President, I want to rise to speak, as many of my colleagues have, on two very important issues that the Senate is facing right now.

I think there are great differences between the administration's position and the position of Congress. The first, of course, is the balanced budget. We are trying to keep the promise we made to the people that we will have a balanced budget in 7 years. The President has altered his position, starting in his campaign with a 5-year balanced budget, but then after he was elected saying, ''Well, 10 years is good enough, 9 years, 8 years.''

Now he has committed to a 7-year balanced budget. The only problem is the President is doing what he has been doing for the last 2½ years, and that is giving lip service now to a 7-year balanced budget, but his offer on the table is, ''I need $7 billion or $8 billion more in spending.'' Fine, Mr. President. Where are we going to take that spending from? Silence from the White House.

That is not the kind of leadership that we need if we are going to truly sit down with a commitment to a 7-year balanced budget and say, ''All right, here are the parameters, here are the spending limits. Now let's negotiate within these parameters.'' You cannot say, I need $7 billion out of the sky, but yes, I am committed to a 7-year balanced budget, but I am not going to suggest where we would take it from. That is because the tough decisions are always the decisions on where you have to cut or slow spending or eliminate programs that do not work.

When it comes to the rubber meeting the road, we have to cut spending. That is how we are going to meet the test. Mr. President, $7 billion more to spend, without saying where it is going to come from, is always the easy position.

I would love to spend the money on these programs. There is probably not one of them that is not a good program. But does it meet the test of our taxpayers feeling that it is worth their hard-earned dollars to put money in these programs rather than live within our means, like every household and every small business in this country must do. That is the question, and that is the test we are facing right now.

When I am home, people say to me, ''Don't blink.'' I am here to say, we are not going to blink. We are going to do what is right for this country. I hope the President will come to the table and say not only where he would like

to spend more money but from where he believes we should take it.

BOSNIA

Mrs. HUTCHISON. The second point I want to make, Mr. President, and it is very much in the forefront right now, and that is the situation where the President has asked for our support to send troops to Bosnia.

Mr. President, I do not think we should send troops to Bosnia, and I do not feel that the President has made the case, made the difference, shown the difference, between a national interest and a national security interest that would warrant the loss of our precious American lives.

Our young American men and women that signed up to be in the military did sign up knowing that they might be put in harm's way. They did that willingly because they believed that they should be able and willing and ready to fight for our freedom, and to protect the freedom and strength of the United States of America.

There is one thing implicit, Mr. President, in that decision. That is that we would have the judgment to send them where our national security interest was at stake. I do not think our national security interest is at stake, Mr. President.

That is why I am so strongly urging that the President reconsider, that the President look at what is happening right now. People talking about changing the agreement in Paris that has been already initialed in Dayton; Serbs talking about not thinking Americans are neutral in this; talking about throwing rocks at Americans when they come in.

Mr. President, can we be thinking of the security of those troops as we are wondering if this is a national security issue that should warrant the loss of their lives? Mr. President, I do not think the case has been made.

I am going to fight it in every way that I can. I think we have other options to support the people of Bosnia. I do want to support those people. They have suffered greatly. I want to help them. There are many ways that we can.

I do not think American troops on the ground should be the only test to show that we are committed to the people of Bosnia. We are committed. We can show it in many other ways.

I want to keep our troops home. I want to save our troops for when there is a security threat to the United States.

We can go out and help the people of the world who are not as fortunate as we are, and we are a generous people and we will do that. But giving our lives in those causes is not what I think is necessary, nor is it the responsible role of Congress to let it happen. I yield the floor.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed for 10 minutes in morning business.

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

THE BALANCED BUDGET

Mr. GREGG. Mr. President, obviously the issue of Bosnia has the attention of America, as it well should because American soldiers are being put in harm's way. We as a nation should equally focus on the issue of these negotiations that are going on between Congress and the President over how we reach a balanced budget, because as our soldiers are in harm's way in the immediate sense, as they move into Bosnia, our Nation is clearly in harm's way as a result of the continued deficits which we run and the fact that we are putting our children's future at risk by presenting them with a nation that is bankrupt if we do not get under control our national debt.

So I think it is important to review where we stand and try to reflect on what the two sides present. Where we stand is that about a week and a half ago, this Nation's Government essentially came to a standstill, stopped, because we could not agree on whether or not we should reach a balanced budget.

The Republicans had put forward a balanced budget bill and we passed it. It says that we should reach a balanced budget in 7 years. That is not an excessively short amount of time. In fact, it is probably too much time. We should probably be reaching a balanced budget sooner. But we agreed to 7 years because we felt that was something that could be attained and which was reasonable.

The administration, the President specifically, had said, over a period of time, they were for a balanced budget also. He said specifically he was for a balanced budget, at one time in 5 years. He had said he was for a balanced budget in 6 years. He had said he was for a balanced budget in 7 years. He had said he was for a balanced budget in 8 years. He had said he was for a balanced budget in 9 years. And he had said he was for a balanced budget in 10 years. We chose 7 years. We thought that was right about in the middle of the different proposals he had put forward and we hoped he would be comfortable with it.

As a result of the closure of the Government, there was an agreement finally reached and the administration has now stated they are committed to balancing the budget in 7 years and that they are committed to doing that using, as an independent scoring agency to determine the fairness and accuracy of the numbers, the Congressional Budget Office. That is a major step forward, obviously, in the process.

It is unfortunate that it took a shutdown of the Government to accomplish that. We, as Republicans, remember, were willing to go forward to reach a balanced budget. We had actually passed the resolution to accomplish that with specifics, without requiring that the Government be shut down. It was the administration which would not come to the table until there was a Government shutdown, which would not agree to a balanced budget until there was a Government shutdown.

So, as we move into the process of revising the history books, which always seems to occur after events take place, let us remember that Republicans had already committed to a 7-year balanced budget prior to the shutdown and that the shutdown—the outcome of the shutdown was that the administration also agreed to a 7-year balanced budget. So, something was accomplished by the shutdown. It was unfortunate it was necessary. But what was accomplished was that this administration finally settled on a number, 7 years, for a balanced budget. Now we proceed with the negotiations as to how we get there.

I have to say, I have been watching these negotiations, as I suspect many of us have—although we have been distracted, clearly, by the Bosnia situation—and I have become concerned because, while we have put forward a plan, the Republicans have put forward a plan which is very specific and which in real terms accomplishes what is necessary to get this country's fiscal house in order so we will be passing on to our children a nation which is financially solvent rather than a Nation that is bankrupt, we have, as yet, seen nothing from the administration in terms of specifics.

Where is their budget plan that gets us to balance? We have ours on the table—3,000 pages. In fact, the other side of the aisle had great entertainment, making fun of the length of our proposal. It is a lengthy proposal because it is a specific proposal and a real proposal. What we need to see from the administration are specifics as to how they wish to get to a balanced budget. It is very difficult, I suspect, for those negotiating in this process to be negotiating without one side being willing to come forward and say what they are willing to do.

So I think it is incumbent on the folks who follow this process, recognizing we are all a bit distracted, and rightly so, by what is happening in Bosnia and the immediate threat to our American soldiers—but, even in the context of that I think it is incumbent upon all of us in this country to be asking the question, ''How does this President intend to get to a balanced budget in 7 years? What are his proposals?''

We saw his budget that he sent up here in June. That was a 10-year budget. It did not get to balance. In fact it had deficits of $200 billion for the entire 10-year period, each year for the 10-year period. For this administration to get to balance, they must come forward with proposals which slow the rate of Federal spending by approximately $750 billion over the next 7 years. We have come forward with proposals that do that. Where are the administration proposals?

My sense is that they do not want to come forward with proposals because they are not sincere, to be quite honest. I do not believe they are sincere. If they were sincere they would come forward with these proposals. But the fact that they have not raises serious doubts as to their sincerity in their efforts. I hope I am wrong but, as of right now, I think the facts show I am right. I think the American people should start asking themselves what type of administration, what philosophy of Government allows the executive branch to agree to a 7-year timeframe for reaching a balanced budget but refuses to come forward and define how they are going to get to that balanced budget? What is the philosophy of an administration that does that?

I do not believe it is a philosophy that is sincerely committed to a balanced budget. I believe it is a philosophy that is more involved in the politics of the issue than the substance of the issue. That is the problem. We cannot afford, as a nation, any longer to be involved in the politics. We need to be involved with the substance of the balanced budget. In order to get involved in the substance, we need to have this administration come forward and state specifically how it intends to get to a balanced budget in 7 years. We have done it. The reason we have done it is because we understand that, if this is not accomplished, and not accomplished at this time, at this moment in history where the opportunity is so ripe, that we may not have a chance at any later date to do it again. And, if we do not do it now, if we do not put in place now the decisions that are necessary to change the spending patterns of this Government in the outyears so we reduce its rate of growth—we are not talking about cutting the Federal Government, we are talking about reducing its rate of growth. In fact, in the Medicare area we are talking about adding $349 billion of new spending to Medicare and allowing it to grow at a rate that actually exceeds what the President projected in one of his budgets that he sent up.

But, if we do not make the changes necessary to reduce the rate of growth in the Federal Government and make those changes now by changing the programs which drive spending, specifically the entitlement programs, then we are going to end up, as a nation, passing on to our children a country that is bankrupt. That is an extremely cynical act to have occur at the time when all the parties have formally stated that they are opposed to having that occur. That is the irony of this. All the parties have now formally stated they are willing to reach a balanced budget. Yet one of the parties has been unwilling to state how it is going to get there. Thus, you have to question their sincerity.

The fact is, if we do not do this now, if we do not make these changes now which accomplish a balanced budget—and we do not have to follow the plan laid out by the Republicans. We would be happy to see a plan from the other side of the aisle, specifically from the administration, or a joint plan worked out. But we need to have the facts from the administration first and the proposals from the administration first. If we do not follow such a plan and put such a plan in place now, we are not going to be able to accomplish it.

Mr. President, I ask for an additional minute.

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

Mr. GREGG. We are not going to be able to accomplish what is that overriding, absolutely essential goal which is that we get this budget in balance so our children have a nation which is solvent.

So, as we move down this road, recognizing there is a tremendously large amount going on in this world today which distracts the attention of Americans, recognizing our first concern and interest must be for our soldiers who are going into Bosnia, I do hope we will not lose focus on the fact that the future of our children is being decided today on the issue of whether we get to a balanced budget. We are not going to be able to get from here to there unless this administration starts putting forward some honest proposals.

The PRESIDING OFFICER. The Senator from North Dakota.

COOPERATION

Mr. DORGAN. Mr. President, we have been treated in the Senate with a discussion by Senator THOMAS, Senator INHOFE, Senator COVERDELL, Senator ABRAHAM, Senator HUTCHISON, Senator GREGG, and I assume there will be more, who come to the Senate, among other things to question the sincerity of those on the Democratic side, and especially the President, about whether or not we are interested in a balanced budget. In fact, one of the speakers this morning said that he felt that the President was hiding in Europe, I believe that was the term he used, ''hiding out'' in Europe.

It is not the kind of thoughtful discussion that would advance a spirit of cooperation, to do the right thing for this country, to see a parade of people coming to the floor of the Senate, questioning the sincerity of people on the other side. It is certainly not thoughtful. But, rather, it is thoughtless for anyone to come here and suggest that what the President is doing at this point in Europe—dealing with the issue of peacekeepers in Ireland, and so on—is that the President is hiding out. I did not intend to come to the floor to speak on this issue today.

THE BUDGET NEGOTIATIONS

Mr. DORGAN. Mr. President, I have been asked to be one of the negotiators in the budget negotiations. So I and Senator EXON, representing the Democratic side in the budget negotiations, are spending a lot of time and will spend a great deal of time on this issue. I do not need, nor do I think the President nor anyone else needs, to have their sincerity questioned about whether or not they want a balanced budget. I believe it is in this country's interest to have a balanced budget. I believe that is a goal that represents a legitimate and important goal for this country. It is one goal. There are others.

Do we care and should we do something about making sure we have the best schools in the world? Yes. That is another goal. Do we care that we have clean air and clean water and a decent environment in the country? Yes. That is a third goal. Do we care whether low-income senior citizens have access to health care? Do we care whether children have access to good nutrition? Do we care whether poor children have access to health care? Those are other goals. It is not a case where there is only one goal in this country. We have a number of goals we must meet.

It is true the Republicans put together a plan. It is also true that plan is dead, gone. The President will veto it. There are 34 people who will sustain the veto. And that plan does not exist at that point. Then what is true is Democrats and Republicans sit down at the table and decide together, how do we balance the budget in 7 years? That is going to take a substantial amount of effort and good will. And it is not just how do you balance the budget in 7 years, but it is how do you do that in a responsible way for the long-term interests of this country?

Those who paraded in here this morning had a plan that would balance the budget in 7 years by, among other things, providing—let me give you a couple of little examples—that we repeal most of the alternative minimum tax for corporations so 2,000 corporations will get $7 million each in tax breaks because of the reduction in the alternative minimum tax. I do not know whether everyone who voted for that knew that was in there. But those who voted for it and believe that should happen do no service to this country. That is not good public policy.

I wonder whether those who voted for this plan they are so proud of understand that what they did was increase the tax incentive for people to close down their plants in America and move their jobs overseas. That is in the plan. It says, by the way, if you do that, we will give you a bigger tax benefit. Just move the American jobs you have overseas and we will give you a benefit. I do not know whether anybody is proud of that or whether they want to come here and boast that was in their plan.

There are a series of very large policy areas that we must address—Medicare, Medicaid, education, environment, and others. On the issue of Medicare, the majority party plan, which is now going to be dead when the President vetoes it, calls for $270 billion in budget

savings for Medicare. Many of us believe that is too much. There needs to be a compromise in that area. The same plan provided for $245 billion in tax cuts.

I offered an amendment on the floor of the Senate that I believe every single Republican voted against. It was very simple. I said, if there is going to be tax cuts—I do not think there should be at this point. I think we ought to balance the budget first. Then we ought to decide after the budget is balanced how to change the tax system, and where to cut taxes. But if there will be tax cuts, I said, let us at least decide this. Let us decide that those tax cuts shall be limited to people whose incomes are below a quarter of a million dollars. Can we not at least agree that we will provide the tax cuts only to those whose incomes are below a quarter of a million dollars a year and use the savings from that, somewhere around $50 billion in 7 years, to reduce the reductions in Medicare, reduce the hit on Medicare especially for low-income elderly?

I ask unanimous consent for 2 additional minutes.

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

Mr. DORGAN. I posed the question in an amendment. Should we not, if we are going to do that, at least limit the tax cuts to those whose incomes are a quarter of a million dollars a year or less and use the savings from that limitation to reduce the hurt that is going to be caused to low-income senior citizens on Medicare? The answer was no. They said no. We insist that people above $250,000 get a tax cut. Some will get an enormous tax cut from this legislation.

So those who come here and bust their suit buttons boasting about what they have done, what they have done was unacceptable to a lot of folks. Not that they have balanced the budget. That is not unacceptable. It is the way they have done it that is unacceptable. I want to balance the budget. I want to spend a lot of hours in the room with negotiators and try to balance the budget. I am not going to come out here and question their sincerity. I do not think they ought to come out here and suggest the President is hiding in Europe. It does no service to try to advance an opportunity to reach agreement on these issues.

We are talking, after all, about a 7-year spending plan for this country, a 7-year spending plan created in such a way that put this country's books in balance. That is a worthy goal—put the books in balance in a way that also recognizes the need for investment in certain areas, education; the need for protection in certain areas, health care for low-income elderly, and others. We can do that. I am convinced we can do that. But we cannot do it if we keep shouting across the aisle that we are the only ones that had a plan, that we are the only ones on the right track, and that all the rest of you folks do not believe in it. We question your sincerity. You are hiding.

What kind of nonsense is that? That is not thoughtful. That is thoughtless political pandering. And I think that we will all be better off if we decide—yes, the goal is worthy. The plan that was advanced was not acceptable.

So let us have a rectangular table where we sit down and in good faith decide how we balance the budget and to do it in the right way. I want to do that. It is good for this country. The motives of the other side are, in my judgment, good motives. But some of the language makes no sense. Let us decide to work together in a spirit of cooperation, and fix what is wrong in this country and do it the right way.

Mr. President, I yield the floor.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I would like to thank the Senator from North Dakota for his comments. I believe they are right on. They are helpful, and I think they are positive.

It is my belief that the budget debate could be settled in 20 minutes, if both sides really sat down and did it. I think the Senator from North Dakota clearly gave the main kernel of a solution. The tax cuts that are in the bill—no one benefits from those tax cuts more than my own family does. My husband is an investment banker. The capital gains clearly benefits him. He would love to have those benefits. It would be a nice thing to have, and many Americans feel that way. However, to have those benefits by making deeper cuts in Medicare and Medicaid—in my own State the Medicaid Program pays half a million of the poorest Californians' premiums and copayments whose Medicare would be done away with. We do not need to do that in this bill. You do not need to have the depth of the cuts to balance the budget in 7 years.

The issue is not balancing the budget in 7 years. We have all agreed that is now going to be the case. The issue is do we need to have a major tax reduction benefiting largely upper-income people by taking those dollars, by making the cuts deeper in Medicare and Medicaid and social programs that are important to the well-being of this Nation? I think the answer to that, for anyone that looks at this from a moral perspective, clearly has to be no. So my own view is that this thing can be settled very quickly, and that the Senator from North Dakota clearly put forward a kernel of that solution.

BOSNIA

Mrs. FEINSTEIN. Mr. President, I have come to the floor to talk about Bosnia.

Three nights ago the President of the United States went before the American people to make the case for sending 20,000 American soldiers to help implement the peace agreement that was recently drawn up and initialed in Dayton.

I listened, as did millions of other Americans, and I heard the President lay out his reasons for doing something no one really wants to do, not even he. The decision that he made was not an easy one. As we have come to know all too well over the past few years, there are no easy answers to end the bloody conflict in Bosnia that has consumed so many lives.

Over the past 72 hours all of us have weighed this question, and discussed the options before us with the administration, with our constituents, and deep within our own conscience. I submit to you that when push comes to shove this is going to be a vote of conscience, a vote of conscience here in the Senate, and a vote of conscience in the House of Representatives.

While the details of the implementation plan have not yet been finalized, and as the President noted, there are critical questions that still need to be answered about how this mission can be accomplished effectively and with the greatest attention to troop safety, it is now clear to me that the American people and the Congress must and should support the President.

To do otherwise, I believe, is to show a divided nation and send a signal throughout a world where 30 wars are now in progress that the American people forfeit our leadership role as the moral force for freedom and responsibility in the world.

Over the past 4 years, while America and our European allies have quibbled about responsibility, the war has continued unabated. Amid the often self-inflicted charges of hand-wringing and finger-pointing as to whose war is it, who should lead, whose backyard is affected, two inescapable facts come home to me. One is something that the British statesman Edmund Burke said two centuries ago. We should all listen to what he said.

I quote: ''The only thing necessary for the triumph of evil is for good men to do nothing.''

And, second, in the words of George Santayana, ''Those who forget history are doomed to repeat it.''

Mr. President, it is time for good men and women to stand up, and America must lead.

To those who know history, this area of the world is no stranger to conflict. In 1878, 117 years ago, Benjamin Disraeli said in the House of Lords in Great Britain:

> No language can describe adequately the condition of that large portion of the Balkan peninsula—Serbia, Bosnia, Herzegovina, and other provinces—political intrigues, constant rivalries, a total absence of all public spirit . . . hatred of all races, animosity of rival religions and absence of any controlling power . . . nothing short of an army of 50,000 of the best troops would produce anything like order in these parts.

Disraeli's observation is as astute today as it was in 1878, but over the past 4 years the war in Bosnia has taken an enormous toll: a quarter of a

million people dead; the systematic rape and torture of thousands; ethnic cleansing; concentration camps; over 300 graves with more than 1 body in them; war crimes; thousands still unaccounted for; 2 million homeless; and the fear of a spreading conflict.

Not since Adolf Hitler has the world seen such atrocities.

When our children and grandchildren look back on this day, they should not have to ask, Why did we not act when we had a chance to make a difference? Why did we not learn from the lessons of the Holocaust?

America is the strongest nation in the world. As new nations fight for survival, as ethnic groups fight for their rights, as the leaders of fledgling nations fight for democracy and as people suffer atrocities, we must be careful as to how and when and where we make a difference. But if we can make a difference, and if it is important to our interests, I believe we should.

We have an interest in this peace. Some might say we did not have such an interest before Dayton, but post-Dayton we most certainly have an interest in this peace. We have brokered this peace. We have a chance for peace to succeed. We cannot turn our backs because if we turn our backs on a chance for peace, what we are going to go back to is the systematic torture and rape and ethnic cleansing and atrocities.

When the assault took place on Srebrenica, the moral argument truly hit home. And after all, there are still thousands of men and boys unaccounted for since the Serbs took over Srebrenica.

I have used this picture standing next to me in this Chamber before. Today I use it again. This young Bosnian woman from Srebrenica looks very normal—her skirt, her sweater—with one exception: She has hung herself. She is hanging from a tree. Rather than further endure the atrocities, the rape, the torture, the mayhem, she hung herself.

What we stand for as a nation is not letting things like this happen. What we stand for is doing something about it. And we have done that before. Our men and women have fought two wars in Europe—World War I and World War II. America was not threatened then, but we fought for some of the same reasons that we brokered a peace in Dayton that now has an opportunity to succeed, if we have the will, the unity, and the disposition to see that peace succeeds.

So my argument today is really the moral one. We can have a peace succeed at this time if we have the resolve as a free, strong country to see it through.

Once again, I would recall what Edmund Burke said many years ago and paraphrase it: Bad men flourish when good men refuse to stand up.

It is true, as many have said, and there is no question that there is a price to pay. The question is, Should we pay that price? And what happens if we do not?

Let me begin with what happens if we do not. If we do not, we know that our allies will not go in. Since the arms embargo has just been lifted by the U.N. Security Council, we know that all sides will have greater access to arms. The Bosnian Government most probably will get arms from Moslem nations, and possibly from the United States as well. And the Bosnian Serbs will gain arms from Serbia and quite possibly from Russia.

There is a significant danger that what has been a largely self-contained conflict could spread, drawing in Croatia and Serbia as full participants—and we have seen the might of the Croatian Army—and then to nearby nations, such as Macedonia and Albania. From there our NATO allies, Greece and Turkey, could find themselves drawn in. And the threat of a major European conflict will be drastically increased.

The mission that has been proposed is not without risk and it is not without cost. No military mission ever is. But it is a risk, I think, the leader of the free world must take.

My continued support for the President's plan will be contingent upon the details of the mission. And I want to go into that for a moment.

Our task over the next few weeks is to ensure that this mission is achievable, and that our troops are given everything they need to allow these highly trained forces—and they are very highly trained—to do what we know they are capable of as the strongest, best-equipped, best-trained military force in the world.

There are certain aspects of this plan that are fundamentally necessary to ensure success. First, as I have said, the United States will take the lead, but we will not be alone. We will provide one-third of the troops; our allies will provide two-thirds.

Second, the command will be unified and straightforward. U.S. and all other troops will operate under the command of an American general, General Joulwan, the Supreme Allied Commander in Europe. This mission—Operation Joint Endeavor—will be an exclusively NATO-led mission. The United Nations will not play a role.

Third, our forces will be operating under robust rules of engagement. They will respond with immediate and overwhelming force to any threat. Anyone who threatens our forces will not receive a proportional response. They will, quite simply, be taken out.

Here I want to commend the President for his clarity and strength. I echo his words that if anyone threatens U.S. troops, ''We will fight fire with fire—and then some.''

Tomorrow, the Foreign Relations Committee, of which I am a member, will hold hearings on the plan to implement the peace agreement. The Armed Services Committee will also have an opportunity. Today, the House International Relations Committee is having that opportunity.

We will have an opportunity to examine the terms of the peace agreement in depth, and to discuss the commitment of the parties to the agreement. President Clinton has made it clear that there will be no peace implementation force unless all parties sign the peace agreement.

There are other concerns that also must be thoroughly addressed: the precise definition and limits of the mission; the avoidance of mission creep; a well-thought-out exit strategy, and the President has indicated four areas which will be used as the determining factors of when the mission has been successfully completed; the relocation of an estimated 2 million refugees; how to deal with anonymous sniper fire.

We now know that there will be an international police task force set up, separate from the peace implementation force, to handle policing duties. There will be a body set up to handle the relocation of refugees. And we now know that the parties themselves will participate in efforts to remove the large number of landmines.

All of these questions, though, must have more answers, and I believe they are in the course of being presented.

As many of my colleagues have noted in recent days, the President has the constitutional authority to deploy these troops without congressional approval. The President, however, is seeking the support of the American people and of Congress for this mission. We must work with him to ensure that this mission is successful, but we can do no less than to support him.

Three weeks ago, as Bosnian, Serb, and Croatian leaders hammered out this peace agreement, in another part of the world a great peacemaker and world leader was felled by an assassin's bullet. I was very sobered by the fact that Prime Minister Yitzhak Rabin gave his life for peace. More than anything else, I think this shows the risk that making peace in a historically troubled area carries with it. And so his death serves as a reminder that leadership in the search for peace has a price.

I remember something that President Kennedy once said, that ''America would pay any price, bear any burden, and suffer any hardship in the cause of liberty and peace.'' I think that really says it all. We have an historic opportunity to help achieve peace where there has been far too much war. We cannot pass up this chance for peace.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

SENDING UNITED STATES TROOPS TO BOSNIA

Mr. CRAIG. Mr. President, I am not quite sure I can speak with the passion of the Senator from California, but I, too, feel a great concern for the situation in which this President has now in a foursquare way placed this country.

The President's speech this week was probably the most important speech of his Presidency. It was an address that outlined a decision, a very critical decision that only a President can make, and that is to deploy United States troops, in this instance United States troops, to be peacekeepers in the former Yugoslavian Republic. I was looking for a number of answers in his message, such as a very full articulation of a defined goal or mission, strategy for achieving that goal, an exit strategy, and that of our national and security interests for our country.

I do not, in any way, bow from the moral imperative argument. That has been clear from day one. It is certainly an argument that this Nation has not walked away from. We have invested millions of dollars and lots of our manpower in air support, in sea support, in logistics. We have been involved.

So it is not a question of now versus then. I am sorry, Mr. President, if you only caught the sails of the current moral imperative, the slaughter in the former Yugoslavia has been going on for 4 years. We have all witnessed it, and the Senator from California has spoken to it on the floor. So that is something that has not missed America. What has missed America is how do we become engaged, engaged in a way that we can control a situation and environment and an emotion that is well 300 years old in the making, where other nations, great and small, have chosen to at least stand aside for the very risk of the people, their own people, that they might chose to engage in a solution.

So that becomes the issue. It is the issue that we, in this Senate, will have to face, because ultimately what is the President's decision can become our responsibility. I will not judge it on a moral imperative. I cannot judge it on that basis. I have to judge it on whether we can do it in a way in which we can go in, solve a problem, stabilize the situation, minimize the risk to our people, our sons and daughters who have gone in service to this country and its security, and then is there a way out. That is what I think we ought to be judging here.

There is no question about the loss of human life that has gone on over there. And we have all spoken to it with a great sense of urgency. But it is not now only to be discovered. We have known it for a long, long while.

What is at hand now is an issue that this President for justifiable reasons has attempted to bring to this country, and by his decision, and by the initialing of the agreement in Dayton, has clearly brought it foursquare. But, Mr. President, my frustration is very simple. The President of the United States cautioned us not to debate the issue until there was a decision, not to debate the issue until there was a plan. And we chose not to. I think we chose improperly, but we chose to give him the time.

And now that he has a plan, or at least now that he soon will have a plan that we can look at with some detail, he has put us in a very unique situation. He almost has the opportunity, if we chose not to support him, to turn to us and say, you are breaking the peace agreement, you are putting at risk the men and women of the former Yugoslavia, and the children. Mr. President, not so, simply not so. They have been at risk for a long time. And this Senate and the U.S. House of Representatives has for many years contemplated alternatives. We have asked for a variety of approaches, only to be denied those, to create equity and balance with the warring factions over there, only to be denied that, to clearly create a one-sided war that by the very nature of its history would spell out human slaughter, and it has.

