partying, or Puritanism. They aren't intended to interfere with anyone's right to drink alcohol socially or antisocially, responsibly or irresponsibly, in vast or moderate quantities. The law just asks drinkers not to operate heavy machinery on the States' roads and highways while under the influence of alcohol.

The Baltimore Sun:

You're driving on the beltway. The motorist in the next lane consumed four beers during the past hour. To paraphrase Clint Eastwood, ''Do you feel lucky?'' Amazingly, that tipsy driver may be within his legal rights.

And they end up:

Four drinks in one State makes you no less drunk than four drinks in another State. The abundant evidence justifies a national response.

The Omaha World-Herald:

Yes to a national drunk driving law. Congress uses the threat of withheld funds too often, in our opinion, to force its will upon the States. In this case, however, the States would merely be required to set an intoxication standard that reflects research on how alcohol affects driving.

That is the Omaha World-Herald, October 29.

The Wall Street Journal said this:

Safe alcohol levels should be set by health experts, not the lobby for Hooters and Harrah's. The Lautenberg-DeWine amendment isn't a drive toward prohibition, but an uphill push toward health consensus.

The Toledo Blade:

Complaints from the beverage industry that the new limits would target social drinkers and not alcoholics are ridiculous and dangerous. All that matters is whether the person behind the wheel has had too much to drink. Whether he or she is a social drinker is irrelevant.

Finally, New York Newsday:

It should be obvious that cracking down on drunk driving is an urgent matter of health and safety. The attack is not against drinking; it's against drinking and driving.

Mr. President, my colleagues have said it very, very well. My colleague from North Dakota a few moments ago said it well. He says it is not complicated. It is not complicated how you reduce auto fatalities. This is an easy way to save lives. And this is a way that will save lives.

At 10:30 tomorrow morning we are going to have a chance to do something very simple. We are going to have the chance to come to this floor and cast a yes vote on this amendment. It is one time when we will know the consequences of our act. And the consequence of that act, if we pass this, if it becomes law, will be simply this: Fewer families will have their families shattered, fewer families will have their lives changed forever. That is what the loss of a child or loss of a mother or father to drunk driving does—it changes your life forever.

We will save some families from that tragedy. We will never know who they are. They will never know. But we can be guaranteed that we will have done that and done that much tomorrow morning. This is a very rational and reasonable proposal. I say that because it sets the standard at .08.

I will repeat something I said a moment ago—and I am going to continue to state it because I think it is so important —and that is: No one, no expert who has looked at this believes that someone who tests .08 has not had their driving ability appreciably impaired. No one who has looked at this thinks that someone who tests .08 should be behind the wheel of a car. If any of my colleagues who might be listening doubt that, tonight or early tomorrow morning—we all know police officers; we all know people who have been in emergency rooms; we all know people who have seen DUIs and who know who they tested—pick up the phone and call one of your police officers.

Pick up the phone and call a member of the highway patrol who may have picked up someone, who has picked up probably dozens of people who have been drinking and driving, and ask them if, in their professional opinion, they think someone who tests .08 or above has any business being behind the wheel of a car. I will guarantee you, the answer will be unanimous.

The fact is, the more someone knows about the subject, the more adamant they will be about that. I became involved in this issue a number of years ago when I was an assistant county prosecuting attorney. One of my jobs was to prosecute DUI—DWI cases we used to call them in those days.

I can tell you from my own experience, someone who tests .08—and I have seen the videotape, as they say. I have seen the replays. I have seen the tapes that are taken right before the person takes the test. And I have compared those videotapes where you can see the person staggering, you can see the person's speech slurred, you can see their coordination impaired. I compared that with the tests. I will tell you from my own experience in observing, a person at .08 absolutely, no doubt about it, should not be behind the wheel.

Look what other countries have done. Senator LAUTENBERG showed the chart. Canada, Great Britain, Australia, Austria, all at .08 or below. This is a rational and reasonable thing to do. It is reasonable, as Ronald Reagan said, to have some minimum national standards that assure highway safety.