And now finally, after all of those long denials, this President has said, ''Here is a solution. And here is what I propose to do. And here is what I am going to do.'' And that can result, not only in the placing at risk of 20,000 of our armed services people on the ground, clearly in foursquare risk, but it also places a good many more—because of the 4-to-1 ratio, we are not just talking about 20,000 Americans on the ground over there, we may well be talking 50,000, or 60,000, or 70,000.

Is it going to go on for a year? Well, Mr. President, I do not think you know that, and we certainly do not know that. So it is with these concerns that I come to the floor today, Mr. President, because of the constitutional role that our President has, the right that he has under the Constitution to do what he is doing today, and at the same time to recognize that we have a responsibility. And, as I have said very early on, my responsibility rests with Americans first and the ability to understand how they can best be involved and safeguarded. Our responsibilities also rest in whether we appropriately fund these actions and if the mission is effectively carried out.

So there are a lot of questions yet unanswered. I have asked the people of Idaho to speak to me and our delegation on this issue because the Senator from California is right, this is a tough one. There is no question about it that we will all consider this with great, great concern, great passion, a great aching of the heart, not only for what has gone on over there but for what we might be putting our men and women at risk in doing.

And so in asking that, my phone, like I think most of the phones of my colleagues, has been filled with phone calls from our citizens expressing with more passion than I have heard expressed in some time, a concern about what we are about to do as a country. My phone calls are running 100 to 1 in opposition to what my citizens now know at least of what our President plans to do. And they are hoping that I can block him from doing that. And I must tell them that I cannot, that under the Constitution, as Commander in Chief, he has that kind of authority.

But I do hope that this Senate will speak out very clearly as to where we stand and what we stand for. I do not think that our message in any way can be garbled nor can we avoid just passing it by, just letting the President free rein this. Not at all. And I hope that we can develop a resolution that speaks clearly to our concerns that those who openly and aggressively support the President in this issue can have a right to express that, those of us who have very real questions at this moment who more than likely will strongly oppose the President can also have that opportunity to speak clearly to it.

That is the responsibility of the Senate and the Congress, not just to this President, but to the citizens of this country, because we, in Government here, have this unique responsibility among all, and that is whether to engage this Nation in war or police actions and ask our citizens not only to support us in this but to take up arms for the purpose of these actions.

The President has raised three concerns to justify U.S. participation in implementing the peace accord: The potential spread of the conflict, our leadership in NATO and the international community, and the need to end the carnage in the Balkans. I do not question the concerns raised by our Commander in Chief. However, I do reserve my support for his actions at this time.

Mr. President, we would like to respond to what I will refer to as the ''moral imperative,'' that President Clinton outlined in his speech.

The devastation and human suffering in the Balkans has left us all with a feeling of frustration. These feelings are not new, however. Four years ago, I was contacted by a Croatian-American constituent of mine, when the conflict first raged between the Serbs and Croatians. This gentleman was in regular contact with my office, and his fears and frustrations were very real to me. The moral imperative existed back then. However, then, like now, our options for involvement are very limited, and we still face the fundamental difficulty of trying to make the peace a greater victory than winning the war.

Mr. President, while we all understand and agree with the moral imperative, we have yet to hear why this action would serve our national interest or security needs.

In the coming days, when details of the mission are made clear, I will look and I will listen, but I have very grave concerns and reservations about this proposed action.

I must admit, President Clinton has put the Congress in a bad position by bringing us into the picture after the Bosnian peace agreement has been initialed.

He has put the Congress at the disadvantage of being the breakers of peace, if we withhold support. Even so, Congress has no choice but to speak. Regardless of the outcome, I want to

make one point very clear: If Americans are deployed to defend the peace, I will support our troops.

Mr. President, I have great concern about sending Americans into the Balkans to implement and enforce a peace agreement that was hammered out in Dayton, OH.

My concerns stem from the fact that despite their sincerity and good intentions, the negotiators may not be able to deliver on their promises.

One of the great problems with the situation in the Balkans—and one of the reasons we have had approximately 30 failed cease-fires—is that there is an inordinate number of people who are often referred to as ''irregulars.'' In Idaho, we would probably call them vigilantes.

The bottom line is that this kind of disorder, combined with extraordinary tensions and emotions, is a recipe for disaster.

Mr. President, as outsiders, we cannot impose peace under these circumstances. We may not even be able to serve as the conduit of peace.

There has been some discussion about the need for detail in this peace agreement. The Dayton agreement has detail, but there are people who wield power, such as Bosnian-Serb leader Radovan Karadzic, who were not at the negotiating table.

With the ink barely dry on the agreement, Karadzic announced that peace in the capital would be difficult to ensure and that the transfer of Serb-held neighborhoods was not final. Karadzic, who was not at the negotiation table, but represented by Serb President Slobodan Milosevic, is committed to making changes to the peace agreement. However, it is my understanding that negotiators in the agreement have rebuffed the idea that Bosnian Serbs could restructure the agreement.

In an interview with NBC, U.S. negotiator Richard C. Holbrooke said, ''Dayton was an initialing. Paris will be a signing. There will be no change between Dayton and Paris.''

Defense Secretary William J. Perry on ''Face the Nation,'' reconfirmed that position by saying,

> . . . I want to make clear: We're not going to renegotiate this agreement. This agreement is the agreement, and that's what we're proceeding on.

Karadzic does not appear stonewalled. It is my understanding from reports I have read, that he is mobilizing community leaders from the suburbs around Sarajevo, to force changes in the agreement, prior to the signing date on December 10. While we may dismiss Karadzic's power with the Serbian people, there is one thing that cannot be overlooked: His message strikes a chord with many Serbians who have fought for gains that are now being signed away, in the name of peace.

The issue at hand may be peacekeeping, but we cannot ignore the fact that peace will only come with a high price:

> What is wrong with the Dayton agreement [is that it] has created a new Beirut in Europe. It is going to bleed for decades.

Radovan Karadzic, from a Washington Post article November 27, 1995.

While Karadzic's rhetoric may be just rhetoric, it is aimed at destabilizing this agreement. It is also a message that many Serbians want to hear. From what I have seen happen in this conflict over the last few years, he will likely be a formidable opponent to peace.

Reports on comments from both Bosnians and Serbs in Sarajevo don't bode well for peace. The bitter depth of anger in this conflict and the lack of trust on both sides has not created the kind of atmosphere this peace agreement needs to be successful.

In short, Mr. President, citizens marching in protest of the peace accord are not likely to swallow the hatred they have harbored in order to bring about peace.

So, what exactly does this agreement say that is so hotly contested by some Serbian factions? Mr. President, under the agreement initialed last week, the enforcement of peace will be the responsibility of a NATO-led peacekeeping force of 60,000 troops, with as many as 20,000 of them being Americans. Bosnia would be split between a joint Moslem-Croat Government, which would have jurisdiction over 51 percent of the territory, and a Serb republic, which would control 49 percent.

Sarajevo will fall under control of the Moslem-Croat Federation, along with its Serb-held suburbs.

Needless to say, the apportionment does not sit well with many of the Serbian people.

Before closing, Mr. President, I would like to take a moment to comment on the war powers resolution. Many of my fellow Idahoans have raised concerns about who has the power to deploy troops in the kind of situation we are facing in Bosnia.

The Constitution provides authority to both the President and the Congress with respect to the use of our military. Our Constitution is one of the greatest documents ever written. The role of Congress and the Presidency in the use of our military is a case in point. Our Constitution reflects the desire to have the collective judgment of both the Congress and the President when making decisions on the use of force.

Under article II, section 2, of the Constitution, the President has the authority as Commander in Chief of the Armed Forces to deploy and command our Armed Forces.

On the other hand, article I, section 8 of the Constitution gives the Congress the power to declare war. We can all look at these powers, and see the clear differences. However, lines can become fuzzy when those principles are applied to a specific situation, such as the one before us in the Balkans.

The War Powers Resolution, which passed over President Nixon's veto on November 7, 1973, was designed to provide a functional framework through which to clarify the two roles and to maintain the intended balance of power.

Compliance with the resolution becomes an issue when troops are deployed to a location where they face hostilities or imminent involvement in hostilities.

The criteria required for compliance with the War Powers Resolution are very clear. The President must consult the Congress, fulfill reporting requirements, and then seek congressional approval for continued deployment beyond a specific number of days—60 or 90 depending on the situation.

If these steps are not fulfilled. Then the Congress is left with using it's power of the purse. Terminating the funds necessary for the deployment provides the Congress the ability to curb the President's powers as Commander-in-Chief. This step is not an easy one, given that the Congress would have to override a presidential veto with a two-thirds vote.

Mr. President, I would like to explore one final point in this whole situation that has consumed my concerns. The war in the former Yugoslavian republics is not new; it is a continuation of an age-old conflict. These people have fought and suffered atrocities, especially over the last 4 years, that we cannot comprehend, for a goal that we do not understand. Yet, when cease-fires were achieved they were short-lived, because winning the war or conflict was valued more highly than coexisting in peace. All sides in this conflict have had one goal: to win. To win, is to survive.

However, through our efforts to contain the conflict by placing the international embargo on Yugoslavia and maintain it on Bosnia, the conflict became very uneven. The Serbians took hold of that advantage, and have taken hold of every subsequent advantage in their efforts to win.

I do not see the average person, whether Serb, Moslem, or Croatian, being prepared to accept peace without a fight. A Washington Post article on November 27, quoted what I would call an average man who has lived through this conflict:

> ''It's pathetic,'' said Milorad Dugovic, a car mechanic who keeps an automatic pistol tucked in his waistband. ''What were we fighting for in the past four years? * * * we will continue to fight. We'll fight even NATO. What's ours will remain ours.''

I do not see the Serbian people being willing to snatch defeat from the jaws of victory. Peace under this agreement is not a done deal. Let us not deceive ourselves into thinking that our troops will only be peacekeepers. If actions fit rhetoric, and fighting begins again, our troops will be in the middle of this bloody civil war. then peace will come only if we become the peacemakers by using force to settle this conflict.

Mr. President, I remain opposed to the proposed deployment of United States troops into Bosnia as part of this peace agreement at this time. I emphasize ''at this time,'' because it is imperative that we all fully understand what is at stake.

In my view, our national and security interests have not yet been defined. Before I can even entertain the thought of sending American men and women into this situation, these interests must be real, and they must be defined.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

SHOULD WE HAVE THE RIGHT TO BE INDIGNANT?

Mr. STEVENS. Mr. President, during an appearance on ''Nightline'' last week, I got quite disturbed with the Secretary of the Interior. He said that the Alaska delegation had been sneaky about, as he said, sticking in provisions to allow exploration and development of the Alaska oil reserve in the budget bills without honest debate. And he further said that we had done this in the dark of the night.

I came a little unglued at that, the idea that a Cabinet officer who is under oath—and I believe we are always under oath as Members of the Congress—will make statements that are just not true. I did not have time really to explain—in the context of that type of experience—the situation. So I have decided to come to the Senate and take 5 minutes to do it today.

This is a map of my State. It depicts what happened in 1980 at the time the Congress withdrew all of those areas that are outlined in blue and set them aside as preservation areas, national parks, national wildlife refuges, wild and scenic rivers, wilderness.

This area up here, the Arctic National Wildlife Range, was expanded into what is known now as Arctic National Wildlife Refuge. But one area, 1.5 million acres on the Arctic Slope, is the only area touched by that 1980 Alaska National Interest Lands Conservation Act that the 1980 act allowed for continued utilization for development. This is called the 1002 area, because that is the section, 1002 in the 1980 act. It abuts the Arctic Ocean of the Arctic National Wildlife Refuge. It is in the coastal plain. That area we have sought to proceed with leasing as was contemplated by the 1980 act now for 15 years.

What has happened this year that did not exist before this year was that the President requested and Congress has granted a change in the law with regard to scoring of Federal actions under the Budget Act. Prior to this year, the leasing of land, which brings about sizable bonus bids, would not score as a Federal revenue raiser even though it would bring money into the Federal Treasury. There was a bid for one area right offshore of the Arctic oil reserve, this part of ANWR, as we call it, $2 billion just for the right to look to see if there was oil and gas in the area. It was dry. We expect bids in this area of over $5 billion when the land is leased. More conservative estimates suggest that bids will be about $2.6 billion, with $1.3 billion coming to the Federal Treasury. That is what the Congressional Budget Office has said.

The President has asked for, and we granted, the right to score sales, and leasing is a sale of a right to use land for a period of time. Those are now scoreable so they can get in the Budget Act.

Going back to 1980, we have tried since then to get this leasing to proceed, but we have not been able to have it done.

This year in the budget reconciliation, what we're now calling the Balanced Budget Act of 1995, there was a vote in the Senate Energy Committee of 13 to 7 to include this area in the budget reconciliation. It came to the floor.

There have been three rollcall votes on the Senate floor this year dealing with the issue: May 24, to prohibit the asset sales in the budget resolution; again on May 24, to strike this amendment that had been inserted in the budget resolution by my colleague, Senator MURKOWSKI; and in October, during the budget reconciliation process, we voted on Senator BAUCUS' amendment dealing with the Arctic oil reserve. We tabled each of these motions. We were sustained in our position that this belongs in the budget bill.

In response to another of Secretary Babbitt's assertions, we have not done this in the dark of the night. There was not anything sneaky about it. As a matter of fact, we have had, since 1987, 26 days of hearings on this issue in the House of Representatives, 14 days of hearings in the Senate, and there is no question that this has all been done in the light of day.

We have not done anything sneaky in the dark of the night. To have a Cabinet officer accuse Members of the Congress of taking such action is really, I think, an extreme position. The interesting thing is the news media have picked this up and now they are bashing me over the head again, because I got disturbed at him for making such statements. It is appalling to me that we cannot require honesty and truthfulness out of people dealing with issues such as this.

We seek only to proceed with leasing, as was contemplated in 1980. As I said, this is the only area of Alaska in which that act allowed development. Look at the rest of it. Over 100 million acres of Alaska set aside. We cannot use them. This one area we can use, and we have been blocked by filibuster since 1980 to proceed as contemplated.

Now, the President asked for the change in the law, and asset sales can be included in the budget resolution. We can put this in the Budget Act, and we have put it in the Balanced Budget Act of 1995. It is a concept that we should, I think, consider.

Mr. President, it means over 735,000 jobs for Americans. It means we will be able to produce oil from that area as was contemplated. It is probably the last greatest oil reserve on the North American Continent that has not been produced.

We have had provisions to allow the leasing of the coastal plain in a whole series of bills. At one time, we had a six-vote margin on a filibuster vote to break the filibuster. We did not have 60 votes, and we were not able to bring this up in past Congresses. President Bush's 1993 budget proposed this area be leased. Leasing of the coastal plain was part of his proposal to balance the budget by leasing land such as this and getting the bonus bids and getting the royalties that would come to the United States if leasing and development came about. He specifically provided, as a matter of fact, that the revenues would be shared equally between the Federal Government and the State of Alaska, which would mean a change in the law to accomplish that.

I come to the floor and I am going to come back again and again. I am going to ask the Senate to analyze the statements made by this Cabinet officer and let the public decide: Should we have the right to be indignant when a Cabinet officer makes statements on national television that are not true, that we try to mislead the public in terms of what is going on here in Congress? Is it sneaky to put a provision in the Balanced Budget Act of 1995 that does the same thing the President of the United States wants to do with the helium reserve, with the Teapot Dome area, and with the naval petroleum reserves? He wants to sell them. If they are sold, they are scored. We put it in the Balanced Budget Act. These actions have never been able to proceed passed because they were not in those bills either. They did not have the capability of getting a vote to avoid a filibuster in the Senate.

Now, Mr. President, it is very difficult to represent a State that is offshore, that is one-fifth the size of the United States, and that has so many varied issues that involve Federal lands and Federal actions, and to deal with the person who is Secretary of the Interior, who is unwilling to properly present the issue to the American public. I believe—and there has been a recent poll that will be announced today—the American public, when fully informed about this issue, will agree with us, that leasing should go ahead, as contemplated in 1980, and the revenues that will come from that area should come to the Federal Treasury, and some to the State. But the jobs that would come from developing our oil reserve should be available to Americans. We should stop importing so much foreign oil.

There are a great many more things that were said by the Secretary of the Interior in that statement when we appeared together on ''Nightline.'' I will come back again and again, because all I am asking for, Mr. President, is an honest debate, to tell the truth and give the facts and let the judgment be made. But when people are trying to

twist the information so that it casts us in a light of being people that sneak around in the night—can you imagine that, saying we did this in the ''dark of the night,'' that we were sneaky, when we have had so many days of hearings, so many public statements on the floor, so many votes both here and in the House?

I think there is just no question that a Cabinet officer who does that should be called to attention, and we should ask: Is this the conduct that this administration believes should be the conduct of a Cabinet officer? When he raised his hand and said he would support the Constitution, as you and I did, Mr. President, does that not mean we will be truthful in the conduct of our business, the public business?

We do it out in front of everybody, right here on the floor. We did our action of putting this amendment in the bill, by a vote of the committee. We have had three votes on the floor this year. We have been here for 15 years now trying to get this Congress to proceed as was contemplated in 1980. I do not think it is proper to call us ''sneaky,'' or to say we are doing it in the dark of the night.

I hope more and more people in America understand that those who make allegations like that have something to hide themselves. I am going to find some way to bring to the American public the truth in these statements that are being made by the Cabinet members of this administration.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I want to talk just a few minutes now. I understand that the unanimous-consent agreement that has been propounded and accepted limits Senators to 5 minutes. I ask unanimous consent to extend that to 10 minutes.

Mr. STEVENS. I would have to object, Mr. President. We, of course, have no objection if the Senator wishes to be recognized for the second time. But in the interest of fairness, we have set 5 minutes per Senator. If there is another Senator to speak at the end of that 5 minutes, he should be recognized.

Mr. LAUTENBERG. That is not an unfair response. Perhaps at the end of that time, I will call on using leader time, which I understand has been made available to me.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

THE BUDGET

Mr. LAUTENBERG. Mr. President, as the Democrat and Republican negotiators sit down and try to work out a final budget, I want to urge the negotiators to begin their discussions by agreeing on a fundamental principle. The principle is critical to Democrats like me and to the overwhelming majority of Americans. The principle is this: Congress should not cut Medicare to pay for tax breaks for the wealthy.

Mr. President, the current Republican budget, which has yet to be sent to President Clinton, violates this basic principle because the heart of the Republican plan cuts Medicare by $270 billion, and it is going to be used to pay for $245 billion in tax breaks. The President has made it quite clear that these Medicare cuts for tax breaks are a quid pro quo and totally unacceptable. It is a basic matter of principle.

I also want to remind my colleagues about some of the other objectionable provisions in the Republican reconciliation bill. The budget proposed by the Republicans also cuts Medicaid by $163 billion. This will mean huge cuts in nursing home care for seniors and care for the disabled.

The bill includes a $23 billion cut in the earned income tax credit, and this means that 17 million working families, who make less than $30,000 a year, will have to pay more in taxes. They will get a tax increase because the earned income tax credit, which helped them sustain themselves, will no longer be available. At the same time, the top 1 percent, who make over $350,000 a year, will get an $8,400 tax break. It is unnecessary and, frankly, it is unconscionable.

The bill also tears apart the safety net for poor children. Under the Republican so-called welfare reform provisions, between 1.2 and 2.1 million children will be thrust into poverty, potentially going hungry.

Mr. President, the basic thrust of this legislation is to balance the budget on the backs of working families and senior citizens, while handing out billions in tax breaks for the rich and powerful. It is an extreme approach. I know that Speaker GINGRICH and his followers believe in it strongly, but, in my view, it is fundamentally wrong.

Mr. President, when you get right down to it, the Republican budget forces all of us to answer a simple question, one that I have discussed many times here. It is very directly saying: ''Whose side are you on?'' That is the question being asked. Are you on the side of the rich and the powerful and the special interests? Or are you on the side of those who go to work every day worrying about how they will pay their bills, get their kids to college, sustain a lifestyle they have worked so hard to get, and worry about what happens in their later years? Or are you on the side of those who do not need help, but who have influence down here, who get to talk to a lot of people in Government, those who make the decisions?

That is the fundamental question that we are discussing as we consider the budget. The Republican reconciliation bill is pay dirt for the rich and the special interests, while senior citizens and working class families get stuck footing higher bills. This is an outrage.

We Democrats are going to continue to resist it as a basic matter of principle. We saw what happened with the continuing resolution when the public caught on to this scheme.

Under the spotlight, our friends on the Republican side blinked. They retreated. They ran away. They wanted to escape the public wrath and quickly abandoned their deep principles for political cover. They quickly backed off their large increases in Medicare part B premiums.

Mr. President, the Republican budget makes the biggest cuts in the history of Medicare. I have heard the case made, ''No, we are not making cuts. What we are doing is increasing the pot.'' Yes, but there are a lot more people who are aging and who will be part of the Medicare population, and on a per capita basis they get hit very, very hard.

Republicans build their case around a false premise. They argue that in order to save Medicare they want to destroy its fundamental mission. That is not true. They ought to be frank with the American people about two major Republican misstatements.

The PRESIDING OFFICER. Does the Senator from New Jersey wish to request additional time?

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that I be permitted to speak for an additional 5 minutes.

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

Mr. LAUTENBERG. The first misstatement that our Republican friends make is we need $270 billion to save Medicare. That is simply untrue.

The Republicans are using this $270 billion, as I said before, to finance their $245 billion in tax breaks for the rich folk. It is no coincidence that Medicare cuts are $270 billion and the tax breaks for the wealthy total $245 billion.

These figures are remarkably similar because one is being used to finance the other. They are taking from our senior citizens who paid the bills, signed the contract, worked hard and weathered the storm, and they are giving it back to the wealthy and the special interests.

The second Republican falsehood is that we need to cut $270 billion to make Medicare solvent. Not true. The chief Health and Human Services Medicare actuary has said that we only need $89 billion in savings to make Medicare solvent until the end of the year 2006.

Let me give some examples of what kind of tax breaks these Medicare cuts are paying for: Under this bill, approximately 2,000 large corporations will get a tax break of $2 million apiece because of changes in the alternative minimum tax calculations; the bill also gives an $800,000 tax break to people with estates over $2.5 million to be able to pass on to their heirs an additional $800,000 tax break. It is not fair. It is not right.

Additionally, this bill contains hundreds of millions of dollars in giveaways to the oil companies.

Finally, the capital gains tax cut included in this bill is a tax break for the superrich. Anyone can claim this tax break. We saw that in a vote here. Even those who make more than $1 million a year can get this tax break.

Mr. President, I tried to draw a line in the tax sand, to use the expression, and put the money back into Medicare and Medicaid. I offered an amendment when we discussed our reconciliation bill that would have precluded the tax breaks from going to those who make over $1 million in a single year. That is one-tenth of 1 percent of all our taxpayers. This small group, I felt, did not need a tax break—making $1 million a year, that is a lot of money.

I thought this amendment could pass substantially. Maybe even unanimously. I thought that people here would finally say, ''No, we think that is fair, that people who make over $1 million a year ought not to get an additional tax break.'' I thought we could all agree that millionaires, billionaires, do not need a break when we are cutting Medicare, especially when 75 percent of all the Medicare recipients earn under $25,000 each year.

However, 52 of 53 of the Republican Senators voted against my amendment. In essence, they said their preference is cut Medicare, cut Medicaid, and we will keep on giving tax breaks to those millionaires and the billionaires—show them what good guys we are.

Mr. President, Medicare is not just a health insurance program. Medicare is a contract. It is a commitment we made to our citizens. It is a promise for those who worked hard for their entire lives that your health care needs will be taken care of when you retire. They paid for it.

This Republican budget uses the Medicare Program as a slush fund for the tax breaks for the wealthy.

Mr. President, I hope that the Republican leadership will give up their plan to cut Medicare to pay for tax breaks for the rich, give up deep cuts in Medicaid, give up tax increases on working families, give up the destruction of the safety net that will put millions of children into poverty, give up the huge cuts in education and the environment. It is time to start over.

If the Republicans are serious about moving towards the balanced budget, they will give up on these draconian cuts, those cuts that hurt so much. They will honor a basic principle that declares whose side Government is on, that no Medicare cuts will be used to pay for tax breaks for the rich, that they will confirm that the Government is here to help give assistance to those who need help the most. Those who are wealthy do not need special assistance from the Government.

It is time to start over, Mr. President, and put together a budget that protects Medicare and Medicaid and working families, poor children, provide education to help get the population to lead our country into the next century, to provide the kind of leadership that can make us more competitive, to continue the kind of position that the United States of America has had for so many years, and to provide our future generations with a decent and clean environment.

I hope that will get consideration, Mr. President. I yield the floor.

SAFE DRINKING WATER ACT

Mr. KERREY. Mr. President, yesterday the Senate passed S. 1316, the Safe Drinking Water Act. I did not have the opportunity to speak on it while it was under consideration and I want to point out some things in that bill that I believe are very constructive.

I will call to the attention of my colleagues that I think we passed a piece of legislation that will enhance voters' confidence, citizens' confidence, that we can, in fact, take a law that has accomplished a great deal.

The Safe Drinking Water Act has improved the quality of life in America considerably, and has been a great success story, but it needed to be changed. There was an urgent need to change the legislation. We passed it last year in this body. The House was unable to pass a piece of legislation, and as a consequence it died.

I want to thank Chairman JOHN CHAFEE. He was very instrumental. Without his leadership this bill would not have passed. Chairman KEMPTHORNE, as well, was very diligent and determined to pass the legislation. Senator BAUCUS, Senator REID, both from rural States, understand the importance of changing this legislation. They, like me, have heard from local communities talking about if we are going to maintain the consent to regulate safe drinking water that we have to change the current law.

I will talk about a few issues, Mr. President. I will go through them real quickly. First is the issue of radon in the drinking water. Under the current law, the EPA was required to promulgate a standard for radon by a court-ordered deadline.

Unfortunately, that standard was a much higher standard than any scientist said was necessary to protect the people. There is no dispute here. This is not a situation where we have anybody coming forward and saying that the standard that was required under this rule was too low.

This standard was set so high that it was going to cost rural communities, in some cases, $5,000 per user to implement. We had withheld the appropriations for several years to promulgate this rule, and this piece of legislation now will take the appropriators off the hook. It changes the law. It gives EPA the authority to promulgate a rule of 3,000 picocuries per liter, which is what all science is saying is needed. It will save rural providers of water in Nebraska nearly $1 billion over a 7- to 10-year period. It is a substantial amount of money that is at stake.

The second issue is the current law, that is the issue of sound science and using sound science in evaluating both the risk and what we do. In the 1986 amendments, we decided we were going to regulate 25 contaminants every 3 years whether those contaminants needed to be regulated or not. This strict method of establishing standards caused some contaminants to be regulated without a sound scientific basis. It is an issue that is very irritating when you are, again, at a local level and are required to spend money looking for a contaminant that has never been there. It has never been in the water. Nobody expects it to be in the water. Nobody has any reasonable basis to believe it is going to be in the water. But because of this strict standard, we were required to regulate it anyway.

The new law authorizes EPA to use $10 million from the State revolving fund on health effects research. EPA is to establish a priority risk of unregulated contaminants and gather health effects and occurrence information on the listed contaminants. The Administrator of EPA must consult with the Centers for Disease Control as it does this analysis. In other words, it cannot just come to a regulatory conclusion without some reference to what our scientists, particularly our health scientists, are telling us about what is going on with drinking water. The States are to monitor for up to 20 unregulated contaminants to collect information for future standards.

The next issue is the standard setting itself. Under current law, EPA has established standards for more than 80 drinking water contaminants. The 1986 amendments required EPA to promulgate 25 new standards every 3 years. The cost to small communities, again, are not considered at all when these standards are set. This legislation, this change in the law, repeals the ''25 every 3 years'' rule and establishes a new mechanism to identify contaminants for future regulation by consulting with the Centers for Disease Control.

Again, if we are trying to have safe drinking water, it seems to be reasonable to reference those individuals who have the responsibility for telling us what is causing Americans to get sick from drinking our water. EPA is to conduct a benefit-cost analysis for each new standard before it is promulgated, and if EPA determines the benefits of a standard issued under current law would not justify the cost of the systems that must comply with the standard, EPA must issue a less stringent standard that maximizes health risk reduction at a cost that is justified.

I have heard people come and say we are weakening standards. We unquestionably are not. This is a change that will allow us, again with reference to what is causing Americans to get sick, if there is a health problem that the Centers for Disease Control—Mr. President, is there a limitation on time?

The PRESIDING OFFICER. There is a 5-minute limitation and the Senator has consumed slightly over 5 minutes.

Mr. KERREY. Mr. President, I ask unanimous consent for another 5 minutes.

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

Mr. KERREY. Mr. President, this was a particularly difficult and important issue. The Nebraska League of Cities sent me a petition with 60 signatures, which specifically asked the Senate to ''include provisions that changed the current process for setting standards to include public health benefits and costs as factors in determining new requirements.'' I will guarantee these local community leaders are not going to send me a letter asking me to do that if they did not have the support of their community to get it done. Many people have said I am selling out, weakening standards. You are not weakening the standards if the people at the local level say, ''This is what we want done.'' As I said at the beginning, I think there is safe drinking water legislation that has been a great success. But we keep getting example after example after example of citizens saying, ''Change the law to give us the flexibility so we can make more of our own decisions. We want to reference science. We want to reference the health people. We do not want to make our people sick. We want them to be able to drink the water and know that water is safe. But we have to have some flexibility to be able to do that because we are paying for this with property taxes.'' Most of these smaller communities are up against imposed lids and they have a tough time getting that job done.

The next issue was the issue of monitoring. One of the largest costs of compliance with the Safe Drinking Water Act is monitoring. Again, it comes out of the local property tax base, typically, to get this done. All Nebraska communities have asked that the current system be revised to let them test for contaminants that exist in Nebraska. Again, all. This is not one where there is any dissent. Every single community is asking that they be allowed to test for contaminants that exist in Nebraska.

We may have some contaminants that Missouri does not have, and you may have some we do not have. You do not want to test for ours, and we do not want to test for yours, because it costs money. If we require them to test for contaminants that do not exist, again, it just undercuts the citizens' confidence you could ever get into an environment where Government can regulate, where we can collectively regulate for the purpose of improving the capacity of our lives.

Let me go through this a bit. Under current law, States go through a waiver process to get some monitoring requirements changed. But this process is very expensive, it is very time consuming and it has been very frustrating for people at the local level. The benefits accrue to the local system while the costs are incurred by the States. The States that do have waivers have seen huge decreases in monitoring costs. These potential savings should be spread to all States, according to the example that has been set by those who have been granted the waivers.

The bill says we revise the current monitoring rules for at least 12 contaminants within 2 years. It allows the States to establish their own alternative monitoring requirements that may be less stringent than Federal monitoring requirements, provided they ensure compliance and enforcement of Federal health standards.

There are other changes in this legislation having to do with ground water disinfection. The current law requires the promulgation of a mandatory ground water disinfection rule, requiring all systems to treat their water. This bill delays the enactment date of this rule to occur at the same time the States do a rulemaking as established for disinfectants and disinfection products.

This legislation also helps us by authorizing some additional new programs: $1 billion for State revolving funds for safe drinking water; States provide 20 percent match. It authorizes $53 million for health effects research. It has been brought to my attention at the State level that in Nebraska there is $717 million worth of infrastructure needs that will have to be put in place over the next 20 years.

The chairman of the committee, quite appropriately—I am on the VA-HUD Committee—the chairman of the committee quite appropriately pointed out one of the weaknesses of this bill is that you are sort of promising money that is going to be there and it may not be there. We are authorizing more than we have. I take this opportunity to point out that the problem here is that we still have a growing cost of entitlements that erode our ability to make these kinds of investments.

I heard yesterday the chairman of the Appropriations Committee, Senator HATFIELD, indicates that he thinks it is likely that we are going to come up with a way to satisfy the requirements of the continuing resolution by the 14th of December—not by cutting defense, now that we are going to Bosnia. Nobody seems to be inclined to do that. But we are going to get $4 billion of savings out of entitlements to get the job done. And we are going to get it—and the biggest entitlements are going to be in health care, they are going to be in retirement—we are not likely to touch retirement. We should, to get the job done.

I know the Senator from North Dakota wants to speak, and I will wrap up with this one statement having to do with a pet issue of mine. The cost of entitlements under the Republican budget and under the Democratic alternative—a group of 20 of us or so that have an alternative that balances the budget in 7 years as well—in either case, the cost of entitlements, health care and retirement, continue to grow and displace all other expenditures. If you think it is not a problem, imagine what it would be like to pass 13 appropriations bills if all we had was $445 billion. You say, oh, $445 billion is a lot of money. But $445 billion is what we would have in the year 2002 if you adjust for inflation.

Gosh, the most liberal Member of this body, in the House or the Senate, probably would not spend less than $250 billion on defense, $260 billion, leaving you with $170 or $180 billion for all nondefense spending. I urge colleagues to look at that number because it is going to get tougher and tougher and tougher for us to get the job done. I, for one, hope, as we look for a compromise on reconciliation, not only will we consider adjusting the CPI down—I would go a full point—but I hope we look at some other adjustments that produce savings.

I think it is reasonable to put an affluence test on all entitlements, including farm payments, to say, basically, we are going to adjust it as income goes up. I think it is reasonable for us to say now we have to adjust the eligibility age, both for Medicare and Social Security. We can hold harmless everybody over the age of 50, if that is what we choose to do. I think it is reasonable to phase it in. It is reasonable to phase those changes in. Nobody listening to this who is over 65, or 60, or 55, ought to think we are talking about them. But, unless we make that kind of a change, this baby boom generation is going to rank out about 2008. When we start retiring, our kids are not going to be willing to have their payroll taxes increased by the amount that is going to be necessary to pay for our Medicare and Social Security. We are not going to be able, I say to my colleagues—we are not going to be able to adjust rapidly enough to come up with the $717 billion that Nebraska is going to need for its infrastructure investments or for any other thing in the appropriated accounts.

So, Mr. President, I appreciate the additional time.

I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

ORDER OF PROCEDURE

Mr. DORGAN. Mr. President, I ask unanimous consent that I be able to speak for 10 minutes as if in morning business.

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

TELECOMMUNICATIONS

Mr. DORGAN. Mr. President, I know the Senator from Nebraska will probably want to stay for a couple of minutes. The Senator from Nebraska and I

wanted to visit for a couple of minutes about the conference that is now taking place between the Senate and the House on the telecommunications bill. The Senate has passed a telecommunications bill, and so has the House, and it is now in conference.

The impact of the telecommunications legislation will be very substantial all across this country. What is happening in the conference, and the reason that I came to the floor today, is very disturbing to me. The issue of reforming the telecommunications laws and regulations in this country is very real, and very necessary. It is also very important. The Communications Act has not been changed significantly since it was written in the 1930's.

Clearly, we ought to pass a telecommunications bill. But it ought to be in the right way. If it is done in the wrong way rural areas in America will be left out.

I voted against the legislation that we passed in the Senate. I also believe that the Senator from Nebraska voted against, because we saw some very serious problems. We hope some of those problems will be fixed in conference, but it appears that some of them will be made worse in conference.

Before I talk about the larger issues, I want to talk about one that is most important to me: universal service. From the standpoint of someone who comes from a rural State, the market system is not going to decide that the income stream in a rural State is going to persuade people to come and engage in robust competition to provide new services in rural areas. That is why the notion of universal service is critical to rural areas.

What kind of a telephone system do you have in rural areas? Do you have a telephone in the smallest town in North Dakota? Sure, we do. Why do we have a telephone there? Because the existing universal system has made that possible. It is much more expensive, per person, to have a small number of telephones in a small community in terms of fixed cost than it is to have millions of telephones in New York City. But we have decided that it is a matter of universal importance for everyone to have modern communications equipment so that everyone can communicate with one another.

The fact that there is a telephone in Regent, ND, makes a telephone in New York City more valuable because that New York telephone can communicate with someone on the receiving end in Regent, ND. It is a very small community, and I am guessing it does cost more to have telephones in Regent, ND, than in New York City. However, we have a universal service fund that is designed to equalize those costs and make sure that we have universal opportunity and universal service in a critical area called communication.

What will be the result of this new telecommunications bill? What about new kinds of communications? What about new technology? Will they be available in rural areas, or will they only be available in some of wealthiest neighborhoods? Will they only been available in some of the largest cities?

There were 24 Senators, 13 Republicans and 11 Democrats, including myself, who joined together in a bipartisan group to write to the Senate conferees in support of the rural provisions that are in the Senate bill. These provisions are very important to rural States. The problem we have at this point is that the conferees from the House side are trying to strip those provisions out. This is not a partisan fight. It is a bipartisan determination on the part of the Senate to want to retain those provisions. I want to speak a little more about those provisions later.

Let me go on to a couple of the larger issues in the bill that deal with macroeconomic things that Senator KERREY and I have also been involved in. I am concerned about the two areas in this bill dealing with competition. One, the legislation lifts entirely the limits on how many TV stations one person can own in America. We now have a limit of 12. I think it is in the public interest to say one can only own 12 TV stations and no more than 12. Currently, it is no more than 12 TV stations reaching no more than 25 percent of the population.

The bill says, on the other hand, that one can own as many TV stations as one likes. Let us just take the cap off, the sky is the limit. One can go right ahead and by as many TV stations as one can muster up the money to buy. One can also own as many radio stations as one wants to buy. That makes no sense to me. That kind of concentration moves in exactly the wrong direction. Concentration is the opposite of competition. One cannot support a bill like this and call it competition—when, in fact, it provides for more concentration. Yet, that is exactly what is happening.

It also true with respect to the question of when the Bell systems are allowed to go compete in long distance. They should not be allowed to compete in long distance service until there is competition in the local service exchange. The question is, when is there meaningful competition in the local service exchange so that competition in the long distance industry will not be harmed? We had a big fight about that on the floor of the Senate. It was a close vote.

The Senator from Nebraska and I offered an amendment that said let us let the Justice Department, using the Clayton standard, evaluate whether or not a baby Bell's entrance into long distance will lessen competition or tend to create a monopoly before they should be permitted to compete in the long distance area. The fact is, we lost. We lost because a lot of folks wanted to vote for a position that is, in my judgment, anticompetition and proconcentration.

I want to read what a few of the editorials say about the telecommunications bill that is now in conference, and why I and many others think it desperately needs reform.

USA Today says: ''Monopolies win, you lose.'' That is their simple description of the bill.

Business Week says: ''If Congress really wants a free phone market, with the competition and lower prices that will come with it, it shouldn't be quite so generous to those local monopolists, the Baby Bells.''

The Oregonian says: ''. . . a single owner could control all the media outlets and communications links in a given market—a scary monopoly.''

The Tennessean says: ''. . . the problem with the bill is that it removes most telephone and cable rate restrictions without first assuring that competition is in place.''

The Denver Post says: ''If the current bill becomes law, phone prices may rise and consumers will have fewer—and not more—choices.''

The Charleston Gazette says: ''. . . the bill trashes long-time rules that have restricted concentration of media ownership . . . Deregulation and 'reform' have increasingly become code words for freeing huge corporations from the Government oversight that prevents them from gouging the public and developing stifling monopolies.''

Some of us feel very strongly that we ought to pass a bill that promotes competition, that opens the marketplace to more competition, and, yes, eliminates some regulations where competition can replace regulations. But there are two premises that are troublesome with that point. One is, you do not have competition in many rural areas. Often you have a circumstance where you only have one interest willing to serve, and that service sometimes has to be required. The economics simply do not dictate service. So you cannot deal with that quite the same way; ergo, we have the question about universal service and the need to make sure that exists in the legislation.

Second, we are very concerned about a circumstance where legislation in the telecommunications area allows such concentration that one entity really in a community can own the newspaper, can own the major television station, can own the cable company, can own it all, control ideas, control thought, and determine what is published, what is not. That is pretty scary. It is not moving in the direction of competition. It is moving in the direction of concentration, and it is exactly in the wrong direction.

So my hope is that those in the conference will understand that if they bring to the floor of the Senate a conference report that backs away on the protections in this bill for rural States, they are going to have a lot of trouble. If they bring to the floor the piece of legislation that they left the floor with and do nothing in the area of concentration or fixing those problems, they will have very big trouble because

some of us will not want to let a conference report like that continue to move.

So I would be happy to yield some time to the Senator from Nebraska on this subject as well.

Let me yield the floor and ask if the Senator from Nebraska seeks time.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Nebraska.

Mr. KERREY. I really quite agree with the Senator from North Dakota. I think the legislation passed here was well intended. People who voted for it understand there is a lot of change going on out there, and we need to embrace that future and try to change our regulatory structure. But it is possible for us to change it in a fashion that reduces competition. In fact, without some kind of meaningful role for the Department of Justice as we move from a monopoly to a market situation, as we move from a situation where the Government is making all the decisions to a situation where it is the marketplace making the decisions, if we do not have the agency that in fact has demonstrated the ability in this area as it did with AT&T to manage that kind of situation, I think we will end up with less, not more, competition.

I bring a story told at church Sunday by Father Jim Schultz from Omaha, NE. He told the story that kind of describes what happens out there right now in the marketplace when you are dealing with a monopoly.

The story is about a man who dies and goes to the pearly gates, and St. Peter says, ''Well, you are right on the edge. We can't decide whether you are going to go to Heaven or Hell, so you get to decide.'' There are two doors. One goes to Heaven and one goes to Hell. St. Peter opens up one door and there is a big party going on with a band and everything, everybody is happy and great looking people inside there. St. Peter says, ''Well, this is Hell.'' The man says, ''That's odd.''

So St. Peter looks at the next door. He opens up the door and goes inside, and there are a bunch of people sitting around in chairs, real sad and angry. He says, ''That's Heaven.'' He says, ''Take an hour and decide and let me know.''

An hour later the man comes back and says to St. Peter, ''I think I'll do Hell.'' He opens up the door. The people are dead. The smell is stale, trash all over. He goes to St. Peter and he says, ''What happened? An hour ago there was a great party, looked like a lot of fun, looked like the place to go.'' St. Peter says, ''An hour ago, you were a prospect. Now you are a customer.''

In a monopoly, that is the situation. I had a recent example of that in Nebraska where a school trying to get enhanced services was told by the telephone company: ''You do not need it. You really do not need that enhanced service. We are not going to provide it to you because we do not think you really need it. We do not think you really should have this kind of service.''

When you have a situation where the company can say to you, ''We are not going to satisfy your needs,'' you do not have competition. When you have that kind of a situation going on, you really do have two choices—take it or leave it. That is the only thing you can do.

We have built a tremendous telecommunications system in this country by using a combination of Government regulation and market forces, and as a consequence we not only have a tremendous telecommunications system but in any community in the country you get high quality service. You can go to Alliance, NE, or Ainsworth, NE, or a rural community in Nebraska and find your telephone service is going to be as good as it is in Omaha because you have the same kind of service and same high quality of service as a consequence of the law of the land saying that is what universal service is to mean, that is what our customers as citizens ought to be able to have.

Mr. DORGAN. I wonder if the Senator will yield for a question.

Mr. KERREY. Be pleased to.

Mr. DORGAN. The people who are living in Nebraska or North Dakota in a small community know when they make a long distance call, they have the opportunity to choose from literally hundreds of long-distance carriers. What they have experienced is that, because of hundreds involved in competition, long-distance service prices have been driven down substantially for long-distance service. Competition, good competition generally provides the consumers with a better price.

The debate we had in the Senate was when should the Baby Bells, which are local monopolies at this point, engage in long-distance service and to try to capture the long-distance market. The answer should be when there is competition in the local phone service in the communities. It is only when the Bells have competition, then, and only then, they should be released to go compete in long distance.

On the question: How do you know when there is competition? I say: let those who know about competition make that decision—the Justice Department. Of course, a lot of folks did not want that to happen. I think we had 43 votes that supported the notion that the Justice Department should have a meaningful role. But we need to make sure that competition really exists. That is what is in the interest of the consumers. Otherwise, we move right back towards recreating phone monopolies that control not only local service but long distance as well.

Mr. KERREY. The Senator is quite right. As a matter of fact, in the language last year, we had a Justice Department role, and we replaced it this year. The committee decided to replace it this year with a 10-part competitive checklist. The real test of competition is a very simple test. One of the reasons I am of the belief that you have to have a Department of Justice role of some kind—I am willing to drop down to Clayton; I am willing to look at alternative standards—is that the 10-part checklist does not really satisfy the consumer. I know when I have choice. If I have choice, the person who is trying to sell me something knows that if they do not get the price and the quality in the range I think I am willing to pay for, I will shop someplace else. I will go someplace else.

If I have that kind of choice and that kind of alternative, then I have competition. If I do not have it, I do not have competition. If I have one company supplying all my news and one company supplying all my newspaper and one company that says here is your phone service and one company says here is your cable service, there is no choice. All I have basically is a question: Do I want it? Yes or no. I do not have any impact upon the quality and I do not have any impact upon the price.

Mr. President, I hope that colleagues do not suffer under the illusion that the Senator from North Dakota and I—I certainly do not want to create the impression that I am not willing to embrace the future and indeed make a bet. I think we have to risk here. I think we are talking about moving in a rather dramatically different direction.

I noted with considerable interest on the front page of the New York Times this morning—I think that is an old picture—Steve Jobs, cofounder of Apple, started a new company called Pixar—what is it? Hold on a minute here. Pixar Animation Studios is the name of the company, and he invested $68 million in it. They did a public offering yesterday, I believe, and thought it would go for about $22 a share. It turned out the market bid it up to close to $40, and all of a sudden he has $1.2 billion. His company created $1 billion worth of wealth yesterday. The United States of America is $1 billion wealthier as a consequence of this individual's decision to start a company that provides animation, in this case to Disney that put out a movie—what is it called? The Toys or something like that. I have not seen it, but it had $38 million worth of revenue over the weekend, which is pretty darned good.

In the article as well there is mention of a company I am familiar with. James Clarke started a company called Netscape. He also created $1 billion worth of wealth.

This is important for us. This country is a wealthy country as a consequence of somebody getting an idea and putting it out in the marketplace, and all of a sudden you have value, you have something that is worth something.

It is important that these men generate wealth. It is important that we continue to create ways that create wealth so we know the market is doing some extraordinary things.

What I see, both with Netscape and Pixar Animation, is that this old computer that we saw sitting around our kids' bedrooms, and so forth, over the years is being converted into a communications tool. It used to just calculate, and increasingly we are using it to communicate.

Indeed, I am working with the University of Nebraska trying to figure out a way to leverage intellectual property because they are pricing themselves out of the market. As the demand for college goes up and the demand for an educated person goes up, we are getting a doubling and tripling and quadrupling of what that university has to do. Our taxpayers do not have enough money to continue building and hiring more and more people. We have to leverage more intellectual property, and we are looking for a way to do it through computers. We know to get that done we essentially have to pass a three-part test.

Test No. 1 is, Are you willing to embrace the future? Because if you are not, it is not going to work. If you want to hold on to the old way of teaching, say so. Because if you hold on to the old way of teaching, you are not going to be able to get your costs down. And, secondly, you have to be willing to place a bet, which means not only more money in these areas, which unquestionably is the case, but you are going to risk your reputation a little bit. You are going to take a chance on a roll.

So I understand that at some point we cannot really be sure what this legislation is going to do. And I am an advocate of changing the law; I wish to break down the regulatory barriers so that consumers in their homes can make a single choice. What we have done is we have set up a system of regulation that says over here we have television, over here we have radio, over here we have dial tone, and over here we have print. That is what we have done. What has happened is the technology has obliterated those distinctions, and our regulatory structure still maintains them.

So instead of being able to go to a single provider and buy it all packaged together—which, in my judgment, is the only way 100 million people in residences are going to see a decline in price and an increase in quality—you still have to buy them separately. As a result, costs are higher.

So I hope that colleagues do not suffer under the illusion that I somehow want to hold down the status quo. I am willing to embrace the future and willing to place a bet, but I want to see real vigorous competition and choice at the local level. I want to see that. I want to vote for this bill. I want it to come back out of conference and to probably vote for it. I do not want to just stand over here and say ''no,'' and hold my breath and try to hold it up.

But unless we get vigorous competition at the local level—and I do not want to hold up the RBOC's. I want to be able for them to go out and compete. I am uncomfortable watching their top-end customers whittle away while they do not compete in long distance itself. I would like to be able to liberate them, but I want them to be liberated at the moment when I am sure that we have very vigorous competition at that local level.

So I hope that conferees understand that the Senator from North Dakota and I are not sitting here saying that we do not realize the law needs to be changed. We know the law needs to be changed. We know there is an exciting and important opportunity for wealth generation, for job generation, for education, for improving the way that our own Government operates, trying to make it more efficient, trying to improve the quality of life for our citizens.

This piece of legislation, this law is extremely important, but it is important that we have in our own mind some kind of vision for what the world is going to look like. Otherwise, all we are doing is trying to fashion some sort of compromise between the various corporate entities, and I think at the end of the day it will not create the kinds of change that in fact are already occurring out there in the market.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, let me add just a couple comments to what the Senator from Nebraska said. The status quo has been monopoly and concentration. I do not believe in the status quo. I think competition, especially in market areas where competition is supportable, competition is a much better arbiter of what happens in the marketplace than the effects of concentration or monopoly. That is what we said with respect to whether the Bells should go compete in long distance.

We thought we ought to do it with competition with local exchanges, that true competition with local exchanges would help customers. And we think that makes a lot of sense. When there is true competition, they ought to be free to compete in long distance. If there is not true competition in local exchanges, to free them up to compete in a long distance market that has been competitive and has had the effect of driving down prices, that will, in fact, ruin a market system that has worked. That is what we are saying.

The second area is this issue of increased concentration that serves no one's interests, in my judgment. I was on a television program a while back because I asked for some hearings on bank mergers. The interviewer said, ''Well, gee, these two big banks are merging and are able to get rid of 8,000 people who are duplicates.'' Getting rid of duplicate people, does that not make sense? Is that not efficiency? And is that not what is called efficiency? You can make that case for going to one bank.

Why not have one bank in America? That would be the most efficient, probably. It would not make the most sense. I mean, efficiency—my hometown had two grocery stores. I suppose you could make the case we should have only had one because it would be more efficient. I think people were probably advantaged by having a little competition on Main Street. It was a small town, but nonetheless competition in that little area probably served the people of my hometown pretty well.

So this area of concentration bothers me a great deal, and I hope through this conference they can address that once again.

I want to finally make this point. The Senator from Nebraska and I both represent rural States. The question of what kind of telecommunications service you have in a town of 2,000 people versus a town of 2 million is very important, and the proposals to drop in this conference what we put in on the Senate side, on a bipartisan basis, are these sorts of things. We put in on the Senate side requirements that rural areas have access to service that are reasonably comparable to those offered in urban areas, services that reasonably are comparable in rates as urban areas, the benefits of advanced telecommunications services for health care, education, economic development, as urban areas do.

Why is that important? Well, the universal service system in this country has guaranteed that up to this point, but if these guarantees are dropped—and one side wants to drop them at this point—and if this bill comes back without these kinds of provisions, this telecommunications bill, in my judgment, this telecommunications bill will be a full-scale retreat for a quarter century for many rural areas, and we will just be left in the dust here.

That is why we wanted at this point to at least serve notice to the conferees that this is not unimportant to some of us. If they think they are going to bring a bill back here that is not procompetition, but instead is proconcentration and promonopoly, and if they think they are going to bring a bill back here that says, rural people, you do not count much, well, we count in the Senate. That is for sure.

It is true that the population decisions are made with respect to the representation in the House. I mean, the House is, of course, apportioned by population. But at least rural States count in the U.S. Senate. Someone who lives in Hutchinson County, ND, finds it just as important to have an advanced telecommunications system and good telephone service and good health care service and other things as someone who lives in St. Louis.

So these are very important issues for all of us. And we hope—I notice that the conference committee did not meet today because there is a flareup that does not relate, I think, to what we are talking about. But we hope when these conferees meet they understand the importance of getting this right when they bring this bill back to the House and the Senate, because otherwise I do not think you will have a conference report pass the Senate.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, so people wonder what the impact of this is going to be, and 94 percent of American homes have telephones, 60 percent have cable—I believe those are the numbers—and nearly 100 percent have television sets, and more people have telephones and television sets than have running water. It is a substantial success story we have that kind of penetration into American households.

Every single household in America is going to be affected by this, and we are talking about trying to describe a significant change in the way they are going to be coming into contact with their providers. I think, as a consequence, it is very important for us to decide in our own minds what kind of an environment are we trying to create.

One of the pieces that is in here that seems a little contrary to my own desire for competition—in fact, a little more than just a little contrary, it is contrary, but it is necessary to build a bridge in that competitive environment—is the Snowe-Rockefeller-Exon-Kerrey provisions having to do with education.

I am very pleased, and I ask unanimous consent that a letter written by the chairman of the conference committee, Senator PRESSLER, indicating that he intends to hold and support the Senate's view on that provision, be printed in the RECORD at this time.

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

U.S. SENATE, COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC, November 28, 1995.

Hon. J. ROBERT KERREY,
U.S. Senate, Washington, DC.

DEAR BOB: Thank you for your cosigned letter regarding the amendment contained in S. 652 which will ensure affordable access to telecommunications services for schools, libraries, and rural health care providers.

As Chairman of the conference, I have the responsibility to advance the interests of the Senate. As your letter indicates, there is strong support for this amendment to S. 652 in the Senate, and I am aware that many in the House support the provision, too. I think this provision left the Senate with strong bipartisan consensus, and the view of the Senate that it should be adopted is strong. Since two of the sponsors of the amendment also are Senate conferees on the bill, I know they, too, will argue forcefully for its inclusion in the final bill.

Thank you for taking the time to contact me, Bob. I will try to keep you apprised of our progress in conference.

Sincerely,

LARRY PRESSLER,
Chairman.

Mr. KERREY. Mr. President, this idea of technology being a constructive force in our lives is sometimes a difficult sell to make to people, particularly with software, because they have experienced the joy of downsizing as we get more efficient. They sometimes wonder what good this is all going to be, or particularly in an educational environment, people, like myself, remember the old ''talking head'' environment that was there with the television sets coming into the classroom.

I really want to emphasize that I think the only way that we are going to be able to increase the amount of learning that goes on, whether it is in the home, which I think is the first line of defense in education—if we can increase the amount of learning that goes on in the home, it is going to be an awful lot easier to make an educational form work inside the school, since the homes were there before the schools were—it will make it an awful lot easier for any of our institutional efforts to succeed.

This technology gives us the opportunity to provide continuous learning inside of the home environment. It is going to be very difficult for us to do the sorts of things we want unless we embrace a future that changes the way we teach and changes the way we use technology unless we are willing to bet not only to change the law but also change the allocation of resources.

It is going to be very difficult to make this work unless we, as adults, with the responsibility to make these decisions, say that this is going to become part of our core competency, whether that is a school or that is in a university or whether that is a government agency that is trying to operate in some kind of an efficient fashion.

So I am here this afternoon to say that I want to embrace change. I do embrace change. I am working on it all the time, particularly in the environment of our schools. But we can put change in place that makes things worse.

I say to the men and women who are on the conference committee, my colleagues and Members of the House that are on this conference committee, I urge you to put a meaningful role in there for Justice, some kind of role in there for Justice or, in my judgment, you are going to regret that you did not. You will regret that you did not because we are not going to have the kind of competitive environment that we need to have at that local level to enjoy the benefits that we all promise at least when we talk about supporting change in the law.

THE BUDGET

Mr. KERREY. Mr. President, before I yield the floor and suggest the absence of a quorum, I noted earlier there were a number of Republican colleagues that came down and talked about the budget. There were some statements made that I feel compelled to respond to. Some came down and said the Democrats are not really serious. They do not have a plan. There is no attempt here, no willingness here to, in fact, address these budgetary difficulties.

(Mr. GORTON assumed the chair.)

Mr. KERREY. Mr. President, I respectfully say, just the opposite is the case. There is unanimous desire on the part of the Democrats to come up with a change in our law so as to get to a point where our budget is balanced, but we have a different vision. We have competing visions and competing ideas on how to do that.