We live in a country where we get in a car and we think nothing of crossing one, two, three, four, five State lines, and we do it literally all the time. There ought to be some national standard, some floor, some assurance when you put your child in a car, when you get in the car with your wife and your loved ones, some assurance that whatever State you are in, wherever you are driving, that level is .08. That is a rational floor. It is a rational basis.

Again, despite all the scientific evidence, despite all the arguments, still there are some who would say this bill is an attack against social drinkers; this amendment will mean if I have two beers and a pizza I will not be able to drive. That is simply not true. All the scientific data, all the tests, all the anecdotal information tells us that is simply not true.

Let me again go back and repeat what the scientific data shows. It shows that when a male weighing 160 pounds has four drinks in an hour—it takes four drinks on an empty stomach in an hour for that adult male at 160 pounds to reach the .08 level. I don't think anyone believes that person should be behind the wheel, and I don't think there is anyone in this Chamber who will turn their child over to that person.

Mr. President, again we will have the opportunity tomorrow to save lives. I urge my colleagues to cast a ''yes'' vote on the Lautenberg-DeWine amendment. It will, in fact, save lives.

I yield the floor.

Mr. CHAFEE. Now, Mr. President, we have made valiant efforts to get the opponents of this measure here. We have given them every chance in the world. They have not shown up. Any opponents who want to speak will have half an hour tomorrow to speak.

I therefore propose that we close shop here.

MORNING BUSINESS

Mr. CHAFEE. Mr. President, I ask unanimous consent there now be a period of morning business with Senators permitted to speak for up to 5 minutes each.

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

THE GOVERNMENT SECRECY ACT

Mr. LOTT. Mr. President, I am pleased to join with the distinguished Minority Leader, the distinguished Chairman of the Foreign Relations Committee and with the distinguished Senator from New York, Mr. MOYNIHAN. Both Senator MOYNIHAN and Senator HELMS served with distinction on the Commission on Protecting and Reducing Government Secrecy. They are to be congratulated for their efforts. Senator MOYNIHAN and I have spoken repeatedly about his commitment to declassifying information while protecting legitimate secrets.

S. 712, the Government Secrecy Act of 1997, is a complex piece of legislation. Chairman THOMPSON has already held a hearing in the Governmental Affairs Committee. Other committees have legitimate and appropriate concerns about elements of this legislation, including Foreign Relations, Judiciary, Armed Services and the Select Committee on Intelligence on which I serve as an ex officio member. Their concerns should be addressed as we move through the legislative process.

I also have a number of concerns that I hope are addressed as the committees consider this legislation. I am concerned about allowing judicial review of executive branch classification decisions. I do not think it is wise or necessary to allow judges to second-guess

classification decisions. I am concerned about cost—the cost of classification and the cost of declassification. I hope we can arrive at a legislative outcome that reduces the cost of both. I am concerned about creating a new layer of bureaucracy in an already overly bureaucratic process. It is the agencies themselves that should retain the authority to declassify documents. I am most concerned that we give priority to protecting intelligence sources and methods rather than to a vague and subjective ''public interest'' test. We need to ensure that originating agencies are expressly involved in any declassification process to avoid the mistakes that have recently been made. I also hope there is adequate authority for agencies to meet their legitimate budgetary and source-protection concerns.

I am confident that the deliberative process of committee consideration will address my concerns and the legitimate concerns expressed by the Defense Department, the intelligence community, and others. I know that the Director of Central Intelligence testified last month that he wants to sit down with Senator MOYNIHAN and address those concerns in such a way that we protect sources and methods while opening more old intelligence files to the serious researcher and the general public. I hope that this process of committee consideration can be completed this spring and that we can expeditiously schedule floor time for legislation addressing this important issue.