I appreciate, for example, the willingness of Republicans to say that they want to preserve and protect Medicare. It is a very important change. At least I hear it as a change. One of the things that must be understood with Medicare as a fundamental principle is that we said in 1965, when people hit the age of 65, they are going to have difficulty purchasing health insurance, so we are going to create a change in the Federal law under the Social Security Act to provide a mechanism for Americans over the age of 65 to get insured.

The question is, has it worked? Ask your Representative or Senator, ''Has this worked?'' Is that an example of something that has accomplished the job? In 1965, 43 percent of people over 65 were uninsured. Today, it is less than 1 percent. The answer is unquestionably yes. Mr. President, 100 percent of the people over the age of 65 are today insured. It has worked surprisingly well.

However, there is a problem, and the problem is, first, we allowed customary and usual reimbursement, so we had no cost controls to begin with and the costs have blown completely off the chart. We came back in the eighties and implemented a system called perspective payment system and started to reimburse according to diagnostic groups and, unfortunately, that tended to shift costs over into the physician services and costs continued to escalate.

Today, they are growing, I guess, 10, 11, or 12 percent, somewhere in that area. We are facing a tremendous increase in costs. I completely agree with the Republicans who say that we have to control those costs. We do not need to cut Medicare, but we have to slow the growth of the program. There is no question that that needs to be done.

However, the point of departure that I have, and I have made it a number of times—I feel like I am running a broken record here in saying it—there is a short-term problem and a long-term problem with Medicare, and it is the long-term problem that is enormous.

The long-term problem with Medicare begins about the year 2008 when, as I indicated earlier, the largest population group, the largest generation in the history of this country, the baby -

boomers, begin to retire. We cannot meet the promises with the current rate of taxes. We do not even come close. We are either going to have a tremendous tax increase out there or a very quick cut, not in the growth of the program, we are going to have real cuts in the program itself. So we have to slow the growth, not just in the short term, we have to slow the growth in the long term for Medicare.

I hope as we move through these deliberations, the Democrats, in addition to coming to the floor and saying we want to protect Medicare and preserve Medicare and we want to make sure the cuts there and in Medicaid do not fall in a disproportionate or unnecessarily harsh fashion, I hope we also come to the floor and say, as I have done now two or three times, I think we should drop the tax cut.

I am for reforming our Tax Code so as to promote economic growth, but one of the odd anomalies in this whole debate is that a $245 billion tax cut, according to CBO, actually decreases growth. It does not increase growth, it decreases. I am for having a debate about how do you relieve, in a fair fashion, particularly not just on working Americans, but families from some of the penalties that they currently face.

But if we drop the tax cut—I ask unanimous consent for 2 minutes.

Mr. ASHCROFT. Mr. President, I want to propound a unanimous-consent request.

Mr. KERREY. I will be pleased to yield.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the period of morning business be extended, with Senators permitted to speak for up to 10 minutes each.

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

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, again, I will not go on this little diatribe about entitlements, but I will summarize what I was saying earlier.

I hope we do not get a continuation of visitations to the floor asserting that Democrats do not want to balance the budget or we do not have a plan or, conversely, that Republicans are all heartless and do not care about the poor and have no desire—it may score relatively well, but it will not enable us to solve this problem.

The problem, to be clear, is, not only is the budget out of balance, but the growth of entitlements are continuing at an unsustainable pace, not only eroding our ability to pay for appropriations but also, Mr. President, eroding our long-term ability to be able to do anything.

We will, by the year 2012, convert the entire Federal Government into an ATM machine if we continue. That is all we are going to be doing, is transferring money: collect it and transfer it. Everything else is going to be shut down.

To solve that problem, if you really want to create a revolutionary change, indeed, if you want to vote for something that is tough as heck this year, but every year afterward is going to get easy, as opposed to this budget—this budget is relatively easy to vote for because the cuts occur later—next year's vote is going to be tougher and the year after that is going to be tougher. It gets tougher every single year, because we are squeezing these appropriations accounts, and we have not tackled the entitlements as we ought to.

I will give you some things you have to do. Can we get it out of the farm program, cut defense? The answer is no, there is not much room in those things. Here is something you have to be willing to vote for: You have to be willing to vote to reduce the CPI, I would say at least by half a point. I would vote for a full point. The full point pushes the insolvency rate of Social Security back 30 years. That is the kind of revolutionary change which produces change not only in the short term, that enables us to put more money back into Medicare, Medicaid, and education, if that is what you want to do, which I think would be a reasonable thing, but in the long term the impact is tremendous.

Second, we ought to think about an affluence test not just on part B, not just on COLA's, but on the whole shebang. If you have a contract with a retiree where they paid in, that is fine; do not break a contract we have in place. But if it is merely a transfer of payment being made because we presume somebody needs it, when their income goes up, they do not need it; when their income goes back down, let them have it again. Do not take it away from them, but adjust it according to income. It produces tremendous savings, both in the short term and in the long term.

Lastly, if you want to produce some real change out there in the future that will enable us to look at beneficiaries under the age of 40 and say there is going to be a Medicare Program for you and a Social Security Program for you, let us adjust the eligibility age both for Medicare and Social Security to 70. That is what the entitlement commission recommended. The Kerrey-Simpson proposal on Social Security does that.

I say to all those who are listening, what will typically happen is I make a statement like that and somebody will interview a 70 year old: What do you think of that proposal to have the eligibility age changed?

That is a terrible idea. It would hurt me.

It does not affect anybody over the age of 50. We can phase it in. But the longer we wait, the quicker the change has to occur. The longer you wait, the more painful the decision is. Those are the kinds of things the Democrats need to come down and say to Republicans, as we look for a way not only to balance the budget but balance the growth of entitlements and enable us to have a Federal Government that can, when we agree what it ought to do—this whole thing started with me in a discussion of the Safe Drinking Water Act. Senator BOND, chairman of the committee, pointed out accurately that we are authorizing more than we have. We have a certain amount of infrastructure just for safe drinking water over the next several years, and we are going to struggle to come up with the money, as a consequence of being unwilling or unable, whatever, to vote a change in the law that will produce the changes in the outlays on those mandatory programs.

That is a tough vote. But if you had a bipartisan vote on something like that, I think we can take a lot of political rhetoric out of it and it would still be tough. But every year after that it gets easier. Whereas, whether it is the Republican proposal, by the way, or the Democratic alternative, either one, the easiest vote is this year. Next year is tougher, and it gets tougher and tougher and tougher. And these mandatory programs continue to grow.

So I hope that as we come to the floor and talk about our own ideas for solving this problem, we do not say that one party is insincere, or the other party is heartless; I hope we will actually come to the floor and suggest things that might not only balance the budget in 7 years, but put us on a track where we are able to say to every single beneficiary that there is going to be something there for you, and we are able to say to our people that once Republicans and Democrats have decided what we ought to be doing in research, education, space, defense, or law enforcement—once we have decided what it is we ought to do—and the disagreements are typically a lot more at the margin than meets the eye—once we have made a decision, I hope we have the money to do it.

I would like to see that happen. I do not have a lot of optimism given the current lay of the land. But I would like to see sooner, rather than later, us making those kinds of changes because it is inevitable to me.

I challenge any staff that happens to be listening—I assume Members would not listen to all this stuff—to try to figure out what I am talking about. Take the number $445 billion and then go to the 13 appropriations accounts and add up what we are currently spending, because $445 billion is what we are allocating in 2002 under the Democratic budget and under the Republican budget. You cannot do it. Take $260 billion out for defense—and very often people say, ''I know how to save the money, we will cut defense.'' Well, you cannot cut it enough. You cannot cut waste, fraud, and abuse enough to be able to get it done. You can take our salaries to zero and it would not impact the sort of choices we are going to have to make. Constructive budget, defense and

nondefense, was $445 billion. Then you begin to see the dilemma if we do not vote for the changes in our mandatory programs that will enable us to have the Federal Government do those things that I believe the American people want us to do.

I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Washington is recognized.

ENTITLEMENT SPENDING

Mr. GORTON. Mr. President, 4 years ago at this time, the distinguished Senator from Nebraska was a candidate for the Democratic nomination for President of the United States. That was an unsuccessful quest. But I will reflect on the fact that had that been a successful quest, we would not be faced with the challenge or the deadlock with which the Congress is faced today.

The Senator from Nebraska, very clearly, goes much further in his recommendations for dealing with entitlements than does the Republican budget, which will be vetoed by the President because it does much too much for this President with respect to entitlement spending. Each of the suggestions that he has made, each of the suggestions that his bipartisan organization has made have a great deal of merit. Each of them ought to be seriously debated here in the Congress of the United States and, for that matter, in the White House. Very bluntly, however, they are not because the person who is President of the United States essentially sets the agenda, or at least the parameters of the debate over matters of this nature.

So, at this point, we are faced with the proposition that, at best, we can do some of the things, take some of the steps toward a reform of our entitlement programs and the preservation of Medicare, advocated by the Senator from Nebraska and those who worked with him. But that is not the nature of the debate today.

In spite of the fact that the Senator from Nebraska speaks as a Democrat, speaks from the other side of the aisle, we are faced today with the proposition that this body, this Congress, without a single Democratic vote here in the Senate, and with only the tiniest handful in the House of Representatives, has, in fact, passed a balanced budget in the year 2002, and has in fact, for the first time that this Congress really has ever done so, proposed profound reforms in entitlement programs, both for their own preservation and in order to preserve some ability on the part of the Congress to fund these discretionary programs.

We are faced with the position of at least the vast majority of the other party, and certainly the President, that they will not propose any alternative which will reach the same goal. We struggled through bitter debates on this floor and much difficulty to pass a modest 3-week continuing resolution just a short time ago, just before Thanksgiving, the heart of which, as far as we were concerned, was the proposition —which the President signed— that we would come up with a balanced budget in the year 2002, using statistics provided by the Congressional Budget Office. Now, halfway from the date of that passage until December 15, we have no such proposal from the President, or, I may say, from the leaders of the party of which the Senator from Nebraska is a Member—none whatsoever. We have critiques of various elements of our proposal, including the critique of our tax reductions from the Senator from Nebraska. Well and good. Such criticisms are certainly appropriate within the frame of reference for reaching a balanced budget by 2002.

It would be wonderful to debate whether or not we ought to go further and to pass a set of reforms that would last longer and be more decisive. But the Senator from Nebraska knows that no such debate of any seriousness will go on during this administration.

So the real parameters are, is there a different way of reaching the goal set out in a law passed by this Congress just 10 days ago and signed by this President just 10 days ago? Do they want to make some kind of adjustments with various spending programs or with tax reductions? So far, the answer is, ''no,'' they do not want to play the game at all. They are content with the status quo.

Last night, we were informed by the President of the United States that if we would simply pass appropriations bills with the items in it that he regarded as priorities, then he would sign the appropriations bills. Wonderful. Not a word about reforms in the entitlements, which are absolutely necessary in order to have any money left over in future years for any of these discretionary programs. Well, of course, that is an unacceptable offer. The only way we can determine whether or not there is money for any of the programs that we feel important, or that the President feels are important, is to operate within the same set of parameters, and to have the President submit to us something which his party will support and he will sign, which meets that goal of a balanced budget in the year 2002.

It can be as radically different as that which the Senator from Nebraska advocates here. That would clearly be a starting point. I suspect that if it were a program such as he proposed, he would find a great deal of support for many of its elements on this side of the aisle. But he knows we are not going to get any such proposal from his political party. I hope that he regrets that we have gotten no proposal at all that meets those requirements—none at all. We have simply a statement that ''we have these priorities and those priorities,'' none of which includes balancing the budget. Now, this is not a zero-sum game, Mr. President, because built into the proposal which passed as part of the Balanced Budget Act of 1995 is a huge dividend of $170 billion to the Government of the United States—perhaps half a trillion more in income in the pockets of the American people in the form of higher wages and lower interest rates, a dividend which disappears if we do not reach the goal.

Almost precisely identical with the date of last year's elections, interest rates began to drop in the United States. Almost precisely with that time, productivity began to increase in the United States. Inflation is lower in the United States, as I read the statements of the Chairman of the Federal Reserve Board, due to anticipation of a balanced budget.

If this deadlock continues—if the President makes no proposal to reach that goal, no proposal, not that his own advisers think is a good one, but one that will stand the test of time and the financial markets of the United States—these improvements in our economy will be ephemeral. Interest rates will go up, the number of jobs will go down. We will be in a serious situation.

So I know that those Senators on this side who have heard the remarks of the Senator from Nebraska will admire them and in most respects agree with them, but the time has come that either he needs to persuade his party to adopt his position, or at least he needs to persuade his party to respond within the frame of reference that is now the law of the United States for the last 10 years, and come up with some alternative that reaches those goals using the same set of figures that will provide the dividend we have been told will be the dividend resulting from a balanced budget.

Somehow or another we have to get such an answer. We cannot negotiate a precise position on one side against no position at all on the other side. That is what we have from the President of the United States.

I return to the beginning of my remarks: 4 years ago the statement of the Senator from Nebraska would have been more widely heard in the United States, when he was a candidate for President. I do not think I would have voted for him against the candidate of my own party, but I certainly think the country would have been better off had he succeeded in being the Democratic nominee.

Mr. KERREY. In response to my friend from Washington, let me say that I do believe the President started off this year with a budget as everybody knows that he submitted, and I do not think there was a single vote for it when it came out. He understood he had to change and came on with a 10-year plan and, 10 or 14 days ago, agreed now to support a plan to balance the budget in 7 years.

What I was trying to do and am trying to do is not just persuade Democrats, but Republicans as well that we have, as we go into these negotiations,

which is what we are doing now—I am part of a group that the Democratic Leader DASCHLE has put together to discuss and come up with a proposal so that we have something that we can try to reach agreement with Republicans over.

I am trying to say to Democrats as we do that, that yes, we should defend those things we think are important, make sure that Medicare has a sufficient amount of resources, for example, so that we do not have to unnecessarily punish particularly rural hospitals, and look for ways—I think block granting Medicaid is not a good thing, and rejected that.

We should object to things we do not like in the proposal, but in addition to looking for a way to bridge the gap, which if I was going to predict I think likely will knock the CPI back by half a point and shave the tax thing back by *x* amount of dollars and put more money in Medicare and Medicaid and go home and say we have a deal.

That is lying there to be done. I do not know if we will have the capacity to get it done, but we will now have a move toward balancing the budget in the year 2002.

The only impact we have with our vote is on this year's budget. The difficult thing I have is that according to the Congressional Budget Office, the proposal that was passed with all Republican votes actually increases the deficit next year and increases the deficit the year after.

Why? Because the tax cuts are front-end loaded. Again, if you examine the Congressional Budget Office's analysis of the tax cut, it produces less economic growth. The CBO is saying that the status quo produces more growth than what we have with the $245 billion tax cut.

Even if you could find a way to bridge the gap and say, ''Use the CPI to eliminate the cuts in Medicare and figure out some way to bridge the gap,'' we are left with a tax cut proposal that does not promote economic growth, which I think ought to be mission No. 1 as we analyze our tax system.

I am merely saying that I am prepared and am in the negotiations as we meet on the Democratic side, and I find myself with an unusual opportunity with so much morning business—we have had very little of that lately. As I find myself with an opportunity to come to the floor and talk about this, I just want to waste no moment to stand up and say that not only do we need to balance the budget, but we need to change these mandatory programs, the laws that govern.

Democrats who say, ''Gee, I want to spend more money on education; I want to put more money in child care; I want to put more money in rural health clinics; I think we ought to do more in research and science.'' Republicans who say, ''I think we need more law enforcement,'' or Democrats the same way—once we decide, and there is a lot of agreement.

This whole diatribe started with praise from the Senator from Rhode Island and the Senator from Idaho for their work on the Safe Drinking Water Act and I pause to note that the distinguished senior Senator from Missouri said quite accurately that we have authorized more than we will be able to appropriate for the infrastructure to keep our drinking water safe; that a dominant reason we are not likely to have the money for those kinds of investments is that we are seeing an increase year after year after year of money going to mandated programs.

Mr. President, 34 percent of the budget this year goes to appropriated accounts; 64 percent of the budget this year is mandatory programs and interest; 36 percent is left over for appropriated accounts. At the end of this 10-year cycle we have lost another nine points; another nine-point increase in mandatory and interest.

For all the rhetoric on both sides of the aisle about taxes, the one thing I say to taxpayers that has remained constant as a result of general success in keeping the economy growing, keeping the environment such that investors create the jobs like I mentioned with Steve Jones and Jim Clark earlier with Netscape and so forth, the companies that are creating wealth and creating more economic activity, that growth has enabled us even though we spend more money, the percent of the Federal budget of our economy has remained about 19 percent.

Unless somebody is proposing to increase that beyond 19 percent—that is your given—and what is happening is more and more money is going, a larger and larger share of that 19 percent, is going for mandated programs, leaving less for everything else.

I hope I persuade Republicans that there is an alternative course here for us, to vote to do something that will revolutionize our future. And I hope to persuade Democrats, as well, who want to collectively invest in education and so forth, that the only way we will be able to do that is to get our arms around these mandated programs in some more aggressive fashion than is even in the Republican budget proposal.

I appreciate the very kind remarks of the distinguished Senator from Washington, and I hope that the kindness begets kindness. I hope we end up into the day voting in a bipartisan fashion for something that does revolutionize our future, that does move us in a radically different direction than the one we are heading right now because, folks, we are heading in a direction we do not want to go.

We will end up in the future saying, why did we not do that when it was easy? It is easier today than next year. And it will be easier next year than the year after. This is not one where time is on our side.

As tough as adjusting the CPI by a point looks, as tough as it might seem to phase in over a 15- or 20-year period adjustment in the eligibility age from 65 to 70, as tough as those things look today, every year you wait it gets tougher to do it. Every year you wait we will have to impose changes that are more difficult for those Americans who have planned on those programs being there for them.

I yield the floor.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Tennessee.

A BALANCED BUDGET

Mr. THOMPSON. Mr. President, first of all I, too, want to commend the Senator from Nebraska. I am sure he will not get used to it, but, for today, I do. Because I think the work he and Senator DANFORTH and Senator SIMPSON and others have done regarding the Entitlement Commission is probably the single most important effort that has gone on in this town for a long, long time. They probably feel like voices crying in the wilderness right now. But it will not always be that way. It is something that will grow. People pay more and more attention, because it is the fundamental truth and the most important truth that is in existence with regard to this entire effort.

I think the Senator from Washington, a few minutes ago, was absolutely correct in terms of his assessment of the current situation. We are talking about a short-term consideration and we are talking about a long-term one. The current situation is we have struggled mightily this year, with great difficulty, and we have produced a balanced budget. The President, while giving lip service to that proposition, is apparently going to do everything he can to avoid a balanced budget because it means giving up power, it means giving up spending authority, it means giving up prestige with regard to certain interest groups that elect people in this country.

But, hopefully, we will resolve those differences and we will wind up with a balanced budget. I know we are committed to it. The Senator from Washington is committed to it. That is what we promised we would do. That is what the American people said they wanted. We are going to take them at their word. It is just that simple. We can negotiate around the edges, but, as far as a commitment to a balanced budget, a real balanced budget, we are there.

The Senator from Nebraska makes a very fundamental point. In the middle of all this, it is very important that we keep in mind what we are doing now is just child's play with regard to the important issues facing this country. He is absolutely right that we are doing the more easy part of it now and putting off the more difficult parts for later on.

The thing that has been disturbing, I think, to many of us throughout this entire debate who are somewhat new to this process and just having come to the Senate is, as we take a broad view of it, it becomes so difficult even to get

to the first step. We are just really nibbling around the edges. The Government is still going to be growing at a tremendous rate. All these programs are going to be going at very substantial rates. Yet it is so difficult.

We are going to have to do more next year, as the Senator from Nebraska says. We are going to have to do more the year after that. We are going to have to behave and perform so well for so many years that, when you look at the current state of events, it is very depressing.

Frankly, that is one of the arguments I use for term limits. I am not at all sure we have what it takes as an institution to bite the bullet and do what we know has to be done, because we are bankrupting the next generation. These figures are not sustainable. The figures the Entitlement Commission has put out are not refuted. A handful of programs are going to take our entire gross national product in about 17 years in this country.

The question becomes, fundamentally, in a democracy can a democracy, once people have discovered that they can pay money to themselves, can they ever stop or can they ever restrain themselves or can they ever restrain the rate at which they are paying themselves from their own treasury?

Europe is going through the same kinds of problems that we are right now, and we do not have an answer to that question yet. So, either by getting people to come to this body and getting people in the White House with a different view, with a longer term view, or by having us have a change of heart in this body—these are the only ways that we going to solve these longer term problems that are lying out there, that are down the road.

I have always thought, and am more convinced every day, that in order to solve this problem, ultimately it is going to have to be both parties pulling in the same direction. It is going to have to be the White House and the Congress pulling in the same direction. As long as you have somebody in the White House who is going to demagog and scare old people and take millions of dollars worth of television time misrepresenting what the other side is trying to do, and as long as you have people in both parties who are timid about facing up to these problems that the Senator from Nebraska has been talking about and really just want to push them over and make the real tough cuts and heavy lifting 7 years down the road when they may or may not even be here, we are never going to get the job done.

I think it just points up, when we look down the road, the fundamental truths that the Entitlement Commission laid out before us, the disastrous consequences of even moving along the road we are on if we do not do even better. It sheds, really, I think, new light on what we are doing here. If we cannot do this, if we cannot make these incremental adjustments now without really hurting anybody—when we are talking about the difference of $4 a month in part B, the difference between what we are saying and what the President is saying—if we cannot get past that, if we cannot reduce the rate of spending by 3 or 3.5 percent a year in these programs that are eating us alive, if we cannot do that now, we do not have any hope as a nation.

Again, hopefully, the President will see fit to look past next year's election, on into the future and the kind of world our kids and grandkids will be growing up in, and try to do what is necessary to preserve these programs we say we all want, and we will get together and we will have a balanced budget for ourselves and for the benefit of our kids and the future and strength of this country.

I yield the floor.

SMALL FAMILY FARMS AND BUSINESSES

Mr. ABRAHAM. Mr. President, I rise today to talk about an important issue for small family farms and businesses in my State of Michigan and across our country.

Family businesses need estate tax relief. Federal estate or death taxes kill family-owned businesses. These taxes impose an unbearable burden on our Nation's most productive citizens—family business entrepreneurs. The estate tax eliminates jobs and permanently damages communities that depend upon these businesses.

Family businesses have the opportunity to continue growing and creating jobs for generations, instead of handing the business over to the IRS.

Current estate tax rates range from 37 to 55 percent. Faced with the tremendous burden imposed by this tax upon their death, business owners in my home State of Michigan and across the United States, will react in several of the following ways:

First, the business owner will not expand the business because large capital expenditures for long term growth make little sense when the family will soon be forced to sell or liquidate the business.

Second, the children will not participate in the business because the business owner, knowing that taxes will prevent children from continuing operation of a family business, will often discourage their children from working in the business and encourage them to gain experience elsewhere.

Third, the business owner will pay dearly in estate planning costs. Even if business owners have the foresight to plan early for their death, the expense of this planning, in insurance, legal and accounting costs, can be enough to eliminate the business' small profit margin. These extra insurance, legal, and accounting costs are especially burdensome because small businesses survive on cash flow, not profit.

Fourth, heirs may not be able to afford tax payments. Despite some planning, heirs are often still faced with a significant tax burden. Even paid out over time, taxes may be too much of a burden to survive in an internationally competitive market. Plus, what bank is going to loan money to a business that the IRS holds a first lien against?

Mr. President, I ask unanimous consent to have printed in the RECORD an article from today's Wall Street Journal, entitled ''Will Uncle Sam Inherit the Family Business'' by David Pankonin. This describes the terrible effects of estate taxes on his fourth-generation family business. Mr. Pankonin's story is typical of thousands of similar family businesses across the country.

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

[From the Wall Street Journal, Nov. 28, 1995]

WILL UNCLE SAM INHERIT THE FAMILY BUSINESS?

(By David Pankonin)

Cleaning out a box in the back office a few Sundays ago, I came across the hand-written contract that passed the family business from my great-grandfather to my grandfather. it was dated Dec. 8, 1910. That was the day my grandfather became proud owner of Pankonin's retail farm equipment company for the princely sum of $518.09. Farther down in the same stack of papers, I discovered a second document, a partnership agreement between my grandfather and my father, dated 1946. Times having gotten considerably more complicated by 1946, the document ran to two pages. The value of Pankonin's had risen to $8,912.66.

I plan to put those pieces of paper in a glass case out in our showroom. When our customers come in to see next year's new tractors and combines, they can see the little bit of the history my family has put into the place.

Statistically, my company shouldn't have made it this far. The survival rate for family firms for a first- to second-generation transfer runs about 30%. For firms that stay in the family from the second to third generation, that number drops to 4%. For the fourth-generation transfer that put the company in my hands, it's a fraction of 1%. At 16, my son isn't spending every moment thinking about his chances of running the family business, but as his father, I'd like to know what I'm working toward. Will I be able to pass the company inherited from my father along to my son—or in spite of what my will might say—am I just working hard to pay an heir called Uncle Sam?

My worry is a real one. According to a recent Gallup Poll, one-third of all small-business owners will have to sell outright or liquidate a part of their firm to pay estate taxes. Of those who have to liquidate to pay the Internal Revenue Service, half expect they'll have to eliminate 30 or more jobs. Another 20% of those firms put the number of employees they'll have to let go as high as 100 or more.

My father died when I was 23 years old, one quarter away from completing my MBA at Northwestern. When I came home for the funeral and decided to stay to run the business, my mother became my banker, generously extending me 100% of my financing. We made it work. Making it work the next time won't be so easy. The reason is that for tax purposes. Pankonin's and our dealership building is worth substantially more than in those early years.

Today at my company we've got 16 employees. They're not family, but they're the

next closest thing. If, after I'm gone, my wife has to shut us down, what will they do? Maybe it's not something you can measure in dollars and cents, but they've got a stake in this company, too.

At our store, we see plenty of people in the same situation. Farming is a high-investment, low-margin business. It's not uncommon to meet farmers who are paper millionaires—asset rich, cash poor. That may be hard for the rest of America to imagine; then again, maybe not. Think of all the retirees who own homes on either coast, bought 30 years ago for $30,000 but worth $350,000 today. I'll bet they don't feel ''rich'' either—at least until they sell their home and see that capital gains tax bill.

When my time comes, I'd like my son to be thinking about whether it's right for him to run the family business, not whether he's ready to saddle himself with a lien against the paper value of the business to pay the inflated estate tax—or whether he's calculated how many employees he'd have to let go to clear the bill with the IRS.

The best solution would be to exempt the hundreds of thousands of small family businesses across this country from the estate tax altogether. Congress and the president could haggle over how small is small, but the principle would be carried into policy. If the political climate isn't right for a complete exemption, then President Clinton ought to adopt the proposals Congress has built into its budget plan: Raise the federal tax exemption for family-owned business assets to $1.5 million, institute a $750,000 personal exemption and cut the tax rate for qualified small businesses in half for assets between $1.5 and $5 million.

President Clinton calls the tax reforms Congress is backing ''tax cuts for the rich,'' and says he's holding out for cuts that help American families. Nice rhetoric. If he's serious, he'll take a second look and support the tax reforms in Congress' plan. If the small family businesses of America don't get some relief, federal taxes may just be the death of us yet.

A FURTHER STEP TOWARD LASTING PEACE IN NORTHERN IRELAND

Mr. PELL. Mr. President, yesterday, British Prime Minister Major and Irish Prime Minister Bruton took a significant step toward breaking the deadlock that had beset the Northern Ireland peace talks for the last several months. The two governments agreed to establish an international commission headed by former Senator George Mitchell which will make recommendations regarding decommissioning and to work to hold all party talks by the end of February 1996. Their announcement, on the eve of President Clinton's visit, revives the twin-track approach to achieving a lasting peace in Northern Ireland. This is good news indeed.