I want to close with a special tribute to Senator MOYNIHAN's diligence in this effort. He is not just motivated by the fact that too much information is classified and is kept secret too long. He is also motivated by a scholar's desire to know the truth, and by the historian's desire to fully explain past events. I salute his efforts and share his concerns. Openness is important in our democracy. In the words of the Secrecy Commission, chaired by Senator MOYNIHAN, ''Secrecy is a form of government regulation . . . some secrecy is vital to save lives, bring miscreants to justice, protect national security, and engage in effective diplomacy . . . National Security will continue to be the first of our national concerns, but we also need to develop methods for the treatment of government information that better serve, not undermine, this objective.'' In the words of Chairman MOYNIHAN himself: ''It is time also to assert certain American fundamentals, foremost of which is the right to know what government is doing, and the corresponding ability to judge its performance.'' I could not agree more.

I look forward to continuing to work with Senator MOYNIHAN and others in enacting legislation on government secrecy this year.

Mr. DASCHLE. I thank the Majority Leader for raising this important issue and am pleased to join him as a cosponsor of the Government Secrecy Act. I look forward to working with him, the other co-sponsors of the bill, and the relevant committees to move this legislation early in this session. Although some modifications to this legislation may be necessary, I think we can all agree that a democratic government depends on an informed public. This legislation will greatly improve access to government information. By reducing the number of secrets, this legislation will enhance the public's access while at the same time enabling the government to better protect information which is truly sensitive.

As the Majority Leader mentioned, for the past five decades, the secrecy system has been governed by a series of six Executive Orders, none of which has created a stable system that protects only that information deemed vital to the national security of the United States.

Mr. MOYNIHAN. I thank the two leaders for their support and welcome them to an effort that began in the 103rd Congress with the adoption of P.L. 103–236, establishing the Commission on Protecting and Reducing Government Secrecy. This bi-partisan commission, which I had the privilege of chairing, and on which Senator HELMS played an important role, issued its unanimous report last March. The Commission found that the current system neither protects nor releases national security information particularly well.

Mr. HELMS. Mr. President, I thank the distinguished leaders, but I am also deeply grateful to the able senior Senator from New York. For too long the government has classified information which has no business being classified. When I came to the Senate, I was a member of the Armed Services Committee and I remember that I went to many classified briefings, only to be informed, in great detail, of everything that was in the New York Times and Washington Post that morning. The most frustrating thing was that we could not talk about the information from those meetings because it was classified.

Mr. MOYNIHAN. The central fact is that we live today in an information age. Open sources give us the vast majority of what we need to know in order to make intelligent decisions. Analysis, far more than secrecy, is the key to security. Decisions made by people at ease with disagreement and ambiguity and tentativeness. Decisions made by those who understand how to exploit the wealth and diversity of publicly available information, who no longer simply assume that clandestine collection, i.e. ''stealing secrets'', equates with greater intelligence.

We are not going to put an end to secrecy. It is at times legitimate and necessary. But a culture of secrecy need not remain the norm in American government as regards national security. It is possible to conceive that a competing culture of openness might develop which could assert and demonstrate greater efficiency.

Mr. HELMS. The Commission by law had two goals: to study how to protect the important government secrets while simultaneously reducing the enormous amount of classified documents and materials. We began our deliberations with the premise that government secrecy is a form of regulation, and like all regulations, should be used sparingly. But I feel obliged to reiterate and emphasize the obvious. The protection of true national security information remains vital to the well-being and security of the United States.

Mr. MOYNIHAN. I agree with the Senator. One of the important recommendations of the Commission was a proposal for a statute establishing a general classification regime and creating a national declassification center. The four Congressional members of the Commission, Representatives COMBEST and HAMILTON, Senator HELMS, and I, proposed just such a statute last May, the Government Secrecy Act, S.712.

Mr. DASCHLE. In deciding that we needed to design a better, more rational classification system, I was moved by the fact that under the current system we are classifying an enormous amount of information each and every year. For example, in 1996 alone, the Federal Government created 386,562 Top Secret, 3,467,856 Secret, and 1,830,044 Confidential items: a total of 5,789,625 classification actions.