Both Prime Minister Major and Prime Minister Bruton deserve a great deal of credit for moving the process along. The challenge now is to bring the various parties on board. All parties must recognize that it is in their interest to move forward. The situation in Northern Ireland today is completely different than it was just 16 months ago—prior to the cease-fire. There are, for example, fewer British soldiers occupying the streets of Belfast; no longer do Protestant and Catholic mothers have to worry that their sons and daughters will be struck down by terrorist violence; and both communities in Northern Ireland are beginning to focus their efforts on economic development rather than continued conflict.

I am certain that President Clinton will reinforce this message—that the momentum needs to continue—during his visits to London, Belfast, Derry, and Dublin. The Clinton administration's unfailing support for the peace process has been a significant factor in getting us to this point. I am hopeful that his visit will contribute to the momentum.

Finally, from a personal standpoint, I am particularly pleased that George Mitchell will head the international commission on the decommissioning question. I have a great deal of regard and respect for Senator Mitchell, and believe that he will bring a great deal of wisdom and creativity to this position. I can think of no better person for this important post.

THE IMPACT OF DESIGN ON COMMUNITY AND PRODUCT DEVELOPMENT

Mr. PELL. Mr. President, I rise today to note the extraordinary impact of design on community and product development. Many years ago I helped establish an Institute of Research and Design in Rhode Island. But to my regret, I was not able to get it properly launched. The organization was intended to help my State take advantage of the enormous economic benefits of new designs created by our citizens. Design impacts our economy, environment, education and social sphere. It is a strategic national resource with potential to improve the global competitiveness of U.S. products. Design is a tool to analyze problems, develop critical thinking and communicate solutions. It offers numerous opportunities for creative partnerships with government, manufacturing and technology industries, social and community planners, scientists and educators. As the following speech documents, all of us make design decisions in nearly every life activity.

Because of the presence of the internationally-acclaimed Rhode Island School of Design [RISD], Rhode Island attracts a large number of people to the State to discuss design issues. Last March, RISD hosted a National Design Conference, sponsored by the National Endowment for the Arts, that explored the main challenges for design in the coming century and ways in which design strategy can be better employed to increase American economic competitiveness. In mid-November, the National Assembly of State Arts Agencies held its annual meeting in Providence where the professional and volunteer leadership of the Nation's State and jurisdictional arts agencies discussed the challenges of leadership in the changing environment of public support for the arts. NASAA devoted the better part of a day to discussions of design programming, and featured Roger Mandle, president of the Rhode Island School of Design since 1993, as a keynote speaker.

An art historian, educator and current member of the National Council on the Arts who served as deputy director at the National Gallery of Art for 5 years following 11 years as director of the Toledo Museum of Art, President Mandle possesses a comprehensive perspective of the societal importance of arts and design. Rhode Island and the Nation as a whole have benefitted enormously from his work. Mr. President, I would ask unanimous consent that this important address delivered by Roger Mandle be printed in the RECORD following my statement.

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

DESIGNING TO MEET THE NEEDS OF THE FUTURE

(By Roger Mandle)

Thank you for being here today. It is more important than ever that we come together through gatherings such as this to plan the future of design in America, to in fact design the progress of our culture and our society. I am convinced that issues of design hold the key to the future, which isn't surprising, perhaps, considering my current role.

What I am going to talk about today is the importance of design in terms of community development and economic impact, and the potential of design for meeting the needs of the future. By ''design,'' I am referring here to both the noun and the verb. When I refer to the noun—the art of design and the discipline of design—I am thinking of good design, design that is appropriate, well thought-out and aesthetically pleasing. When we think of the verb ''design,'' we think of the creative process, the act of conception and invention. Today, I want to talk about how both aspects of design—the practice and its outcome—play a pivotal role in the world in which we live.

Practically everything we do in life—as individuals and as communities—involves a design decision. Whether consciously or not, we solve problems and make choices by following the design process, using creativity, experimentation, intuition and thought to come up with the ideal solution to the challenges we're confronted with on a daily basis.

As individuals we design everything from our careers to our homes, our dream vacations, even our own look. The process involves: examining the circumstances, defining the problem, considering the resources, trying certain arrangements, establishing probabilities and testing outcomes. In many ways, it is similar to the process a research scientist follows in testing a theory.

In making these day-to-day design decisions, however, we don't just want our homes or clothes to look good, we also need them to be comfortable and functional. Good design is the effective use of available resources in patterns, combinations and arrangements that provide pleasing solutions to needs. Good design makes the things you use everyday work better for you. It also makes good business sense, because products that are well-designed sell better.

To most of us in this room it's clear that art and design are essential to the health of

our communities not only from aesthetic, philosophical, psychological and emotional vantage points, but due to sheer economics. As communities, corporations and countries have become ever more multinational in scope, they have come to recognize that to remain competitive in the world marketplace, they must rely on strong design.

Here at RISD we've noticed in the past five years that increasingly more business leaders and heads of state and local governments are awakening to the fact that design matters, that it, in fact, is among the most important components of community and product development.

On a national level, the importance of innovation in design is now recognized through the annual Presidential Design Awards. It is also recognized through such critical conferences as this and the one the NEA is planning for this winter, with RISD as a major sponsor and organizer.

Internationally, there are lessons to be learned from countries such as Finland, Sweden, Denmark, Germany and Switzerland—to name but a few—where good design is a way of life. I recently returned from a trip to Korea, where art and design have long been valued not only for contributing to culture but for strengthening the economy as well.

At RISD and the country's other leading art and design colleges, the correlation between good design and a strong economy is underscored through a wide range of industry- and community-related projects. U.S. News & World Report's annual guide to the best colleges in the country, which was released earlier this fall, points out that contrary to popular perception, an education in the arts and design to no longer destined to lead to a life as a starving artist precisely because of this correlation. ''Reality and art education may sound like contradictory notions,'' the article suggests, ''but they are quietly merging at the nation's leading colleges of art and design.'' (I am happy to add that in this same issue of U.S. News & World Report RISD was evaluated as the top visual arts college in the country.)

Projects that connect students with the real world and have a tangible economic impact not only provide them with practical skills for future employment, but serve industry by providing research and development services at a minimal cost. Corporations currently working with art and design colleges throughout the country have tapped into the creative energy and talent on these campuses to research and develop a wide range of products.

In addition, municipalities turn to institutions such as RISD for a range of design services, including help in planning basic infrastructure needs. For instance, RISD runs a Road and Land Institute that brings engineers, landscape architects, city planners and others together to discuss the aesthetic as well as practical needs of new and expanding roads.

Art and design schools also offer the commercial sector access to creative think tanks where students and faculty can actually develop such innovations as the ideal ''Universal Kitchen'' for the 21st century, an example of a current collaboration between RISD and Frigidaire. RISD students have been working with MBA candidates from Harvard and MIT to design, develop and market innovative products of the future, many of which have formed the seeds of successful new businesses.

While RISD has been collaborating with Nissan, the Art Center College of Design in California is renowned as a training ground for the world's leading auto designers and in return, enjoys support from General Motors and other industry leaders. By the same token, nearly every animated film since the 1980s has been produced by alumni of California Institute of the Arts, founded in the '60s by Walt Disney and his brother Roy. Thanks to industry support for CalArts, the college has in essence returned the investment by educating the creative talents behind every recent Disney blockbuster, from The Little Mermaid and Aladdin, to The Lion King and Pocahontas.

Art and design colleges also offer ideal settings for partnerships with the business world such as one RISD is undertaking with a local business school, Bryant College. Together, we are creating a Center for Design and Business as a joint venture with regional companies. The Center will offer a wide range of educational programs and services to help artists and designers develop competitive business skills. It will also promote design excellence in all areas of business and foster innovative product development. Through the Center, we will help local companies to translate ideas, technologies and resources into viable commercial products and will also stimulate the region's economy and create new jobs.

All of these examples emphasize the importance of design education to the future of our economy and the well-being of our communities. Unless we offer design students a solid foundation in the economic, political, social and historic forces that shape our society, however, they have little understanding of the contexts in which they're expected to find innovative solutions. Before we can acknowledge them as some of society's best thinkers—the people we turn to for answers and breakthroughs—designers need to be educated to be socially responsible citizens of the world who are equipped to grapple with and solve problems of our own making.

We have been polluting the world with noxious fumes, poisonous words and violent acts for too long. Technology may bring us closer to these problems, promising to help us figure out solutions to them, yet it creates a more complicated network of issues to confront than before. The principles of good design can offer us a way out of this maze of self-destruction. But how?

Recently, entrepreneur and visionary Paul Hawken spoke to the RISD community about the importance of design to the future of our economy and the environment. Hawken's message, which some of you may be familiar with through his books The Ecology of Commerce, Growing a Business and The Next Economy, is essentially this:

''If every company on the planet were to adopt the best environmental practices of the 'leading' companies—say, the Body Shop, Patagonia, or 3M—the world would still be moving toward sure degradation and collapse. So if a tiny fraction of the world's most intelligent managers cannot model a sustainable world, then environmentalism, as currently practiced by business today, laudable as it may be, is only a part of an overall solution. Rather than a management problem, we have a design problem, a flaw that runs through all business.''

Hawken goes on to point out that: ''Just as every act in an industrial society leads to environmental degradation, regardless of intention, we must design a system where the opposite is true, where doing good is like falling off a log, where the natural, everyday acts of work and life accumulate into a better world as a matter of course, not a matter of conscious altruism.''

As a society, it's essential that we rectify this most fundamental of all design problems if we're to ensure our existence into the next century and beyond. Together, we need to use our heads—our collective creativity—to puzzle our way out of societal dilemmas and to design a sustainable future. Hawken proposes redesigning the manufacturing process along with the product so that the durability and recyclability of the end product and its by-products are accounted for at the beginning of the process. Here, more than ever, design matters.

By definition the arts and design are problem-solving pursuits capable of proposing answers to some of our most gnawing human dilemmas. In our communities, issues of design aid in rethinking public housing, strip malls and the layout of neighborhoods, and in creating optimal functionality in our classrooms, hospitals, libraries and parks. In education, the arts help build understanding across disciplines, create passion for learning, heighten the sensibilities of students, and give them tangible evidence of their progress.

Design, which by its nature requires exploration and experimentation, helps foster an open mind. It also fosters a mode of thinking that sounds very simple but eludes many of us: it enables people to think visually—to think creatively—and solve problems with speed and clarity.

At colleges of art and design around the world, we teach our students to see things others don't, enabling them to find solutions, alternatives and opportunities other people might overlook. If a manufacturer turns to RISD, for instance—as they frequently do—and asks for help in designing a better toaster, we might in fact design an economical, ecologically sound toaster that looks better than any you've ever seen. But we're also just as likely to interpret the request as an invitation to come up with a better way to make toast instead.

Young artists and designers use their unique ability to see and to think creatively to launch an astounding array of new businesses, capitalizing on their rigorous but flexible education to pursue careers that are deeply satisfying. As a result, you'll find graduates of these schools doing everything from creating magnificent public sculpture and making feature films, to designing software, weaving fabric from recycled plastic and inventing better bicycles.

People educated at art and design schools teach some of the most innovative classes in our nation's public schools, art direct some of the catchiest commercials on television, and produce some of the most popular music in the country. Not surprisingly, perhaps, the education tends to be flexible enough to allow others to go on to become successful doctors, lawyers, politicians, and nationally acclaimed restaurateurs.

''So what?'' you may ask. Well, all of this activity—the result of artistic energy and talent—demonstrates that design is, in fact, integral to our lives, that design matters.

Paul Hawken urges us to find new ways to design business so that we effectively use natural resources in a sustaining, non-destructive manner. Stephen Sterling has shown us that our values relating to the use of our natural resources are based on the Western linear view of history and causation, which amplifies the idea of limitless maximization. Bigger must be better, regardless of whether it requires the use of more and more resources, further degrading our environment. Our approach to production has been literal; it now must be poetic. We must find solutions that are metaphors from continuity and for survival, that enable us to treat life as a cycle—as a spiral in which growth is controlled by intelligent use and replacement of resources. Here again, innovative design is the answer.

As we all recognize, the social and cultural problems facing America's cities and towns today are significant. At a time when our society promises so much material wealth, few are able to benefit from it; the great irony in this land of plenty is that so little is available to those who need it most. Now that

Congress is proposing to eat away at the limited programs we do have, what will we design to replace them?

In a world so rich in resources, logic dictates that the most basic life sustaining options should be available to those who so desperately need them. In this context, of what value are design and the arts?

Maslow's hierarchy of needs places the arts and education at the top of the ladder, with food, shelter, and the more ''basic'' necessities at the bottom. But as a society we are just now beginning to recognize that the effective delivery of reasonable services and products to those with few means can be achieved through good design.

Right now a small team of RISD students, faculty and alumni are working to develop portable, low-cost housing for the world's refugee population in conjunction with the UN High Commission for Refugees and the Red Cross.

RISD is also working with Habitat for Humanity to develop new designs for affordable housing, and designers in a number of our urban centers are creating low-cost shelters for the homeless. In addition, we are looking to designers to work with engineers in developing electric cars and other more energy-efficient forms of personal and mass transportation to replace outmoded gas guzzlers of the past.

In order to enable artists and designers to lead in their chosen fields, those of us charged with guiding the country's art and design institutions need to work with schools to recreate curricula, reallocate resources, and expand experiences for students that teach appreciation and respect for human creativity and invention as well for limited resources.

The future into which these students will be launched is already at hand in many respects. We know that it will be technology-driven for communications, visualization, and information. We know that resources will be ever more scarce, and the options for using them constrained by the long-term effects of manufacture. We know that our nation, indeed the world, is filled with the tensions of boundaries that are ever more sharply dividing people by color, language, religion, and region. We know that the need to create educated, creative, and tolerant citizens is even more important than at any other time in history—and that our nation's willingness to invest now in the education of these citizens of the future is still in question.

Why? Because art and design, by their very nature, represent change. They may help us adapt to change, to express that change and create chances for it, but to many people this is more threatening than comforting.

''The artist and society have a tentative relationship,'' says Jane Alexander, chairwoman of the National Endowment for the Arts. ''The artist is often the sentinel on the precipice, heralding change as it peaks over the horizon. Artists challenge, ask difficult questions, and rattle our cages. They can make our skin itch, or souls bristle, and touch us to the heart's deep core.''

What this conference aims to do and we need to do as a nation is to recognize the values and thought-systems inherent in design-related fields. We need to help our neighbors understand the vital importance of the arts and design in creating strategies to rebuild and enhance our communities.

When former Apple CEO John Sculley spoke at RISD's Commencement last June, he challenged our graduates to be either a mirror of society and reflect what's going on, giving their interpretation or perspective, or to be a lens that shows what can happen, what the possibilities are.

Throughout history, of course, artists and designers have held a mirror up to society, producing work that chronicles where we are or suggests where we might go. Rosanne Somerson, head of RISD's new Furniture Design Department, reminded me of the other day that furniture, like clothing, speaks volumes about a society at any given point in history. When else but during the Sixties, for instance, would we have invented the bean bag chair and mini skirts? Next fall, to illustrate the symbiosis between design and society, RISD's Museum will host the first of a two-part exhibition on Dress, Art & Society, curated by Lorraine Howes, head of our Apparel Design Department.

Design and the manufacture of products not only captures the pulse-beat of society at any given time, but sends important signals about what we value. Urban planning also affects our lives, creating social strategies out of our living spaces.

Who had ever even heard of workstations a mere 10 years ago or considered the concept of phone books, encyclopedias or the entire collection of our National Gallery on CD? More importantly, how would any of these innovations have been developed without the critical input of designers?

What we are witnessing in the latter years of this century is the pivotal turning point when technology is being handed by the engineers who created it to us to use. It's artists and designers, however, who will help us make the most of it. Designers are creating the visual language of software, influencing not only what we see on screen, but how we explore and process information. Here again, as Sculley points out, it is not the technology that is important, it is the consequences of the technology—how artists, designers and others make use of it.

One hundred and eighteen years ago RISD was founded by women with foresight and commitment to the improvement of society. These 19th-century visionaries realized that the arts and design are an essential ingredient in the vitality of a community, of an economy and of a nation.

And they weren't alone. An intelligent appreciation of art and design has always been part of the American democratic promise. Our Founding Fathers recognized this and upheld it.

''I must study politics and war,'' John Adams wrote to his wife Abigail, ''that my sons may have liberty to study mathematics and philosophy. My sons ought to study . . . navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, and architecture.''

At times it is difficult to fathom that as a nation we seem to have strayed so far from the underlying sentiments that made this country strong. When our government spends less that 5/100ths of one percent of the national budget on all forms of cultural subsidies, how can Speaker Gingrich continue the pretense that the proposed elimination of federal funding for the arts has anything to do with the national deficit?

The politicians of the day somehow ignore the fact that art and design are serious business and that without a minimum federal investment as an incentive there will be a far smaller return. You have all heard the figures—that for every dollar of federal support, the NEA and NEH help leverage $16 in private funding. Yet our Speaker of the House still fails to acknowledge that the not-for-profit arts—organizations such as the ones many of you in this room work with and support—employ 1.3 million people, generate $37 billion a year in economic activity and most importantly for those concerned with the bottom line, return $3.4 billion a year to the federal treasury through taxes. This return is 20 times the dwindling budget of the NEA.

During its 30-year history, the overwhelming majority of NEA grants have supported projects that include such laudable design innovations as architect Bill Warner's plan for the Providence river front. If you haven't already had an opportunity, while you're here you should take a walk along the completed portion at the foot of the hill, just south of the train station. It was thanks to a small NEA grant that Warner originally proposed a major waterfront revitalization project in the city that is having enormous repercussions for business, industry and the state's economy. For Rhode Island, the vision of this one designer has definitely made a difference.

''Great artists and designers have always been discriminating people,'' says painter Alfred DeCredico, a RISD graduate and one of our associate professors of Foundation Studies. ''The life work of great artists and designers constitutes a commitment to humanity and to what they believe is true. What is often perceived as arrogance and an insistence on control is in reality an adherence to an ethical stance,'' DeCredico goes on to point out.

This ethical stance can help illuminate and define the progress artists, designers, art educators and advocates make as a creative community. In a wider sense, the arts and design also help shape or mirror the values of society. In my view, artists and designers are central to each level of human existence, from the basic provision of food and shelter, to the sustenance of community, manufacturing and governance.

In conclusion, I want to reiterate that in this age of high-speed information and economic uncertainty, the need to recognize the value of good design has taken on great urgency. Either by plan or default, we are designing how we wish to be remembered as a society.

To maximize the potential impact of good design on solving the challenges facing our communities, designers need to be adequately educated, properly nurtured and competitively compensated. In short, they need to be recognized as invaluable contributors to the future health and well-being of society. Once that happens, the possibilities will be staggering.

CHINA'S ARREST OF DISSIDENT WEI JINGSHENG

Mr. PELL. Mr. President, last week, while the world's attention was focused on new hopes for peace in Bosnia, the Chinese Government formally arrested and charged its most famous dissident with sedition. Wei Jingsheng, who has been imprisoned without charge for the last 20 months, is known as the father of China's still-fragile democracy movement. Wei's formal arrest signals a renewed hardline approach on the part of the Chinese leadership to internal criticism of the Government.

The timing of Wei's arrest is telling. It comes alongside China's push for entry into the World Trade Organization as a developing economy. The United States, joined by the European Union, Japan, and Canada, insists that China has a strong exporting economy that can meet the open-trade standards demanded of other member economies. China continues to reject this standard and argues that it is being excluded from the organization and isolated by the United States and the West.

I strongly believe that we need to engage China and my reading of current

United States policy is that we are doing so. The United States has no containment policy and we are not isolating China in any way. But if China wants the benefits of being an active member of the international community, it must accept the standards and play by the rules of that community. On human rights or on trade, China cannot expect to flagrantly violate international norms with impunity. United States criticism is not an attempt to isolate China, but the opposite; China's willingness to abide by international standards will make its acceptance into the international community all the easier.

On trade, I commend the administration for continuing to insist that China meet the standards which are commensurate with its economic status. On human rights, I urge the administration to lead the West by working for a resolution censuring China's human rights abuses at the next annual meeting of the U.N. Human Rights Commission in Geneva. There has been growing world support for such a resolution in recent years as China's treatment of its own citizens and of Tibetans continues to fall far short of the criterion of the international community. Now is not the time to reduce our efforts to pass this resolution; Wei Jingsheng's arrest shows the necessity for continued international focus on China's behavior.

China has urged the United States to overlook its human rights abuses and forgo working for a U.N. resolution, just as it has urged the United States to ignore its growing economy and allow its entry into the World Trade Organization using lower standards. In both cases, the U.S. response must be the same. If China wants to be respected as an important international actor, it must meet the expected behavior of one. If it wants the United States to stop criticizing its human rights practices, it must stop giving us reason to do so. Releasing Wei Jingsheng and other political prisoners would be an important first step.

HIGH SCHOOL COMPUTER USE IN VERMONT

Mr. LEAHY. Mr. President, I have spent a great deal of my time in the U.S. Senate working on telecommunications issues, and studying how changing technology is having an impact on our Nation. In particular, I have been interested and concerned about the effect of the so-called information superhighway on rural States like Vermont.

With this in mind, I asked a young student at Champlain Valley Union High School to take a broad survey on computer use in his high school. What I will include in the RECORD is the report that this student, Steve Waltien, sent to me recently.

I find his results fascinating and encouraging. You will see the vast majority of high school freshmen and seniors are familiar with computers, and use computers whether in school, at home, or both. Now, I realize that Champlain Valley Union High School is not necessarily indicative of the rest of Vermont or the Nation. It is no doubt on the cutting edge of new technologies, and is led by one of the finest principals in the country, Val Gardner.

But Mr. President, this study shows just how dramatically our lives are changing; in particular, it shows how dramatically our children's lives are changing. The decisions we make on issues affecting access to telecommunications issues will have a direct impact on our children, especially in rural areas like Vermont.

I am grateful to Steve Waltien for his well-written and thorough study. He and I have e-mailed each other on this subject, and am delighted to share his work with my fellow Senators.

I ask that a study on high school computer use be printed in the RECORD.

The study follows:

COMPUTER USE SURVEY

(By Stevenson H. Waltien III)

INTRODUCTION

The Internet and other rapidly expanding components of the so-called ''information super-highway'' are becoming more and more popular with all age groups. As of now, there is little government regulation of the ''menu'' available on the Internet. This presents an interesting issue for our law-makers: is use of these systems of great enough significance for the government to take some kind of role in their existence? The environment of a high school seemed to be of interest because of the growing technology being offered there. It was decided at an early point that it would be extremely difficult to survey the entire school, and therefore might be more beneficial and reliable to survey only the Freshmen and Senior classes to see computer use at both ends of the age spectrum at Champlain Valley Union High School. The intent was that the survey would provide Senator Patrick LEAHY with some statistics about rural high school use of computers and the Internet. These results could be used to indicate the extent students in a rural school use computers regularly and how they use them. The survey was conducted between September and November of 1995.

THE SCHOOL

Champlain Valley Union High School is located in Hinesburg, Vt. and is the public high school for the towns of Hinesburg, Charlotte, Shelburne, and Williston. The school is comprised of over 950 students. The communities that make up the school are mostly middle class. The school prides itself on having extremely high standards of technology. There are approximately 250 computers at CVU, the majority of which are Apple Macintoshes. The school has a computer lab which is open to all students during their free time. It is comprised of both IBM and Macintoshes. The Physics program has approximately 20 Power Macintoshes that make up the Physics lab. The school also has a foreign language lab and a business lab, with roughly 30 units each. The majority of computers in the lab are connected to the school's 128-kbps Internet connection. Students have access to most of what is available on the net, including the World Wide Web and other popular net services.

RESULTS OF THE SURVEY

The survey was distributed to the Freshmen through the Freshmen core program at CVU and there was an almost immediate result with 96% of the Freshmen responding. The seniors were harder to reach in that there is no single class which all seniors take. The surveys were distributed through the advisory program in which all students participate. Due to the difficulty of student and faculty schedules however, there was only a 70% response to the senior surveys. Although this number may be low, the data is statistically valid due to the similarities in answers for all seniors and the fact that those who responded do not leave out any particular group or type of student. The advisories that responded show a random group of students, therefore it is a good sampling of the class as a whole. Two hundred and seventeen Freshmen and one hundred-forty Seniors responded. The results are as follows:

Percent of those surveyed owning a home computer:
- Freshmen—90%; Seniors—91%

Percent of those owning a home computer that use it:
- Freshmen—97%; Seniors—98.5%

Percent of those owning a home computer with family members who use it:
- Freshmen—86.5%; Seniors—96%

Amount of computer use per week by percentage (home computer owners):
- Less than 1 hr.—Freshmen: 6%; Seniors: 5%
- 1–3 hrs—Freshmen: 20%; Seniors: 16%
- 4–6 hrs—Freshmen: 74%; Seniors: 79%

Primary uses of home computer:
- Word Processing/Homework—Freshmen: 95%; Seniors: 97%
- Internet/E-mail—Freshmen: 20%; Seniors: 20%
- World Wide Web—Freshmen: 11%; Seniors: 9%
- Games—Freshmen: 39%; Seniors: 30%

Percent of students who use school computers:
- Freshmen—68%; Seniors—93%

Primary uses of the school computer:
- Word Processing/Homework—Freshmen: 80%; Seniors: 82%
- Internet/E-mail—Freshmen: 34%; Seniors: 70%
- World Wide Web—Freshmen: 20%; Seniors: 27%
- Games—Freshmen: 4%; Seniors: 6%

Degree of influence school computer usage has had on overall computer use:
- High—Freshmen: 24%; Seniors: 47%
- Moderate—Freshmen: 41%; Seniors: 40%
- Little or none—Freshmen: 35%; Seniors: 13%

CONCLUSIONS

It is shown that usage of school computers is much higher for seniors even though home computer ownership is almost equal. According to the results, 25% more seniors use school computers than freshmen. The majority of seniors say that access to computers in the school has greatly influenced their overall computer usage. It would appear that computer education earlier in a student's career enhances additional use. The key seems to lie not in computer ownership, but rather with computer knowledge. The earlier students become fully computer literate, the earlier they utilize the tools they possess more effectively. There are possible reasons to account for the large discrepancy in the percentage of freshmen and seniors using computers in school. The freshmen have not been exposed to the computers as long, and the courses they take are not as challenging to require as much computer usage. Yet it is clear that seniors use computers for more

than just class work, therefore their exposure must have left an over-all positive impression.

It is interesting that E-mail and Internet usage basically doubles for freshmen and triples for seniors when they are in school as opposed to at home. This can probably be explained by the fact that they may not have access to the Internet at home, or even if they do, they do not have the sophistication of technology available at the school. This does tell us that if these systems are available at schools, people will use it.

A fascinating statistic is that family computer use rises almost ten points between freshmen and senior years. This tells us that the computer education young people are getting in school may be influencing their families to try out computers with their children. According to the survey, about 90% of homes within this population own a personal computer. This can be compared with a national estimation of only 35%. This can be partially accounted for by the higher than average income in this area, but one has to wonder if the influence of computers in schools encourages people to go out and buy a home computer, and, further to avail themselves of high technology enhancements such as Internet access and on-line services.

CVU COMPUTER USE SURVEY

Participants: This is a survey that will be used to assist the United States Senate through the offices of Senator Patrick Leahy as they endeavor to craft legislation that will enhance computer access and resources to students throughout the country. Senator Leahy hand-picked CVU as a reliable source to retrieve this information. With this in mind, we ask that you take the time to complete the survey honestly.

1. What grade are you in?
   Senior Freshman
2. Do you have a computer at home?
   Yes No
   (if no, skip to question 7)
3. Do you use your home computer?
   Yes No
4. Do other members of your family use your home computer?
   Yes No
5. How extensive would you say that YOUR computer use is?
   Rarely used (less than 1 hour per week)
   Sometimes used (1 to 3 hours per week)
   Used Often (4 to 6 hours per week)
   Used very often (more than 6 hours per week)
6. What are your primary home uses for the computer?
   Homework/Word processing
   Internet/e-mail
   World-wide web
   Computer games
7. Do you use a computer in school?
   Yes No
   (if no, skip to question 9)
8. What are your primary uses of the school computer?
   Word processing/problem solving
   Internet/e-mail
   World-wide web
   Computer games
9. How has computer access in the school influenced your overall computer usage (both at home and in school)?
   Greatly influenced
   Somewhat influenced
   Had little or no influence

PARTIAL-BIRTH ABORTION BAN ACT HEARING

Mr. HATCH. Mr. President, I have had delivered to each Senator a copy of the transcript of the Judiciary Committee's November 17 hearing on H.R. 1833, the Partial Birth Abortion Ban Act, together with inserts and written submissions. Since the distribution of these materials, I have received answers to written questions from another one of the witnesses who testified at the hearing. I ask unanimous consent that a letter from Dr. Norig Ellison to me be included in the RECORD.

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

AMERICAN SOCIETY
OF ANESTHESIOLOGISTS,
November 22, 1995.

Re H.R. 1833, the Partial-Birth Abortion Ban Act of 1995.

Hon. ORRIN G. HATCH,
Chairman, Committee on the Judiciary, U.S. Senate, Dirksen Office Building, Washington, DC.

DEAR SENATOR HATCH: Thank you for inviting my participation in your Committee's hearing on H.R. 1833.

I appreciate the opportunity to reply to the written questions of Senator Leahy. The only one of the six questions which falls within my area of expertise is number four:

4. Do analgesics and anesthetics given to a pregnant woman undergoing an abortion provide any pain relief to the fetus, even if the medication stops short of killing a fetus?

Drugs normally cross the placenta from mother to fetus according to a concentration gradient. The effect on the fetus of drugs administered to the mother will depend on (a) fetal condition, (b) the route of administration, and (c) the timing.

a. Fetal acidosis will facilitate transport of local anesthesia such as lidocaine, which is a weak base, into the fetus.

b. Drugs administered intramuscularly achieve peak concentrations lower than intravenous administration, with the resultant decrease in placenta transport of the former.

c. Drug administration intramuscularly will have no effect on infants born within one hour after administration; in contrast, birth 2–3 hours after intramuscular administration may result in depressed infants. Conversely, intravenous administration of drugs will have maximum depressed effect in babies born ½–1 hour after the administration.

d. Very little is known about fetal response and consciousness to pain prior to 24–25 weeks gestation. It is clear that a pregnant woman can receive an effective anesthetic for cesarean section, and the fetus when delivered within the next half hour will be exquisitely sensitive to pain stimulus and will respond by crying and avoiding the stimulus more than 95% of the time.

In direct answer to question number four, drugs administered to the mother, either local anesthesia administered in the paracervical area or sedatives/analgesics administered intramuscularly or intravenously, will provide not-to-little analgesia to the fetus.

In closing, I reiterate that the pregnant woman in need of urgent, even life-saving surgery, need not defer same due to misinformation regarding the effect of anesthetics on the fetus.

Sincerely,

NORIG ELLISON, M.D.,
President.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the impression will not go away: The $4.9 trillion Federal debt stands today as a sort of grotesque parallel to television's Energizer bunny that appears and appears and appears in precisely the same way that the Federal debt keeps going up and up and up.

Politicians talk a good game—and ''talk'' is the operative word—about reducing the Federal deficit and bringing the Federal debt under control. But watch how they vote.

Mr. President, as of the close of business, Wednesday, November 29, the total Federal debt stood at exactly $4,988,882,588,134.46 or $18,937.88 per man, woman, child, on a per capita basis. Res ipsa loquitur.

Some control.

THE ASSASSINATION OF YITZHAK RABIN

Mr. ABRAHAM. Mr. President, earlier this month, the whole world stopped to pay respects to Israeli Prime Minister Yitzhak Rabin, a soldiers, a statesman, and a visionary committed to security and peace for the people of Israel and of the entire Middle East.

Yitzhak Rabin dedicated his life to the survival of the State of Israel and to the crusade for peace, a crusade that ultimately took his life. His death is not only a loss for his family, the people of Israel and Jews across the world, but also to all those dedicated to the search for a true and lasting peace between Israel and its Arab neighbors.

As a military leader, a diplomat, and a Prime Minister, Yitzhak Rabin was at the center of major events through his nation's five decade history. It was, after all, General Rabin who led Israel's armed forces to victory during the 1967 Six Day War. And it was Prime Minister Rabin who, 23 years later, on September 13, 1993, signed an historic accord that put Israel on a glidepath toward peaceful and normal relations with the Palestinian people.

During his professional life, Yitzhak Rabin did much to strengthen the relationship between the United States and Israel. As Ambassador to the United States, Mr. Rabin repeatedly communicated and demonstrated to officials of the United States Government Israel's unyielding commitment to United States interests in the Middle East and around the world. And in every other post in which he served—Army Chief of Staff, Defense Minister, and Prime Minister—Yitzhak Rabin always earned the respect, admiration, and friendship of American leaders from both parties.

While I did not know Yitzhak Rabin personally, I had the honor of joining him at the White House some weeks ago for the signing of the Oslo II Agreement, one of the many historic developments of which Mr. Rabin was an architect. I remember at that ceremony thinking about how much progress had been made in the Middle East over the past several years. I was impressed by the extent to which this fragile peace process had been kept on track despite

what seemed at times to be insurmountable hurdles. Yitzhak Rabin was critical to keeping the delicate process moving forward. This, however, was not his only accomplishment since he began his second term as Prime Minister in 1993. Prime Minister Rabin orchestrated the Israel-Jordan Peace Treaty, the normalization of relations between Israel and Tunisia, Israel and Morocco, and the acceptance of Israel by many others in the Arab world and around the globe.

Mr. President, on November 6, I joined some 4,500 members of Detroit's distinguished Jewish Community to pay tribute to Yitzhak Rabin at a memorial ceremony organized in my State by the Detroit Jewish community Council and the Detroit Jewish Federation. It was an incredibly moving experience for me and my wife Jane. We listened to Jewish leaders from Detroit talk about their memories of the slain Israeli leader and all he had meant to the Jewish people. I especially was struck by the message of the last individual who spoke that evening, Rabbi Steven Wiel. During his remarks, Rabbi Wiel posed the following question: ''Do we not love what we love more than we hate what we hate? Do we not love the chance for peace, do we not love the state of Israel, do we not love our Jewish brethren, do we not love human life more than we may hate decisions made by political leaders with whom we may disagree?''

Mr. President, the hatred that Rabbi Wiel spoke of may have been acted upon by Yigal Amir in Tel Aviv on November 4, but it exists in various forms throughout the Middle East and in too many other places in the world. This hatred can be found in individuals of all faiths and of all nationalities. And if we truly are committed to a lasting peace in the Middle East, we not only must help Israel overcome its most recent tragedy, but we must also unite leaders from the entire region against the hatred of those who have tried and will continue to try to derail this peace process through heinous and murderous crimes. In this vein, I have already pledged my strong support for Mr. Rabin's successor, Shimon Peres, and I commend Israel's leaders from across the political spectrum for seeking to unify the Israeli people during this tragic time. It is absolutely essential that the United States stand behind Prime Minister Peres and the citizens of Israel as they work to overcome this crisis and continue to work toward peace.

I believe the greatest way the United States can pay tribute to our partner, Yitzhak Rabin, is to continue to assist the efforts of those trying to make peace in the Middle East. Any peace that is achieved forever will be attached to the name of Israeli leader and peacemaker Yitzhak Rabin.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I send a bill to the desk. I ask it be properly referred.

The PRESIDING OFFICER. The bill will be properly referred.

MR. GLENN. I thank the Chair.

(The remarks of Mr. GLENN and Mr. DEWINE pertaining to the introduction of S. 1439 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

BOSNIA

Mr. D'AMATO. Mr. President, our Nation has always been willing to fight for the values and freedoms that our Nation, our flag, and our Constitution represents. We have always met that test. America and Americans have always stepped forward. My father served in World War II, my uncles, our neighbors, sons, daughters. That was a time and a war when every American understood that our basic way of life was being threatened. There was a direct obligation for each and every American to do his or her part, and Americans met that challenge, and individuals were willing to face the dangers of loss of life to protect and preserve the freedoms that the next generation of Americans share today.

Mr. President, I submit, there is no compelling American interest in Bosnia that meets that standard that would jeopardize or put our children and our grandchildren in such a dangerous situation. It is an unwinnable, untenable civil war in a place called Bosnia.

As a parent, I do not wish my sons or daughters put in harm's way, and I cannot imagine that any other parent would be willing to risk the lives of their children in a peacekeeping operation in Bosnia.

The President has not made a compelling case to sacrifice one American life, let alone place 20,000 U.S. troops in a dangerous, dangerous situation. Sending American troops to Bosnia is unnecessary, it is wrong, and I will oppose it with every fiber in my body.

Mr. President, I will have more to say about that. But let me suggest to you, getting 20,000 troops in may look somewhat grand as they come marching off, as the tanks roll in, as there will be crowds well orchestrated for the TV cameras to see them cheering, but how long will they have to serve? How will they get them out? Do we really believe they are going to come out in 1 year? The administration is already wiggling on this. How many lives will be lost?

This administration's track record in being able to keep its promises and meet its obligations in similar situations has not been a good one. Certainly, it was a disaster in Somalia, when a mission that started out as one for peacekeeping and one to give food to people was changed.

Certainly, as things are unraveling today in Haiti, we have every reason to believe that upon the withdrawal, if our American troops are withdrawn on time, there will be an unraveling, once again, and the citizens of Haiti will find themselves, once again, at war.

I think it is naive to really think that by putting 20,000 troops—and by the way, there are going to be about 40,000 troops in that region, 20,000 in Bosnia. The cost is astronomical, not to mention the danger to our troops.

I think it is absolutely disingenuous for the administration to now come forward and say the United States will lose prestige abroad because they brokered this peace on the basis of sending U.S. troops there. They were warned repeatedly by this Congress, by this body, by the House of Representatives, that clearly we were opposed to sending troops there, and to say now that we are going to be having them there and for us to be less than supportive, and that this would embarrass the President, embarrass the Nation, endanger our relations with NATO is to ignore the fact that the President deliberately undertook this operation, was well aware of the opposition of the citizens of the United States and of the Congress and does not—and does not—deserve at this point in time our support.

Our support should be to protect the lives of our U.S. troops, to see to it that if we are going to enter a conflict—and this is a conflict that has been brewing for hundreds of years—that there is a vital national interest.

Should we work to bring about peace? Yes. But I suggest putting 20,000 troops in and promising to take them out in 1 year is not going to end over 500 years of hostility. It is wrong.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMPSON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DOLE. Mr. President, are we in morning business?

The PRESIDING OFFICER. Yes.

THE DEPLOYMENT OF UNITED STATES TROOPS TO BOSNIA

Mr. DOLE. Mr. President, the entire Nation has its attention on the deployment of United States Forces to Bosnia. Congressional hearings on the peace agreement began this week. The President received a NATO troop deployment plan for the implementation force today. Many of my colleagues have made statements on the issue.

I have long urged that we lift the arms embargo in Bosnia and let the Bosnians defend themselves. This would have been the best option for Bosnia and the United States. It would

have been the legally, morally, and strategically correct approach. Lifting the arms embargo would have also been the best way to avoid sending United States troops to Bosnia. In fact, had we done that, lifted the arms embargo, we would not be talking today about deployment of U.S. Forces.

The record should be clear. We are where we are today because the President repeatedly—and let me repeat, repeatedly—rejected Congress' bipartisan effort to lift the embargo.

We should also be clear at this end of Pennsylvania Avenue. It is time for a reality check in the Congress. The fact is that President Clinton has decided to send United States Forces to Bosnia. The fact is that these troops will be sent—and indeed some are already there. The fact is by next week, there will be a couple thousand American soldiers on the ground in Bosnia.

The President has the constitutional power as Commander in Chief to send these forces. The Congress cannot stop this troop deployment from happening. The President and senior advisers have repeatedly said they will proceed with the deployment, whatever the Congress does. If we would try to cut off funds we would harm the men and women in the military who have already begun to arrive in Bosnia.

So we should find a way, if possible, to support the American men and women in uniform on their way to Bosnia and who will be in Bosnia—I assume a full 20,000, they say, by February.

Like all Americans, I have real concerns about this operation. First, I am concerned about the possibility of American casualties. The men and women of our Armed Forces are volunteers. But that does not make their lives any less valuable than those of draftees or any other category. They know the risks. We have an obligation to do all we can to reduce those risks. We can reduce the risk to American Forces by limiting their mission to enforcing only military provisions of the peace agreement: That means no Somalia-like nation-building.

We can also reduce the threat to U.S. Forces by making it crystal clear that any attack on our troops will be met with an overwhelming, rapid, and decisive response. No more cumbersome command arrangements limiting ability to retaliate—no more U.N. second-guessing or dual key veto authority. The United Nations will not be involved. This is a NATO operation. It will be an American general making these decisions.

The second major concern is that American Forces will be drawn into a quagmire with no way out. Many people are concerned about that because the administration has not articulated an exit strategy; and setting an arbitrary date is not an exit strategy.

Bring them out in a year—what does that mean? That is not a strategy. Who knows what the strategy is?

The President has a plan to get us into Bosnia but no realistic plan to get us out. Keeping Bosnia defenseless is not an exit strategy. Relying on Utopian arms control schemes is no exit strategy. Relying on unnamed third parties is not an exit strategy.

The United States must have its own exit strategy to control its own destiny. We should not be dependent on the good will or actions of other nations. The only way to make certain that United States Forces will be able to leave in a timely and honorable way is to ensure that the Bosnians are provided the means to defend themselves when we leave.

What is needed is a concrete effort, led by the United States, to arm and train the Bosnians. This effort should not be contingent on so-called builddown provisions in the Dayton agreement.

I understand administration officials said this morning that the United States or NATO would not be involved in enabling Bosnia to defend itself. In my view, it is an abdication of responsibility to rely on unspecified third countries to create the conditions that allow withdrawal of American forces. The sooner we start to enable Bosnians to defend themselves the sooner United States Forces can come home.

In my view, the definition of success of this deployment must include a real end to the war—that is only possible with the creation of a stable military balance which enables Bosnia to defend itself. Anything less simply exposes American Forces to great risks in order to monitor a temporary interlude in the fighting. In other words, I guess if they all came home next year there might be a temporary interlude to get us through the November activities of 1996, and I am not certain it would last very long.

Over the coming days—in fact, we have been working on it a couple of days—we will be working on a resolution that I hope the majority of my colleagues can support. We have not yet seen the final NATO implementation plan. In fact, as I said earlier, the President just received it today. I do not want to make a snap judgment. I hope we can fashion a resolution that offers support to our military forces, that helps reduce the risk they face, and that ensures American Forces come home as soon as possible with a successful mission accomplished.

I urge my colleagues to not make this a partisan issue. I have been debating issues like this in the Senate floor for 20-some years. I was debating cut off of funds in the Vietnam war, and my colleague, Senator MCCAIN was a prisoner of war. We stood on this floor day after day after day beating off efforts to shut off funding which I thought would have a direct impact on men in the service like JOHN MCCAIN and others who were in that part of the world. We had some success.

Let me suggest that the overwhelming votes to lift the arms embargo were bipartisan. They were Democrats, Republicans, and they were bipartisan with bipartisan leadership.

I believe the best foreign policy is conducted with bipartisan support. I know that the Senate votes on Lebanon and the gulf war were much more partisan in my view than they should have been.

Indeed, I was dismayed, as I have said before, in the gulf crisis there was not a single member of the Democratic leadership in either the House or the Senate, when we already had troops on the ground, that would support President Bush's decision to protect American interests in the operation Desert Storm.

I have had a long feeling that once the troops were deployed—which is going to happen; it is already happening—that we have some obligation to ensure their safe and honorable return. I have often and long felt it is too important for partisan posture. I know the easy vote on this is ''no, no.''

I hope that some of my colleagues will look at it very carefully. We are talking about troops that have been committed. They are on their way. They will be there next week. We are going to be debating this next week on the Senate floor. Someone will say no troops should be deployed. It will be a little late for that, so it is probably not a difficult vote.

Others of us, hopefully on both sides of the aisle, want to make certain, as I have said, that we have a way to get out. It is not hard to get in, but we need a way to get out. We need an exit strategy. We need to make certain that the Bosnians are armed and trained. We need to take on that responsibility.

I know the Bosnians tried to secure that assurance in Dayton, OH, without success. If we do not have that, how do we leave? When do we leave? How long will it take?

I just hope we can all work together in the coming days to fashion a resolution which supports our military forces, reduces the risk they face, and brings them home as soon as possible. Some would say, ''Well, if you do this, you are supporting the President of the United States.'' I say that is all right with me. We have one President at a time. He is the Commander in Chief. He has made this decision. I do not agree with it. I think it is a mistake.

We had a better option, many better options. But as I said, he repeatedly rejected those options. Now it is up to high noon. The troops are on the way. They are from Kansas, from Arizona, from Tennessee, they are from Ohio, they are from all over America. They are looking to us for support. They are looking for us to make their job just as safe and just as secure as possible.

I believe we do that. The bottom line, the President intends to send these troops one way or the other. He has made it very clear. He has told us that. It has been in the paper. I think we have the responsibility, as I said, in the Congress, to try to ensure to our best ability, that as this deployment goes forward, that we create the conditions to end it quickly and successfully so

that the U.S. Forces can return to their families.

I am very happy to yield the floor. I know my colleague from Arizona wanted to make a statement.

OUR MISSION IN BOSNIA

Mr. MCCAIN. I congratulate the distinguished majority leader on a statesmanlike and nonpartisan statement. I will briefly add to it. Again, I hope his statement is paid attention to by colleagues on both sides of the aisle.

I would like to restate in my opening remark what the distinguished majority leader has just stated, what we must understand, and what should be a framework for whatever debate ensues next week on the floor.

The American people and my colleagues should understand one salient fact. The President will be sending 20,000 Americans to Bosnia for 1 year, whether we approve or disapprove.

We can argue about whether the President should have made the commitment almost 3 years ago to participate in the peace implementation force in Bosnia. As Senator DOLE just stated, there are many other options I would have preferred to have employed besides this one. I would not have made that commitment. But the reality is the President did so commit and those troops are going to Bosnia.

The President has the authority under the Constitution to do so, and he intends to exercise that authority with or without our approval. We can cut off funding, but the President will veto, and his veto will, without any doubt, be sustained. Even if we should force the President to renege on his commitment, we should understand that there would be very negative consequences to such an action. The credibility of the word of the U.S. President is an enormous strategic value of the American people and essential to our security. I urge my Republican colleagues to consider, in their deliberations on this question, how high a premium they would place on the credibility of a Republican President and place that same premium on this President's credibility. Our friends and enemies do not discriminate between Republican and Democratic Presidents when the word of an American President is given. When the President's word is no longer credible abroad, all Americans are less safe.

Another consequence would be the severe damage to the stability of NATO, the most successful defensive alliance in history.

And, finally, all signatories to the peace agreement have stated that, absent United States participation in the implementation force, the war in Bosnia will reignite. I repeat, the war in Bosnia will reignite and the atrocities we have all come to abhor will continue.

Therefore, I intend to do everything in my power to ensure that our mission in Bosnia is, as the President said it would be, clear, limited and achievable, that it has the greatest chance for success with the least risk to the lives of our young men and women. That is our responsibility as much as the President's, and I intend to take that responsibility very seriously.

We can best achieve this by ensuring that our Armed Forces do not engage in any nonmilitary activities such as refugee resettlement or other nation-building activities for which they are not trained. Therefore, we should condition our authorization of this deployment on the prohibition against our forces enforcing any other aspect of this agreement, other than the military provisions of the military annex to the general framework agreement.

Further, we must ensure that the goals of their mission are clear and achievable and will justify, to some extent, the risk we will incur. A clear exit strategy is not time based but goal based. We must ensure that the peace we enforce for 12 months has a realistic prospect to endure in the 13th, 14th, 15th month and, hopefully, for years beyond that.

Essential to that goal is a stable military balance. To achieve that balance, we will have to see to it that the Bosnian federation has the means and the training to provide for its own defense from aggression after we have withdrawn. Therefore, I believe our authorization of this deployment must be conditioned on the concrete assurance that the United States will do whatever is necessary, although without using our soldiers who are part of the implementation force, to ensure that the Bosnians can defend themselves at the end of our mission.

Some will want to pursue military equilibrium through the arms builddown envisioned in the agreement, but to assume in a few months we can persuade all parties to build down to rough military equilibrium is incredibly naive. We should rightly have little faith in the prospects of arms control negotiations in such a short period. Therefore, we must insist that before we leave in a year there is a stable military balance which will have been achieved by helping the Bosnians to acquire the arms and the training to defend themselves that we have denied them for 4 years.

In closing, let me again urge my Republican colleagues to consider very carefully the institution of the Presidency as they deliberate on this very difficult question. I spent much of my life defending the credibility and the honor of the United States. I have no intention of evading that responsibility now.

Therefore, I intend to work on a resolution with Senator DOLE and, hopefully, all of my Senate colleagues, that will maximize the prospects for the success of the mission and minimize American casualties. I am fully aware that in doing so, I will bear some of the responsibility in the event the mission fails. I do so readily, because my first responsibility is to do everything in my power to support and protect the fine young Americans we will send to Bosnia and to ensure that whatever sacrifices they will endure, they will have done so for a cause that was worthy and winnable.

I yield the floor.

Mr. DOLE. Mr. President, let me just take a moment to thank my colleague from Arizona. He knows as well as I do what the public opinion polls are showing; 80 percent, in some cases higher, ''Do not send the troops.'' As we have tried to point out, that is not the option anymore. The option is to have an exit strategy and to make certain that in that exit strategy we train the Bosnians so they can be an independent force to defend themselves so we can come home; second, to take every step we can to ensure the casualties will be as low as possible.

The Senator from Arizona is not unaccustomed to courage and making courageous stands—this is another example—in the face of public opinion. But that is what leadership is all about. I have to believe, once the Americans are there starting next week and once the images on television are of Americans and the children and the families and the security they have, the attitude of Americans will change.

The Senator from Arizona made a point that I think deserves repeating. That is, NATO—NATO has been very important. It has preserved freedom for a half century. We have given our word. In effect, we are NATO, as far as I am concerned, the United States. Without the United States as a partner in NATO, you would not have NATO.

But, in addition, the President of the United States, without consulting Congress, but it was the President of the United States in 1993 who, in effect, gave his word that the United States, if there were peace to keep, would send 20,000 Americans as part of a 60,000-member force. Then we invited all the parties to come to Ohio, to Dayton, OH, where they stayed for about 3 weeks. The implication was clear. The Americans had taken over the negotiations. The peace talks had broken down. I talked with the Prime Minister of Bosnia less than 3 hours ago. They were all packed, ready to go home; then Mr. Milosevic, the President of Serbia, made some concessions. But the implication throughout was that the United States would be the principal player. You cannot have peace, according to him, unless the United States is present. Not that they do not have great respect for the Europeans who have been there and the U.N. Protection Forces for the past several years, who lost about 200 lives total.

So, it seems to me that our responsibility now is not to say we are going to pass some resolution here that says—it is only two lines long: ''The Senate is opposed to deploying U.S. forces.'' Let me repeat. They are going to be there next week, about 3,000.

They are already deployed and the others will follow.

We do have some responsibility, when the President of the United States, whoever that may be, gives his word to the international community that this is what will happen and this is a responsibility we will assume.

So, I hope we have a good debate. We hope to start it next Wednesday, if we can. It is not going to be easy. It is not politically popular. But it is the right thing to do, and sometimes it takes a while for people to understand when you do the right thing.

So I commend my friend from Arizona, Senator MCCAIN. I know he understands, probably better than anyone on this floor, what loss of freedom and loss of liberty might be like—what it was like for him for several years. So this is about America. This is about American forces. This is about our responsibility as Congress—not about Republicans and Democrats. It is about the Congress. As the Senator said, we could cut off funds. That would be vetoed. I do not think anybody wants to cut off funds.

And I do not suggest everybody who has a different view is posturing. But there will be some of that. There always is. So, this is a very important time in American history.

It is a very important commitment that the President has made. We wish he would have listened to us—this Senator, the Senator from Arizona and the Senator from Connecticut—about lifting the arms embargo a year ago. We would not be talking about sending American troops now. But that did not happen. So here we are.

I believe the Congress will do the right thing. We will end up supporting U.S. forces. We will attempt to do everything we can to reduce casualties, and we will have an exit strategy in the resolution. We believe it will be bipartisan. We hope that we can have the same spirit of bipartisanship in the House and that we can send a resolution to the President for his signature—if not next week, the first part of the following week.

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. There is very little I can add to the eloquent words of the majority leader, except that I would also like to note the presence of the Senator from Connecticut, Senator LIEBERMAN, who has labored long and hard on this issue in a very bipartisan fashion. He and I, the majority leader and others, will be working on this resolution so we can get it to the floor, get it debated, and get it passed as quickly as possible.

Mr. President, often bandied about by politicians is reference to the Constitution of the United States. It is very clear to me that the President of the United States, by virtue of his election by a majority of the American people, has the authority to send these troops. I believe that it is up to us to do everything we can to ensure their safety, and if that means that there is some political damage inflicted by that decision I will hearken back to my first responsibility, and that is to minimize the loss of a single American life. I believe we can do no less.

I want to thank the majority leader, and I look forward to hearing the views of my colleagues. I hope that we can work together with as little rancor as possible on this very emotional, divisive issue.

I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I thank the Chair.

Mr. President, I rise to offer respectfully a word of thanks to the distinguished majority leader and to the Senator from Arizona.

The Senator from Arizona described the remarks of the majority leader as statesmanlike. I say that the remarks of the majority leader were more than statesmanlike. They were, in fact, patriotic in the sense that, in taking the position that he has, he has put the interest of his country ahead of politics. All that I know about the majority leader says to me that one should not be surprised to see him do that. Nonetheless, the action he has taken today should not pass without being commented on, and should be appreciated.

Senator DOLE and I, Senator MCCAIN and others, Senator BIDEN on this side, have been working in a bipartisan way now for almost 4 years through the administration of President Bush, and now President Clinton, trying to create a reaction that was effective to what we have seen all along—acts of aggression against Bosnia, taking advantage of its military weakness, and ultimately becoming not just acts of aggression but acts of genocide.

The four of us, and others on both sides, ultimately becoming a resounding majority, a bipartisan majority, cried out for the raising of the arms embargo, feeling it was immoral, it was unfair, and it was unrelated to reality to continue to impose on the warring parties there an embargo that was adopted in 1991 as an attempt to stop the war from breaking out. But the war did break out.

On one side, the Serbs possessed most of the military war-making capacity of the former Yugoslavia. On the other side, the Bosnians had little or none, and, as a result, they were victimized.

Particularly after the attack by the Serbs on the undefended, so-called ''safe haven'' of Srebrenica and the brutal, inhumane slaughter that occurred there, this brought the United States-led NATO to carry out a series of air attacks that finally convinced the aggressors that the rest of the world would not stand by and watch wars spread in Europe, watch people be slaughtered because of their religion, watch NATO and the United States lose their credibility and the respect that they enjoyed throughout the world. President Clinton led the effort in NATO to carry out those air strikes and then designated Secretary Christopher and Ambassador Holbrooke to bring the stature and force of the United States of America to bear to bring the parties to peace. No other country in the world could have done this. It is remarkable that each of the warring parties trust the United States more than any other country in the world. That is to say, that all three of them trust us. In Bosnia, in the Middle East, and perhaps in Northern Ireland, we have credibility, and we have strength. With that strength comes responsibility. But I would say also that with that strength and credibility comes increased security for each and every citizen of the United States.

I agree with the commitment that President Clinton has made to send these 20,000 troops to be part of an international force of 60,000 because I understand that without that commitment, there never would have been peace, the three warring parties would never have come to the peace table and our allies in NATO would never have joined to keep the peace. So while I strongly support the commitment that was made—and I understand that my friends and colleagues who have just spoken do not—what I particularly respect and appreciate is that the Senate majority leader and the Senator from Arizona understand that the question now is not whether we all agree with the commitment that was made; the question now is whether we will honor that commitment. What is on the line there is the credibility and reliability of America's word in the world, of America's leadership in the world.