Mr. MOYNIHAN. Last year the number of officials with the authority to classify documents originally decreased by 959 to 4,420. Presumably, this should reduce the number of classifications, but the number of classifications increased by nearly two-thirds, over 5.7 million. There cannot be 5.7 million secrets a year which, if revealed, would cause ''damage'' to the national security. To paraphrase Justice Potter Stewart's decision regarding the Pentagon Papers, when everything is secret, nothing is secret.

Mr. DASCHLE. In addition to costing the taxpayer billions annually, this excessive government secrecy leads to a host of other problems. Secrecy hampers the exchange of information within the government, leads to public mistrust, and makes leaking classified information the norm.

I think it would be useful at this point to note that this legislation will not require the disclosure of a single document or fact deemed vital to our national security. Instead, this legislation will prevent the government from stamping ''Classified'' on information that is not sensitive.

The Clinton administration has made significant reforms to open government information. For example, last month, Secretary of Energy Federico Pena announced that he would seek to end the practice that considered all atomic weapons information as ''born

classified'' and instead would only classify ''where there is a compelling national security interest''. The Department of Energy is to be commended for its efforts in recent years to make available information concerning nuclear tests conducted in this country and their effects on human health and the environment. This is a useful step. However, as the statistics I cited above for 1996 make clear, there is still much more to be done.

Mr. MOYNIHAN. Such efforts are welcome and should be encouraged. However, to ensure that they are carried out across the government and in a sustained manner, our Commission proposed that legislation be adopted.

Mr. DASCHLE. Greater Congressional oversight of classification policy is long overdue. For too long, classification and declassification policy have been both developed and implemented by bureaucrats, often anonymously. Consideration of the Government Secrecy Act, S.712, will promote an open discussion of the advantages and disadvantages of secrecy, a discussion which is not limited to the views of those who are charged with implementing classification policy.

Mr. MOYNIHAN. If the Report of the Commission on Protecting and Reducing Government Secrecy is to serve any large purpose, it is to introduce the public to the thought that secrecy is a mode of regulation. In truth, it is the ultimate mode, for the citizen does not even know that he or she is being regulated. Normal regulation concerns how citizens must behave, and so regulations are widely promulgated. Secrecy, by contrast, concerns what citizens may know. The citizen is not told what may not be known.

With the arrival of the New Deal agencies in the 1930s, it became clear that public regulation needed to be made more accessible to the public. In 1935, for example, the Federal Register began publication. Thereafter all public regulations were published and accessible. In 1946, the Administrative Procedure Act established procedures by which the citizen can question and even litigate regulation. In 1966, the Freedom of Information Act, technically an amendment to the original 1946 Act, provided citizens yet more access to government files.

The Administrative Procedure Act brought some order and accountability to the flood of government regulations that at time bids fare to overwhelm us. Even so, ''over-regulation'' is a continuing theme in American life, as in most modern administrative states. Secrecy would be such an issue, save that secrecy is secret. Make no mistake, however. It is a parallel regulatory regime with a far greater potential for damage if it malfunctions.

Mr. DASCHLE. One of the most striking aspects of the Commission report is the lack of Congressional involvement in the secrecy system. Apart from the Espionage Act of 1917 and the Atomic Energy Act, which only applies to atomic secrets, there are few statutes dealing with these issues. If secrecy is a form of regulation, then this legislation will serve a similar purpose to the Administrative Procedure Act for the secrecy system.

And there has been little Congressional oversight. I believe the Commission on Protecting and Reducing Government Secrecy, which Senator MOYNIHAN chaired, is only the second statutory examination of the secrecy system.

Mr. MOYNIHAN. That is correct—there has been only one other statutory inquiry into this subject. This was the Commission on Government Security, established in 1955 by the 84th Congress, known as the Wright Commission for its Chairman, Lloyd Wright, past President of the American Bar Association. This was a distinguished bipartisan body, which included in its membership Senators John C. Stennis of Mississippi and Norris Cotton of New Hampshire, along with Representatives William M. McCulloch of Ohio and Francis E. Walter of Pennsylvania.