Somebody asked in the Armed Services Committee hearing that we held on Tuesday of a panel of witnesses, three people who had served in various administrations, ''Is Bosnia worth dying for?'' And, of course, each and every one of us hopes and prays and believes that there will not be casualties among our forces, that we are taking every precaution, learning from Somalia and Haiti, and how important it is to limit our objectives here with the military objectives easily carried out, to make sure that our troops have robust rules of engagement, which means if their safety is threatened in the slightest they can strike back with overwhelming force. But we understand that there are risks involved in any military operation, any sending of American troops to a zone where there may be combat, even if it is to keep the peace as it is today.

While we understand all of that, what is important here is that my colleagues have to answer the question which the former Under Secretary of Defense answered on Monday when the question was asked, ''Is Bosnia worth dying for?'' He said, ''That is not the right question.'' In the gulf war situation,

after Saddam Hussein moved into Kuwait, the question appropriately would not have been, ''Is Kuwait worth dying for,'' because there was much more on the line there as there is here. What is on the line here is the credibility and the reliability of the word of the President of the United States, who alone has made this commitment and is authorized to execute the foreign policy of the United States.

Five-hundred and thirty-five Members of Congress cannot be at every meeting, every negotiation that the President of the United States is involved in. The Presidency, beyond this President, must have that reliability, that credibility, that strength. In that strength and reliability rests not just some distant esoteric governmental structure or authority point of view; in that reliability rests the security of each and every American.

So I thank my colleagues for understanding that there is more at work here. The reliability and credibility of our word, the controlling of a conflict, hopefully ending a conflict that could have spread and become a wider war and drawn us in later on at a much higher price, the renewed strength of NATO on which we will rely to help us share the burdens of peacekeeping, not just here but around the world.

We called on NATO allies in 1990 and 1991 in the gulf war and said we needed their help, and our allies came to our assistance, fought by our side. Today, in effect, they in Europe are asking our help—not to do it all, but to provide one-third of an international force. Who knows? A year or two from now, we again may find that some strategic interest or moral principle of ours has been challenged around the world and we will turn to our allies in Europe and NATO and ask them for help. If we say no today, then what can we reasonably expect them to say to us tomorrow?

So, Mr. President, I thank again the majority leader and the Senator from Arizona for rising above politics and partisanship, doing what is not popular but doing what they have concluded and I believe is best for our country and best for those 20,000 soldiers who are going into peacekeeping in Bosnia.

The last thing I think we would want to do is to send those 20,000 soldiers into Bosnia wondering whether they have the support of anybody besides the President of the United States. It is up to us in Congress, as representatives of the people of this country, every State and district of this country, to say to those brave soldiers—the finest fighting force that has ever existed in the history of the world, in my opinion—we are with you. We stand behind you. The time for partisan debate is over. You have a mission to do, and now we are focused on doing everything we can to support your mission and to help, as Senator DOLE has said, to make sure that it can be carried out swiftly, successfully, and with good effect.

I agree with my colleagues that part of that is to make sure that the Bosnian military is adequately armed and equipped to deter aggression once the NATO peacekeeping force leaves Bosnia.

Mr. President, there are moments when not only the people of the United States but Members of Congress are disappointed, frustrated, discouraged by what happens here. There are other moments when we are elevated and inspired and encouraged because we see among our distinguished colleagues an extraordinarily able group that has been sent here from around the country. We see really the finest, in a sense I would say the most noble of human behavior, real acts of leadership, and I respectfully suggest that we have seen such an act from the Senate majority leader today and from the Senator from Arizona.

I look forward to working with them and, hopefully, with a strong bipartisan majority of colleagues, to draft and then pass an appropriate resolution of support for those 20,000 troops and for the President and the Presidency that has made this commitment.

I thank the Chair, and I yield the floor.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

The nominations received today are printed at the end of the Senate proceedings.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on November 30, 1995, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 2519. An act to facilitate contributions to charitable organizations by codifying certain exemptions from the Federal securities laws, and for other purposes.

H.R. 2525. An act to modify the operation of the antitrust laws, and of State laws similar to the antitrust laws, with respect to charitable gift annuities.

Under the authority of the order of the Senate of January 4, 1995, the enrolled bills were signed on November 30, 1995, during the adjournment of the Senate by the President pro tempore (Mr. THURMOND.)

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–1638. A communication from the Chairperson of the United States Commission on Civil Rights, transmitting, pursuant to law, the report entitled, ''Funding Federal Civil Rights Enforcement''; to the Committee on the Judiciary.

EC–1639. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, proposed regulations on disclaimers on campaign communications; to the Committee on Rules and Administration.

EC–1640. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, the Selected Acquisition Reports for the period July 1 to September 30, 1995; to the Committee on Armed Services.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance:

Darcy E. Bradbury, of New York, to be an Assistant Secretary of the Treasury.

David A. Lipton, of Massachusetts, to be a Deputy Under Secretary of the Treasury.

Joseph H. Gale, of Virginia, to be a Judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

David C. Williams, of Illinois, to be Inspector General, Social Security Administration.

Melissa T. Skofield, of Louisiana, to be an Assistant Secretary of Health and Human Services.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

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. DOLE:

S. 1438. A bill to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes; read the first time.

By Mr. GLENN (for himself, Mr. DEWINE, and Mr. GORTON):

S. 1439. A bill to require the consideration of certain criteria in decisions to relocate professional sports teams, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BIDEN:

S. 1440. A bill to amend the Social Security to increase the earnings limit, and for other purposes; to the Committee on Finance.

By Mr. HELMS:

S. 1441. A bill to authorize appropriations for the Department of State for fiscal year 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament

Agency, and the Agency for International Development, and for other purposes; read the first time.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GLENN (for himself, Mr. DEWINE, and Mr. GORTON):

S. 1439. A bill to require the consideration of certain criteria in decisions to relocate professional sports teams, and for other purposes; to the Committee on Commerce, Science, and Transportation.

FANS RIGHTS ACT OF 1995

Mr. GLENN. Mr. President, I want to address the situation we face in professional sports at the moment. What I am introducing today is a bill we call the Fans Rights Act. I believe we truly are at a crossroads in professional sports. When we talk about professional sports and introducing legislation, obviously the first question is why on Earth do we want to get the Government involved in professional sports? Keep our mitts out of that area. Stay away from it. We have no business getting into the area of professional sports.

Yet, I would say that we are into a situation now that I think is very important. I think it is important for the country. It does involve professional sports. Why get Government involved? Professional sports, the way they are organized, do have to come to Government for antitrust exemptions and for permission to use broadcast money for various purposes and spread across interstate—a whole host of things where Government does, indeed, get involved.

Beyond that, Americans are sports minded. Part of the fabric of the daily life of the United States is looking at the ball scores, looking at the scores on the weekends, and watching the professional sports teams operate. I think Senator SPECTER, at a hearing we had yesterday, put it well when he said, ''America has a love affair with professional sports.'' Indeed we do have a love affair with professional sports. We even have sports idols, of course, that are the role models for many of our young people. It goes into the whole fabric of this country. I will not belabor that idea any further.

The shock waves of the Cleveland Browns' proposed move to Baltimore extend far beyond just the State of Ohio. Every community with a professional sports team needs to know this: Any city in America can fall victim to a bidding war in which the interests of loyal fans and communities are given very little consideration.

Quite simply, if it can happen in Cleveland, where loyal fans supported the Browns through thick and thin, then, Mr. President, it can happen anywhere. Other communities may have been willing to grin and bear it, but in Cleveland, we are drawing a line in the sand and we are here to say that enough is enough.

The new economics of sports is a zero sum game in which teams seem to bounce around the country and taxpayers too often are left holding the bag.

Unfortunately, professional sports leagues, like the NFL, actually have little ability to regulate the movement of their own member teams. They cannot enforce their own bylaws that franchise holders agree to when they become members of the league. There is no process involved to allow a community to have any protection or input before such moves. A team simply picks up and goes, leaving behind fans, businesses, and a community that has invested vast emotional and financial support.

Judging by the barrage of reports during football games each Sunday on nightly hockey broadcasts or in the sports pages each day, it would seem to lead us to believe that almost half of America's sports franchises are looking for greener pastures.

Let me run through just a few of the things being considered right now.

In Texas, the Houston Oilers have announced they are moving to Nashville. In Florida, the Tampa Bay Buccaneers are rumored to be moving up to Orlando. The Chicago Bears are considering an offer to move over the border to Gary, IN.

If that is not confusing enough, this past weekend various NFL commentators reported that:

The Buccaneers will end up in Cleveland with the Browns' name;

The Buccaneers will end up in Baltimore and the Browns will be sold;

The Oilers transfer is not a done deal; and

Both the Seattle Seahawks and Arizona Cardinals are talking about relocating to Los Angeles, which lost both its teams in moves before this season.

Does anyone find it ironic that the Cardinals are talking about relocating to Los Angeles to replace the Rams who moved to St. Louis to replace the Cardinals after they moved to Phoenix?

No wonder the sports fans find it tough to even follow those moves. These are the people we are concerned about, not just those in the skyboxes. We are talking about the average American whose family has supported a franchise through season tickets, parking fees, T-shirts, and paraphernalia through concessions for decades and decades and decades, because it is those people who are the true fabric of American sports.

It is those people who are truly hurt when a flagship team like the Browns threatens to leave town.

We are here today to say that it is time to give a voice to the fans of America. That is what the Fans Right Act we are introducing today is all about.

I think the league knows they have a basic problem. We have talked to Commissioner Tagliabue about this, and actually the league does not have control over where these franchises go even though their own bylaws say that a vote of the league owners will determine where the teams go.

The problem has been that a few years back one of the owners decided to move anyway, even though the league had voted against him, on a move of the Oakland Raiders to Los Angeles, in effect thumbing his nose at the league when they voted that he could not move. He was taken to court. The league lost, and there was about a $50 million penalty assessed against the league, even though their own bylaws that the owner had agreed to said that the league could control the move.

That is the situation we find ourselves in.

Let me hasten to add that this is not an antiowners bill in any way, shape, or form. It does not prohibit the owners from making money. It does not limit the amount of money they can make. It does not stop them from cutting the best deals they can with their host cities. It does not even bar them from moving their teams to the other locations if there are good reasons for doing so. But it does require them to play by the rules that they themselves set and vote upon. It lets the league have the final say whether a transfer will be made or will not be made. Right now the league does not have that authority because it has been taken to court and shown that they did not have it.

I realize that professional football, like all big league sports, is a business. It is a big business. But a business is comprised of its owners, its workers, and its customers. Team owners have rights. They do not hesitate to enforce them. Team players have rights, and they do not hesitate to enforce them either. The third part of that is I believe the team customers—the fans—have some rights also, and that is what this addresses.

I say it is time that we help them enforce those rights—not just in Cleveland but all across this great country. If it were just one move, well, all right. I would doubt that would be the subject of any legislation here on the floor of the Senate. But, as I indicated earlier, this has become a basic problem in professional sports, and we are trying to address that problem.

So while we recognize that professional sports franchises are clearly business and we must consider profit, we also believe Congress should take a number of steps to, in effect, help the league in its ability to control the destiny of the league. That is a power they do not now have. It gives them the power to increase stability and ultimately preserve the integrity of professional sports.

Let me turn to some of the details. We accomplish the first by providing sports leagues with a very narrow, limited exemption to antitrust laws if the league has voted to block a move. Let me read that again. We accomplish it by providing sports leagues with a very limited antitrust exemption if the

league has voted to block a move. This exemption would say that if the league prevails, they could not be taken to court in a situation like that. And the exemption would shield sports leagues from the likes of the $50 million antitrust lawsuit that we saw the Raiders win in the 1980's and from the types of lawsuits the NFL is currently fighting in court. What we are trying to do is let them run their own business but do it fairly.

Yesterday, at a hearing before the Judiciary Committee, Commissioner Tagliabue asked for such an exemption so that the NFL could enforce its own bylaws. I discussed this with him in my office several weeks ago when I had written him a letter and told him what I was thinking about doing and the proposal we were about to make.

So today we propose that Congress give the NFL and other sports leagues the legal ability to block the move of a team if they think it is not in the best interest of their sport. By law, we will require that these leagues abide by their own bylaws, which currently take into account fan loyalty and community support, their own bylaws that some owners see fit to not go along with even though they have agreed to those bylaws when they accepted the franchise in the league.

Second, our legislation would also require that teams give communities at least 6 months' notice before a relocation can occur. This would allow communities facing a team relocation the opportunity to put together bona fide offers to purchase the team or induce it to stay. The sports league would be required to take these efforts into consideration as it considers a team relocation. And it would require a hearing so that people like Mayor Mike White in Cleveland and Art Modell, the owner of the Browns, could sit down together, with Cleveland and the Nation watching, and publicly discuss whether it is such a great idea for the Browns to leave Cleveland and what the reasons are for leaving.

Third, our bill has a fair play clause. It says to owners thinking about moving their teams that no longer can they give a so-called relocation fee to the league, which I understand may be even distributed to the other owners before their vote, before the league votes on whether or not they should relocate.

This is something Mayor White has talked a lot about, and my colleague, Senator MIKE DEWINE, made a strong case for it in yesterday's hearings and at a press conference we had this morning. I know he will make his own statement on that shortly. He is on the floor now. But there are two things you can say about it. First, it is just plain fair, and it makes sense to put that kind of a limitation, a fair play clause, in there.

This bill sends a very clear message to the league and to the owners. ''We are giving you the tools that you yourselves have said you need to put your house in order. We are giving you authority to enforce your own bylaws that you all agree to and say you will play by. Congress does not want to run your business.'' I do not want to be involved in running the business out there.

I think this legislation is much needed so that it can bring some order to what is a rather chaotic situation in the league now. I hope that this will be looked at very, very carefully at the January 17 meeting of the league in Dallas, which I believe is their current schedule.

I believe this legislation, simple though it is, can fix the problem. It can fix the problem. Make no mistake, there are far harsher proposals out there that Congress may be inclined to consider. I know the distinguished Senator from Washington, who is in the chair right now and is the Presiding Officer of the Senate, has proposed some legislation in the past and has had experience with this in his home State in getting a team to stay and in setting up conditions that go along some of this same line. I know he feels that programs do not go far enough in what we are proposing here and has said so publicly this morning. So I am not telling tales that were private conversations of a day or two back.

All I am pointing out is that there are harsher proposals out there. I do not want to see Congress forced to take these harsher steps, these tough steps. I would rather see the league take this authority we are giving them now and act on it, control their own league, and get on with the business of making sure that everything is very fair.

Baseball has its own set of problems, of course, and there have been proposals in the past to take the antitrust exemption away from baseball. But the one thing to say about baseball is they have had authority to keep teams where they were and to not just float teams around willy-nilly, all over the United States.

I was told this morning that it has been 24 years since a major league baseball team moved, that the new teams we have in the league are expansion teams. I have not checked that out, but I guess that is correct. It indicates that if you have authority to go ahead and run the league and to pass on the franchises and where they will be, there can be some stability.

I will be introducing separate legislation which would allow a community to keep the team name in the event of a relocation. That will not be part of this legislation I have just submitted today. But the team name in the event of a relocation would remain, and the community could waive this right if it wishes to do so. I am working with Congressman HOKE in the House and Senator DEWINE on that bill, and it will be introduced separately at a later date.

I cannot think of any football team or any sports team for that matter that has enjoyed more loyal and fervent support from its community than the Cleveland Browns. Week in and week out, whether their record might be 13 and 3, or 3 and 13, just the opposite, over 70,000 fans regularly pack Cleveland Municipal Stadium to show their support to the Browns.

At the hearing we had yesterday, Senator THURMOND, who was chairing the hearing, talked about how in his home State of South Carolina there is a loyal band of Cleveland fans, ''dawgs'' as we call them around Cleveland, as they call themselves, and the ''dawg pound,'' as they call the area where this particular group always sits in Cleveland Stadium, and Senator THURMOND said they have 800 South Carolinians who are loyal Cleveland fans and meet every time there is a Cleveland game. I told him then I had not been aware that we have a remote dawg pound, as we call it in Cleveland, down in South Carolina.

I relate that only to indicate the loyalty of Cleveland fans all over the country. So this move cannot take place because anyone thinks there has been a lack of fan support or lack of fan interest in the Cleveland area.

Mr. President, with this legislation, we say to fans in Cleveland and across the country, any sport that boasts it is played in America and made in America, as football has been termed, should be operated fairly in America also. So I think once again we are at a crossroads in professional sports, and I think this legislation will take us down the right path from that crossroads. Let me just say for all of you outside of Cleveland who may be listening, it happened to us in Ohio, in Cleveland, and it could happen to you. I think the legislation we are proposing today will go a long way toward giving the National Football League the ability, the legal ability, which they do not now have, to control their own league. It gives them the legal ability, and I think they will use it judiciously and properly and stop some of this turmoil of disruption that we see in the league right now, the way it has been operating in the last few years.

I yield the floor.

Mr. DEWINE. Mr. President, I am very proud to join my colleague from Ohio today in cosponsoring this piece of legislation. The senior Senator from Ohio has very eloquently outlined the need for this legislation. Let me also talk about a few items that I feel are important, because this legislation is not just about the Cleveland Browns. Really, this legislation is about how tax dollars are spent. This legislation is about equity. It is about fairness. It is a bill that would ultimately help protect professional football fans everywhere. The question is asked many times, particularly this week when we are talking in this city about important issues such as Bosnia and the budget, why should Congress even think about becoming involved in professional sports?

I think the answer is threefold. First, in 1966, the NFL-AFL wanted to merge,

and they came to this Congress to ask for specific exemption of the antitrust law, and that was granted. Later on, when they wanted to pool their resources, pool the TV money, again the NFL came to this Congress, to the House and the Senate, to the American people, and said we want special legislation. That legislation was passed and signed into law, and they operate under that law today.

In virtually every move that is contemplated today in professional sports, certainly in regard to the purported move by the Browns from Cleveland to Baltimore, tax dollars are involved, Federal tax dollars indirectly, local tax dollars both indirectly and directly. No move takes place today without subsidization by the taxpayers. In the case of the Baltimore-Cleveland situation, you have the Cleveland community that has not only supported the Browns with its individual money by the people who go to the game, not only watch the game on TV, not only the great loyalty of almost 50 years of the Cleveland Browns fans, but the community through tax dollars has put tax dollars back into Municipal Stadium over the years, and there has been a contribution. And so we see that case now in Baltimore with additional tax dollars. Yes, I know they are called lottery dollars. They are. But again they are public funds that are used to lure Cleveland over to Baltimore. So public dollars are involved and involved in virtually every single move. And so these are three good reasons I believe why Congress is already involved in the NFL, already involved in professional football. The only question before us is to what extent we want to be involved.

Senator GLENN has outlined the major provisions of this bill. The one provision which will give a limited antitrust exemption to the NFL owners if they turn down a move is, as Senator GLENN said, very limited, and it does have the effect, in my opinion, of facilitating the NFL in doing what they ought to do anyway, and that is, frankly, follow their own nine-point criteria. That is all anyone can expect them to do.

When anyone looks at the nine-point criteria that the NFL drew up to guide them, that they did in lieu of the Al Davis case—and they drew up nine points, very objective criteria—it is abundantly clear that if you objectively apply the criteria, the Cleveland Browns would simply never be allowed to move. It is not even a close call.

Here we have a community that has put an average of 70,000 people in the stands Sunday after Sunday after Sunday in good years and some years that maybe were not so good—almost 50 years of football tradition, NFL football in Cleveland.

The day after it was announced that the Browns wanted to move to Baltimore, a day after the infamous press conference in Baltimore was held, less than 24 hours later, the voters of Cleveland, in Cuyahoga County, voted by a 72 percent margin to tax themselves to keep the Browns in Cleveland—72 percent in 1995, with the antitax climate that we have today.

Here is a team that is rated No. 1 in the NFL, No. 1 in the NFL in TV penetration of their market. They get a bigger share of the TV market in the Cleveland area, throughout the Cleveland market, northeast Ohio, central Ohio, than any other team in the NFL.

So if you look at the criteria that is applied, objective criteria, how well has the community supported the team, how willing is the community willing to try to negotiate and to provide the things that are needed for the team to solve any problems the team might have, when you look at all the criteria, it is abundantly clear, on an objective basis, the Browns did not qualify. It is not even close. Baltimore should get a team, but it should not be the Cleveland Browns.

Let me turn, Mr. President, to another provision in this bill, and it has to do with something that I discussed yesterday with Commissioner Tagliabue when he testified in front of our Judiciary Committee, and that is this thing that is called the franchise relocation fee. This is, in essence, to boil it down, money that is given by the team that is moving to all the other NFL owners.

The last time this was done, the amount was, if you count the direct money and the indirect money, $46 million. The last time there was a move in the NFL, $46 million, they spread it among the other NFL teams. These are the same owners, same teams that have to judge whether or not it is in the best interest of football and the fans for a team to be able to move.

What this bill does is say you cannot have this franchise relocation fee. It is not right. It is not fair. It does not accomplish anything for the fans, for professional football, and certainly it does not make the decisionmaking process any more objective as carried on by the owners.

The deal between the Cleveland Browns and Baltimore in Maryland provides a specific provision. In that contract it provides that up to $75 million can be used for a franchise relocation fee, up to $75 million. I would submit, Mr. President, that it is not too far a stretch of the imagination to argue that the lottery funds, other public money, from Baltimore, from Maryland, will then go to the Browns, the Browns would then turn around and distribute this, on this relocation fee, to the other owners. I think it is abundantly clear what the problem is with this franchise relocation fee.

Mr. President, we are not in any way with this bill arguing or saying that teams should not be able to move. Teams should be able to move. They should be able to move if the market is not good, if there are problems locally that cannot be resolved. What we are simply saying, though, is that the movement should be based on merit, and there should be some logic behind that.

In yesterday's hearing, Mr. President, I talked with some of the witnesses, particularly witness Tagliabue, the commissioner of the NFL, about a couple changes I thought the NFL could make without any intervention by Congress. The franchise relocation fee is one. The NFL does not have to wait for legislation. They could do that tomorrow. They could change the rules and do away with that. And I think they should.

Another thing that the NFL could do would be to change their very, very strange—I do not know, Mr. President, a better word to describe it—but the very, very strange structure by which they share revenues in regard to people who go into those coliseums and ballparks every weekend.

Mr. President, if you or I buy a ticket, go in to see an NFL football game this coming Sunday, if we just buy a regular ticket, part of the money from that ticket will go to the visiting team, part will go to the home team. It is the way most professional sports divide the money up. The home team does get more, but there is a certain percentage. It works no matter where you buy the ticket. There is one exception to that.

This has to do with the luxury boxes. If you are lucky enough to be seated up in a luxury box, in comfort, looking down, the money you have paid or the money someone else has paid for that luxury box, for that seat, whatever you want to call it, that all goes to the home team. Well, this was a decision made apparently a few years ago by the NFL.

It did not take the owners and teams very long to figure this out. And so if you got extra money, if you got all the money from the luxury boxes, it put a premium on building more luxury boxes, in fact, put a lot of pressure on the teams to build these luxury boxes, because not only, Mr. President, do the teams get all of the money instead of just part of the money——

The PRESIDING OFFICER. The Senator's 10 minutes has expired.

Mr. DEWINE. Mr. President, I ask unanimous consent for 5 additional minutes.

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

Mr. DEWINE. Not only does all this money for the luxury boxes then go to the individual owner of the home team, but it also has the effect—I will not take the time on the floor of the Senate today to explain all the math of this—but it has the effect of driving up these salary caps because that salary cap is based on total gross revenue and based on formulas. Basically, it is 62 percent times the designated amount of revenue.

And so if one team, let us say team A, has no luxury boxes, but team B builds luxury boxes, not only does team B get all the money for the luxury boxes, not split at all with team A,

who they might be playing that weekend, but team B, by getting that luxury box money, drives up the salary cap, not just for them but for everybody. So team A has their costs go up. So it is almost like being on a treadmill.

The NFL has created a system by which everybody has a real incentive to go out and build luxury boxes. What that means is they are either going to build them in the home coliseum or the home park, or they are going to make the incentive to move somewhere else.

So the NFL has created a situation with this structure that really puts a premium on movement, and I do not think it is in the best interest of football. Again, it is something that the NFL should change and can change themselves, and I think it is a fair representation of Commissioner Tagliabue's testimony yesterday that he simply did not disagree with this at all.

Mr. President, let me conclude by stating that the thing that I have found most interesting in the last several weeks in regard to the controversy surrounding the Cleveland Browns' reported move to Baltimore has not been the reaction of fans in Ohio—and that has been absolutely unbelievable. People are up in arms. But we sort of expected that. What I think is interesting is that people across this country, who are sports fans, and who are not Browns fans, have looked at this and said this is not right, something is wrong, there is a problem. Maybe this move or attempt to move by the Browns to Baltimore is sort of, or should be, a wakeup signal to the NFL that something is absolutely wrong.

Mr. President, the NFL has a nine-point criteria. I think they should apply that nine-point criteria to determine if this move—I think they would, if they applied the nine-point criteria, determine this move is not right, does not fit the criteria, and should not take place, and is not in the best interest of football.

I believe that the bill that Senator GLENN introduced, that I have cosponsored, today will help in this situation. It will help the NFL do what it should do anyway, and is one more step toward trying to rectify a situation in professional football and other professional sports that is really very much out of hand and out of control.

I will be talking more about this on the floor in the weeks to come, Mr. President. I thank the Chair and the Senate for the additional time, and I yield back.

By Mr. BIDEN:

S. 1440. A bill to amend the Social Security to increase the earnings limit, and for other purposes; to the Committee on Finance.

SOCIAL SECURITY EARNINGS LIMIT LEGISLATION

• Mr. BIDEN. Mr. President, today I am introducing legislation that would increase the Social Security earnings limit—the amount that senior citizens can earn before they start losing Social Security benefits.

As my colleagues know, the earnings limit is currently $11,280, and it is increased each year for inflation. For seniors between the ages of 65 and 69, every $3 earned over that limit means a $1 reduction in Social Security benefits.

It is almost hard to believe this issue is still around. I remember back in my first term in the Senate—in 1977—when I introduced similar legislation. At the time, the earnings limit was $3,000, and I tried to increase it to $6,000. I was prompted to do so in part because of a Delaware woman who came up to me at a meeting and told me that she was breaking the law.

I wondered what crime could this sweet, frail, elderly woman be guilty of. And, she told me. She had a part-time job and was being paid in cash so that she would not have to report her income and thereby lose her Social Security benefits. She needed both to survive financially.

In the years since then, I have heard other stories—they are practically endless.

Imagine an elderly couple whose adult child develops some medical problem. Like most parents, they want to help their child—they do not abandon their parental instincts and concern just because they have turned 65. But, to meet the costs of caring for their child, they need to go back to work—and as a result, they will lose some of their Social Security benefits.

Or imagine the case—and it happens all too often—where the husband dies. And the wife, who he supported financially, now faces a dilemma. Her widow's Social Security benefits are not enough. She must get a part-time job to maintain a living. So, she goes to work, but loses part of her Social Security benefits.

Or imagine those senior citizens who just want to supplement their Social Security income—so they do not become dependent on welfare or on their own children, who are facing a financial squeeze of their own between their mortgages and putting their kids through college. Those seniors who want to ensure that they do not become dependent on others are penalized by having their Social Security benefits reduced.

Mr. President, these stories illustrate the perversity of a low Social Security earnings limit. It discourages some seniors from working, penalizes other seniors for working, and makes criminals of some seniors who need both a paycheck and a Social Security check to survive. This is not right.

So why does this policy even exist? Well, believe it or not, at one time, it had a very legitimate purpose.

In the midst of the Great Depression roughly 60 years ago, unemployment was rampant. And, the plain fact was, we wanted senior citizens out of the work force so that there would be more jobs for young workers with young families. That is part of the reason why Congress created the Social Security earnings limit—to discourage seniors from working.

A legitimate rationale at the time. But not today. Today, unemployment stands at a low 5.5 percent. And, the American economy, with a shrinking labor pool, is facing competition within an ever expanding global marketplace.

So, just when we need experienced workers in the labor force, we are wasting the greatest source of experience—our senior citizens. Just when we should be encouraging seniors to stay in the work force, many elderly workers are better off earning less than earning more. These are seniors who wish to work—in some cases, must work—who would work hard, and who could add millions of dollars to our economy. But, many are not working because the Social Security earnings limit penalizes them for doing so.

This is simply not fair to our seniors, and it is not good for this country. We should not penalize anyone for wanting to work and for wanting to supplement their income. And, we should not make criminals of those who do.

Now, unlike some of my colleagues, I do believe that some earnings limit still has a place. Social Security is, after all, a retirement program, not a reward for becoming old. But, an earnings limit set at $11,280 simply has no rational basis whatsoever. And those it hurts are too often those who are already struggling.

I find it interesting that the effect of such a low earnings limit is that working, middle-class seniors are penalized. They lose part of their Social Security benefits. But, the wealthy are treated differently. The elderly Donald Trumps and the elderly Ross Perots of the country have far greater incomes than $11,280, but they get those incomes from investments and unearned income. Therefore, they do not face the reduction in Social Security benefits that the middle-class faces.

This needs fixing. So, Mr. President, the legislation I am introducing today would increase the Social Security earnings limit to $14,500 next year and then gradually increase it over the following 6 years until the limit reaches $30,000 in the year 2002. In other words, seniors could earn up to $30,000 per year before their Social Security benefits begin to be reduced.

Earlier this month, the Senate debated and failed to pass similar legislation introduced by Senator MCCAIN. I want to commend the Senator from Arizona for his dedication to this issue over the last several years. And, I say to my colleagues that the bill I am introducing today is the same as the Senate considered—and unfortunately rejected—a few weeks ago, except in a couple of respects.

First, my bill would also apply the increase in the earnings limit to blind

recipients of Social Security benefits. Currently, blind individuals aged 55 and over qualify for Social Security disability benefits if their earnings are below the level of the retirement earnings limit. My proposal would retain this parallel treatment between the retired and the blind.

The second major difference between my bill and the earlier McCain legislation is that my bill does not include an offset. I believe we must find a way to pay for this bill. But, it was clear that the vote to defeat an increase in the earnings limit earlier this month was based in part on the proposed offset. So, my hope is that by not specifying an offset now, we can work together in a bipartisan fashion to find a suitable way to pay for the costs of this proposal and increase the Social Security earnings limit.

Mr. President, those senior citizens who want to work and those who must work to make ends meet should be honored and commended, not penalized by the Social Security system. I urge my colleagues to support this legislation.

ADDITIONAL COSPONSORS

S. 673

At the request of Mrs. KASSEBAUM, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 673, a bill to establish a youth development grant program, and for other purposes.

S. 704

At the request of Mr. SIMON, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 704, a bill to establish the Gambling Impact Study Commission.

S. 706

At the request of Mr. HARKIN, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 706, a bill to prohibit the importation of goods produced abroad with child labor and for other purposes.

S. 969

At the request of Mrs. KASSEBAUM, the name of the Senator from Kentucky [Mr. MCCONNELL] was added as a cosponsor of S. 969, a bill to require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of the child, and for other purposes.

S. 1228

At the request of Mr. D'AMATO, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1228, a bill to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran.

S. 1245

At the request of Mr. ASHCROFT, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1245, a bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to identify violent and hardcore juvenile offenders and treat them as adults, and for other purposes.

S. 1271

At the request of Mr. CRAIG, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 1271, a bill to amend the Nuclear Waste Policy Act of 1982.

At the request of Mr. HELMS, his name was added as a cosponsor of S. 1271, supra.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, November 30, 1995, for purposes of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this meeting is to consider pending calendar business.

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

COMMITTEE ON FINANCE

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet Thursday, November 30, 1995, beginning at 10 a.m. in room SD–215, to conduct a confirmation hearing on nominees currently pending before the committee.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, November 30, 1995, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, November 30, 1995, at 10 a.m. in SD–226.

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

COMMITTEE ON THE JUDICIARY

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, November 30, 1995, at 2 p.m., in room 226 Senate Dirksen Office Building to consider nominations.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, November 30, 1995, at 9:30 a.m. to hold a closed hearing regarding intelligence matters.

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

ADDITIONAL STATEMENTS

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

THE CHARITABLE GIVING PROTECTION ACT

• Mr. DODD. Mr. President, last night the Senate passed the Charitable Giving Protection Act, which Senator HUTCHISON and I originally introduced earlier this year. This legislation will help charities use contributions effectively and ensure that these vital organizations can continue their good work. I commend Senator HUTCHISON for her diligent efforts and thank all of my colleagues for their help in passing this legislation in the Senate.

Every day across this country, charitable organizations help millions of Americans. Whether its giving disadvantaged children meals or clothing, providing shelter to the homeless, or working to support the educational and medical needs of the less fortunate, charities help weave a stronger social fabric for our Nation.

Regrettably, the benevolent endeavors of charities have been jeopardized by a lawsuit, Ozee versuse American Council on Gift Annuities, currently before a Federal district court in Texas. That lawsuit, which has been certified as a class action against almost 2,000 charities, asks that all money donated to charities through charitable gift annuities be returned, along with double that amount in damages. I have heard from a broad spectrum of charitable organizations in Connecticut and they fear that this lawsuit will undermine their work.

Over the years, charities have used gift annuities as a means of making it easier for people to donate money. Generally, these transactions work as follows: A person donates money or some other asset to a charity and receives a tax deduction. The charity then invests the money and makes fixed, periodic payments to the donor. When the donor dies, the remainder of the gift goes to the charity. These arrangements help both donors and charities, and it was never the intent of Congress to unduly restrict their use.

In order to ensure that the lawsuit does not bankrupt charities and to facilitate the work of charities in the future, the Charitable Giving Protection Act clarifies Federal law. The legislation provides that the activities of charities relating to charitable gift annuities do not violate antitrust law. It also codifies certain exemptions that the Securities Exchange Commission has recognized for charitable organizations that pool and invest donations.

However, none of these changes would make it easier for charities to commit fraud. The legislation would not change the antifraud provisions in Federal securities law or affect Federal tax laws relating to fraud. People could still bring appropriate lawsuits against

cheats or swindlers attempting to disguise themselves as charities, or charities acting fraudulently.

Mr. President, in recent years, charitable organizations have stepped forward and filled some of the gaps in the American safety net, gaps that will widen if extreme Republican budget cuts are enacted. Although charities will not be able to come up with the funds necessary to repair the terrible damage these cuts will cause, charities will try to help. They always have in times of crisis. The Charitable Giving Protection Act will help them in that effort. Once again, I applaud Senator HUTCHISON's hard work on this legislation, and I thank all of my Senate colleagues for helping to move it forward expeditiously.●

TRIBUTE TO JUDGE GERALD W. HEANEY

● Mr. WELLSTONE. Mr. President, on the eve of his 50th wedding anniversary, I take this opportunity to pay tribute to Judge Gerald W. Heaney, a distinguished jurist who is beginning his 30th year of service on the U.S. Court of Appeals for the Eighth Circuit. Although Judge Heaney assumed senior status on December 31, 1988, he continues to handle an impressive workload, bringing to each case the same unyielding compassion, fairness, and sense of justice that has marked his tenure on the bench since his appointment on December 1, 1966.

Gerald Heaney was born on January 29, 1918, in Goodhue, MN, a rural community in the southeastern part of the State. In that productive farming community, he learned the values of close family, honesty, and hard work: qualities that have distinguished his public service. Judge Heaney received his undergraduate education at the College of St. Thomas and his law degree from the University of Minnesota in 1941.

At the outbreak of World War II, Gerald Heaney enlisted in the U.S. Army. Serving with the distinguished 2d Ranger Infantry Battalion, his extraordinary bravery in the Battle of La Pointe du Hoc during the D-day landing at Normandy earned him the Silver Star. He was also decorated with the Bronze Star and five battle stars before he was honorably discharged with the rank of captain on January 18, 1946.

At the end of World War II, Judge Heaney married Eleanor Schmitt. Of his wife, Judge Heaney recently said, ''I am fortunate to have married Eleanor. She has been the love of my life and my friend, my companion. She has brought stability to me, to our children, and to our grandchildren.'' In December of this year, Gerald and Eleanor Heaney celebrate their 50th wedding anniversary by renewing their wedding vows at the College of Saint Scholastic Chapel in Duluth, MN.

Judge Heaney began his legal career with the firm of Lewis, Hammer, Heaney, Weyl & Halverson. During his 20 years of private practice, Gerald Heaney dedicated himself to serving the disadvantaged and those seeking equality. To cite one example of this dedication, Judge Heaney represented teachers in their successful fight to make Duluth the first school district in Minnesota to adopt the same pay scale for both male and female teachers. While in private practice, Judge Heaney continually demonstrated his commitment to the improvement of the State's educational system. He worked actively with the Governor and State legislature to develop a State school aid formula, which remains in use today and continues to serve as a model for the rest of the Nation. Judge Heaney also served on the board of regents of the University of Minnesota, an institution to which he has devoted a lifetime of loyal service in recognition of its importance to the lives and welfare of Minnesota citizens.

In 1966, with the support of Senators Eugene McCarthy and Walter Mondale, Vice President Hubert H. Humphrey, and congressional representative John A. Blatnik, President Lyndon B. Johnson appointed Gerald Heaney to the Eighth Circuit of Appeals. Former Vice President Walter Mondale said of Judge Heaney: ''I have served many years in public life and one of the best things I did was to support the nomination of Gerald W. Heaney to be a Circuit Judge for the Eighth Circuit.''

Since his appointment, Judge Heaney has authored over 2,000 judicial opinions in which he has demonstrated leadership in many different and complex areas of law including school desegregation, civil rights, employment discrimination, Social Security disability cases, criminal law, labor relations, first amendment jurisprudence, and commercial litigation. These opinions evidence Judge Heaney's guiding principle: All persons—regardless of race, color, or creed—are entitled to equal protection under the law. At the unveiling of his portrait at the Federal courthouse in St. Paul, MN, Judge Heaney commented on the challenges facing our society and those in public service, ''It has been no simple task to preserve freedom, and it will not be simple in the future. Every democracy is fragile. It needs our constant and unwavering support. This is the task to which we must all rededicate ourselves.''

Judge Heaney continues to leave his mark on the landscape of the law in this country. As his colleague, Judge Donald P. Lay, former chief judge of the Eighth Circuit Court of Appeals, has said,

> In my judgment he is the most outstanding judge ever to serve, not only on the Eighth Circuit but throughout the United States, in the last 25 years. He is the most well-prepared judge in the circuit. His industry and dedication to law are unparalleled. His compassion and understanding of human problems is unique. He is a scholar and true gentleman in all respects.●

THE ODDS AREN'T WORTH IT

● Mr. SIMON. Mr. President, during the November elections, voters in 19 communities from seven States were asked to voice their opinion on the expansion of gambling. Many of these initiatives pitted grassroots efforts and coalitions against well-financed gambling interests. Election results supported more gambling in only 4 of the 19 communities.

It is difficult to determine whether this represents a shift in public opinion. However, it is clear that in order to make informed decisions at the ballot box, voters need objective and authoritative information. Conflicting claims remain unresolved. Nagging questions linger.

A recent editorial from the Boston Globe, ''The Odds Aren't Worth It,'' clearly describes the need for a national study. I as that it be printed in the RECORD.

The editorial follows:

[From the Boston Globe, Saturday, City Edition, Nov. 25, 1995]

THE ODDS AREN'T WORTH IT

Gambling tempts high-rolling risk-takers, it tempts the luckless with little to lose, and it tempts politicians. Since Atlantic City mortgaged Boardwalk to the chance industry 18 years ago, legalized gambling has expanded with amazing speed. Where once there were only two states that allowed or sponsored gambling, now there are only two—Utah and Hawaii—that don't.

In the past few weeks, however, what had seemed an inexorable acceleration has suddenly slowed to a trickle as voters and public officials across the country have fastened on gambling's dubious benefits and hidden costs.

Last week the Connecticut Senate rejected Gov. June Rowland's plans for a mammoth casino in Bridgeport. What had seemed a done deal was undone. In Maryland, a study commission recommended against increased gambling there, and most politicians agreed. On election day this month, voters in Washington state and Jefferson City, Mo., killed proposals to expand gambling, and voters in three Massachusetts communities rejected casinos; only New Bedford voted yes.

Now Congress is considering proposals to set up a national study commission that would examine the history of legalized gambling, explore the tradeoffs and provide credible data on which states and municipalities could make their own choices. The chief sponsors are Sen. Paul Simon of Illinois, a Democrat, and Rep. Frank Wolf of Virginia, a Republican. President Clinton and Sen. Dick Lugar of Indiana, a Republican seeking to challenge Clinton, both support it. Wolf believes that the commission will be approved, possibly before Christmas.

It should be. What is needed most urgently is a sober study that will sort out the conflicting claims—not only the moral arguments but also the actual economic and social effects.

Clearly, many people like to gamble. In Mississippi, which has had a no-limits attitude since 1992, a gaming publication estimated that $29.7 billion was wagered in 1994—an amazing $2.1 billion more than the state's total taxable retail sales. The phenomenal growth of the Foxwoods casino in Connecticut hints at the demand that might be tapped.

Yet what are the economics of gambling? It is an industry that creates no wealth but

only redistributes it—mostly from the poor to the rich, and often the rich are not even local people. A good study would provide the details.

But the signs are obvious. In the subway, and advertisement for the lottery portrays a pastel rainbow with a pot of gold at the end. Right next to it is a public service announcement describing how to apply for food stamps. The striking thing is that the two messages are addressed to the same audience: People who can't even afford to buy their own food without government help are encouraged by the government to throw what little they do have at a mirage.

Lotteries may turn out to be the most regressive form of state gambling. One of the few arguments for them other than the revenue they raise is that they closely mimic the illegal numbers games that have thrived in many communities, therefore drawing money away from organized crime.

Casinos raise additional concerns. Successful ones do provide jobs, and some older cities have looked to casinos as potential saviors. New Bedford is as good an example as any. With textiles and other industries gone and fishing on the wane, people in New Bedford are desperate for help. They voted nearly 3-1 for a casino this month. And they argue that half the cars in the Foxwoods lot are from Massachusetts anyway, so the state is exporting the gambling dollar needlessly.

Yet other casino towns have found not only that crime and vice rise rapidly with gambling but that the net effect on the economy is not salutary. Local restaurants and other retail businesses suffer; the problem of addiction to gambling, including among young people, grows; and in many places population drops. Also, the casino sometimes drives out better options. In Bridgeport, for instance, city officials said last week they would dust off a waterfront development plan—one that might provide stronger economic stimulation in the long run than gambling. The plan had been sidetracked by the casino proposal.

A solid study would give substance to all these questions.

Those selling New Bedford on a casino may be no different from the hucksters touting the pot of gold at the end of the pastel rainbow. What provides the spice, as with all gambling, is the fact that someone, sometime, actually wins the gold. But many cities and states have found the odds are no better for them than for the gamblers whose pockets they empty.●

MEASURE READ THE FIRST TIME—S. 1438

Mrs. HUTCHISON. Mr. President, I understand that S. 1438, introduced today by Senator DOLE, is at the desk, and I would ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title.

The assistant legislative clerk read as follows.

A bill (S. 1438) to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes.

Mrs. HUTCHISON. Mr. President, I now ask for its second reading, and I would object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard. The bill will be read the second time on the next legislative day.

UNANIMOUS-CONSENT AGREEMENT—H.R. 1833

Mrs. HUTCHISON. I ask unanimous consent that at 4 p.m. on Monday, December 4, the Senate turn to the consideration of Calendar No. 249, H.R. 1833, the partial-birth abortions ban, for debate only.

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

Mrs. HUTCHISON. And for the information of all Senators, debate will begin on the partial-birth abortion ban at 4 p.m. on Monday. However, no votes will occur during Monday's session of the Senate.

ORDERS FOR MONDAY, DECEMBER 4, 1995

Mrs. HUTCHISON. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 3 o'clock p.m. on Monday, December 4; that following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business until the hour of 4 o'clock p.m., with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER (Ms. SNOWE). Without objection, it is so ordered.

PROGRAM

Mrs. HUTCHISON. For the information of all Senators, at 4 p.m. on Monday, the Senate will begin consideration of H.R. 1833 regarding partial-birth abortions. There will be no rollcall votes during Monday's session of the Senate.

Also, as a reminder to all Senators, under a previous consent agreement, at 9:30 a.m., Tuesday, the Senate will begin debate on the conference report to accompany H.R. 1058, the securities litigation bill. Senators can therefore expect rollcall votes during Tuesday's session.

ORDER FOR ADJOURNMENT UNTIL 3 P.M. MONDAY, DECEMBER 4, 1995

Mrs. HUTCHISON. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order following my remarks.

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

SENDING UNITED STATES TROOPS TO BOSNIA

Mrs. HUTCHISON. Madam President, I wish to say briefly that I have just heard the majority leader, Senator DOLE, and Senator MCCAIN state that they would be introducing a resolution—I am sure a bipartisan resolution—to support the President's efforts to send troops to Bosnia.

Madam President, there are no two people I know in the Senate that I respect more, and certainly no two people in the Senate who have given more in the military service of our country than Senator MCCAIN and Senator DOLE. I respect them, and I know that they are coming to this decision in a way that is very thoughtful and statesmanlike.

I am very sad that this is going to happen because I disagree totally with the conclusions they have reached. I think every Member is going to have to really search his or her conscience to decide what is the responsibility of a Senator or a Member of Congress in this type of action. I know all of us are going to vote our conscience. I do not think anyone will come to their conclusion based on anything except what they think is right.

I am sure debate will be heated, but I think it is very important that we have an alternative to the resolution introduced by the majority leader because many of us feel that this is the wrong decision and that for us to exercise our responsibility as Members of the Senate, we must speak out against deploying troops to Bosnia. So there will be an alternative and I hope we will be able to vote on a clear alternative, and that is a resolution to disapprove this deployment of our troops.

We will go into debate more in the next week, and I do appreciate the fact that we are going to have the opportunity next week, rather than some later time after it is too late to try to have an impact on the President's decision.

I have read the Constitution. It is very clear to me that the Founders of our country were specific in not giving the war powers to the President alone.

In fact, in The Federalist Papers, both Mr. Madison and Mr. Hamilton specifically said this is not a monarchy, therefore, the President alone should not be able to wage war. So the question becomes, what is a war? Are we sending our troops into a hostile situation in which they will be in harm's way? And does that mean that they are in a war?

I believe sending troops into a situation in which we believe there is a good chance for fatalities must be done by the President and Congress together, not by the President alone. I think it is most important, and I think it was part of the balance of powers, that the founders of our country were very careful to put in our Constitution that this kind of decision not be made by one person.

I am very concerned that we are also setting a precedent for our troops to be deployed on the ground in border conflicts, in ethnic conflicts, in civil wars that were never contemplated when we signed on to in the NATO Treaty. Nowhere in the NATO Treaty does it say

that we should be required to go into a country that is not a NATO country, a country which has not been invaded by a hostile force, a country which is, in fact, in a civil war.

So, Madam President, the debate will come. And people will be very emotional about it. I am very emotional about it. I want to take my responsibility as a Member of the U.S. Senate, as a person given that responsibility by the voters of my State with obligations that are constitutional, to try to make sure that not only do our young men and women in the armed services have everything that we can give them when they chose to give their lives to protect our freedom, but that they also have the leadership that has the judgment to know that only when it is a U.S. security interest at stake is it worth the risk of their lives. And, Madam President, I hope we can make the case that that is not the situation in Bosnia.

I want to help the Bosnian people. We have done our part. We have shouldered about 60 or 70 percent of the cost of this effort so far. We have been there for the parties to come together. We have been a catalyst for the peace agreement. And I give the President credit for that. He deserves credit for bringing the people to the peace table and for hammering out this peace agreement.

But I think it is most important that we have many options to help the people of Bosnia. I do not think United States troops on the ground are among the best things that we can do for the Bosnian people, not for NATO, and not for America. It is not in our best interest to send ground troops to Bosnia. The President of the United States has unfortunately allowed our allies and others in the world to somehow argue that the only way we can show our commitment to peace is to have ground troops.

I think there are many other ways we can support this peace agreement. We can continue to provide air support. We can continue to play a strategic role. We are giving money now, and we will continue to give money. We can provide intelligence support for them, which we have been doing, and which we can do. We can arm and train the Moslems without being part of this peacekeeping force. In fact, I think that would be a far better policy. So, many options are there for us to help the Bosnian people. But placing American troops in harm's way is not an option that I think is right, not for America, not for NATO, and not for the people of Bosnia.

Thank you, Madam President.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I ask unanimous consent I be allowed to speak in morning business.

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

BOSNIA

Mr. INHOFE. Madam President, I think what has happened today, in my own view, as tragic as it might be, is refreshing to some of the American people, the people who feel this is a partisan place up here, where there is nothing but partisan politics, that the Republicans stand for something and the Democrats stand for something. But what we witnessed a short while ago should defuse that because we now have the majority leader of the United States Senate supporting the President in his effort in sending American troops into Bosnia on the ground.

I listened briefly to the Senator from Texas, Senator HUTCHISON, and I concur in her remarks. There certainly are no two people I have higher regard for, in terms of their war record and patriotism, than the Senator from Arizona, Senator MCCAIN, and the Senator from Kansas, the majority leader, Senator DOLE. However, I think there is an honest difference of opinion here.

I think what the President has been attempting to do seems to be working. But what the President has been doing is staying out of the fray until troops can be deployed long enough and far enough into Bosnia that it puts us in the position of where we are going to have to support the effort because we are supporting the troops. I do not buy that.

I think you can support the troops—and I will always support the American troops, wherever they are, anywhere in the world. But if we have the option right now of stopping the deployment of troops into Bosnia, it is our moral responsibility to do that. And I believe that option is still there.

I said this morning on this floor that there are not going to be any free rides on this one. We are going to have a vote, not a vote on a soft resolution saying, well, we oppose the effort but we support the troops, we are going to have a vote on whether or not we send our troops into Bosnia.

The environment in Bosnia is not one the likes of which we have seen in any of the wars that we have been involved in because we have always been able to identify the enemy. You cannot identify the enemy. Sure, we have chosen sides. We have been supplying the Croatians and the Bosnian Moslems against the Serbs now for quite some time. I think perhaps that was not the right thing to do, but nonetheless we have taken sides. We have taken sides through our air attacks.

Now it looks as if we are going to deploy troops over there to take sides. But who are the good guys and who are the bad guys? In this case we do not know. You might say, well, this year—any snapshot in history would give you a different answer to that question. There was a time when clearly the Croatians would have been the bad guys and a time when clearly the Serbs would have been the bad guys. But here we have more than just three major factions. We have many, many elements. We have rogue elements. And some of these elements are Serb elements, some are Moslem elements, such as the Black Swans. That is a rogue element. Nonetheless, they are there.

We are sending troops into an environment where only in this morning's newspaper we see a quote from the guy who is working directly for the general with whom I have spoken in the very sector where we are proposing to send our troops, General Haukland from Norway, where they say that there are literally millions of mines all throughout that area—millions. Not 10, not 100, not 1,000—millions of mines of all sizes, all shapes. And we do not know where they are. They are now in a position where, even though they have been going centimeter by centimeter trying to defuse these mines, we are now in a position where the winter is setting in, the ground is frozen, the snows are coming, and there is not any way in the world that we are going to be able to protect our troops that are going over there from stepping on these mines.

Remember, just a short while ago we were faced with a similar situation down in Nicaragua. And what were most of the losses? They were from mines. And the amputees were the result of what was happening.

Now, that is what we are faced with again. Only in today's newspaper, this is happening right now. We have already sent troops over there. I know that the President is hiding out in Europe. He is going to stay there until we have more troops. Then he will come back and say, ''Now you have to go with me because we have to protect our troops that are over there.''

Madam President, our troops are not there yet. We only have a few there. But a lot are on their way. I went to the training area in Germany of the 1st Armored Division. I know they are training them to go. They are going to go up through Hungary and then come down south through the Posavina corridor and into the Tuzla area.

When you look at that area, there has never been an area anywhere in the world that is so conducive to guerrilla warfare. There has never been an area in the world that has more guerrillas in it that are not identifiable. We have identified nine rogue elements that are there that are not even related in any way to anyone who was around the table in Dayton, OH.

So, Madam President, I just wanted to be sure that it is crystal clear that I do not stand alone. There are many others who feel just as strongly as I do that we are going to do everything we can to stop this mass deployment of troops into Bosnia. It was a bad idea 2½ years ago when the President first started talking about it, when he took sides and started airdrops. It was a bad idea 1½ years ago when the President decided he was going to have airstrikes. And it is a bad idea today. And I will continue to do anything within

my power to stop the deployment of troops into Bosnia.

I yield the floor.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I ask unanimous consent to proceed as in morning business.

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

Mr. NICKLES. Madam President, first I wish to compliment my friend and colleague Senator INHOFE for his statement on Bosnia. I will have a statement soon on that subject. But I compliment him, one, for his courage and conviction, and also the fact he went through the trouble of going to Bosnia recently, and I think his observations are very correct. I think we are in the process of getting bogged down in a quagmire.

So I compliment him for that. Again, I will add to my remarks at a later time.

TRIBUTE TO THE REVEREND DR. RICHARD HALVERSON

Mr. NICKLES. Madam President, I wish to make a couple of remarks concerning a very sad event that happened this week, and that was the death of our friend, Richard Halverson, the Chaplain of the Senate for the last 14 years.

I first want to express my condolences to Chaplain Halverson's family—his wife, Doris, his son, Chris and daughter-in-law Maura, his son, Steve and daughter-in-law Paula, and his daughter, Debbie and son-in-law Fred, and his nine grandchildren.

Chaplain Halverson was a friend, not only to myself but to all Senators as well the Senate staff and the entire Senate family. He certainly was a pastor of exceptional repute, a person who has been defined by many as ''a man of God,'' as a person who certainly loved the Lord and showed that love by his words and by his actions. It was evident when he would sit in his chair in the Senate Chamber and greet people on a daily basis. This love for people was not reserved for Senators only, but it was generously given to people who sweep the floors or those who work in the restaurant or the elevator operators. Chaplain Halverson was a friend, and he will certainly be missed.

He is loved by many thousands from his service in the pulpit and for his 14 years as Chaplain of the Senate. I really consider it a blessing to have known him, to have worked with him, to have shared many good times with him. To have been with him with families in prayer. To have worked along side him with the National Prayer Breakfast, in which he had been instrumental. He has left a very valuable mark on our lives.

A friend of mine from Oklahoma once commented to me about Dr. Halverson. He asked me if I knew him. I asked, ''Why?''

He said, ''I will tell you, I've had the pleasure of knowing him for years,'' and my friend paid him the highest compliment I ever heard paid anyone. He said Chaplain Halverson was the most Christ-like man he had ever known. I think that was an appropriate definition for a wonderful servant of God who also served this body.

So we extend our sincerest condolences to the Halverson family and we want them to know we love Chaplain Halverson and that our thoughts and prayers are with them and will continue to be.

I might mention to the Senate that it is our intention—and I am working with Chaplain Ogilvie on this—to have a memorial service for Dr. Halverson a week from Tuesday, at approximately 11:30 a.m. Once the arrangements have been finalized, I will make a formal announcement to my colleagues early next week.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MEASURE READ THE FIRST TIME—S. 1441

Mr. NICKLES. Madam President, I understand that S. 1441, introduced today by Senator HELMS, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (S. 1441) to authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes.

Mr. NICKLES. Madam President, I now ask for its second reading, and I object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

UNANIMOUS-CONSENT AGREEMENT

Mr. NICKLES. Madam President, I further ask unanimous consent that the morning business period on Monday be amended to provide for up to 30 minutes under the control of Senator BRADLEY.

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

ADJOURNMENT UNTIL MONDAY, DECEMBER 4, 1995, AT 3 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 3 p.m. on Monday.

Thereupon, the Senate, at 4:25 p.m., adjourned until Monday, December 4, 1995, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate November 30, 1995:

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

LUIS D. ROVIRA, OF COLORADO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2001, VICE LORRAINE MINDY MEIKLEJOHN, TERM EXPIRING.

DEPARTMENT OF JUSTICE

JOHN R. LACEY, OF CONNECTICUT, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR A TERM EXPIRING SEPTEMBER 30, 1998. (REAPPOINTMENT)