The Commission report, issued 40 years ago, is a document of careful balance and great detail. The Commission was concerned with classification as a cost. Free inquiry, like free markets, is the most efficient way to get good results. The Commission set forth a great many proposals ranging from Atomic Energy to Passport Security, but its legislative proposals were concise: the proposal to outlaw by statute ''disclosures of classified information. . . by persons outside as well as within the Government'' was quickly perceived as prior restraint: press censorship. The response was swift and predictable. The recommendation was criticized strongly in articles and editorials in a variety of newspapers, notably by James Reston. And the Commission's recommendations were dropped.

Mr. DASCHLE. The Government Secrecy Commission has learned from history and issued much more prudent proposals. Some individuals have raised constitutional concerns regarding this legislation, but the Government Secrecy Act (S. 712) respects the President's constitutional prerogatives by maintaining the authority of the President to establish categories of classified information and procedures for classifying information. The precedent for Congressional action has already been established by the Atomic Energy Act, the Espionage Act, and the National Security Act.

Mr. MOYNIHAN. The Government Secrecy Act will provide a framework for our secrecy system which can limit the number of documents initially classified and significantly reduce the backlog of already classified documents. It sets standards for declassification whereby information may not remain classified for longer than 10 years unless the head of the agency which created the information certifies to the President that the information requires continued protection. Information not declassified within 10 years may not remain classified for more than 30 years without another certification. It requires that a balancing test be established in making classification and declassification decisions so that officials must weigh the benefit from public disclosure of information against the need for initial or continued protection of the information under the classification system.

The bill also establishes a national declassification center to coordinate and oversee the declassification policies and practices of the Federal Government to ensure that declassification is efficient, cost-effective, and consistent.

I thank the Majority Leader for raising his concerns. It is my sincere intention to work with the Majority Leader and other interested Senators to perfect this legislation, so that we might pass it in the coming months.

Mr. SHELBY. Mr. President, I rise because I have some grave concerns with the current form of the Government Secrecy Act of 1997 (S. 712) and I am pleased that the distinguished Majority Leader and my distinguished colleagues are open to a discussion of this legislation with the goal of establishing the basic principles on which Federal classification and declassification programs are to be based. More stability, reliability, and consistency are needed in the government's approach to both the protection—and I emphasize protection—as well as the release of classified information to the public. The recent compromise of sensitive information through rushed declassification highlights the need for more oversight and accountability of the declassification process. I have serious concerns that S. 712 does not adequately protect sensitive intelligence sources and methods and will unnecessarily cost the taxpayers many hundreds of millions of dollars.

I support the Commission on Government Secrecy's finding that the public has a right of access to the large majority of government-held information and that, in general, too much information is classified and kept secret too long. However, secrecy is essential to intelligence, and U.S. security has depended and still depends on secrecy to succeed. We must proceed with caution in our commitment to make more classified information available to the public. In this regard, I am concerned that some provisions of S. 712 erode the Director of Central Intelligence's statutory authority and ability to protect intelligence sources and methods.

Further, the bill will cost untold millions to declassify and release the tremendous amount of currently classified material in a way that still protects the most sensitive sources and methods. For example, DOD reports to have over 1.2 billion pages of 25 year and older material of historical value that requires review for declassification. The current estimated average cost of

review is $1 a page. This means that the cost of declassification of this group of documents alone will be over $1.2 billion—that's billion with a ''B'', Mr. President.

I am also concerned that the so-called Declassification Center created in S. 712 will not correct the problems facing the current declassification system. It will end up being another costly and unnecessary government bureaucracy. Instead, to promote greater accountability, I propose that we create a more effective and enhanced Executive branch oversight function for classification and declassification programs. In addition, I believe sanctions for unauthorized disclosures should be added to the bill. We need to consider new and unique categories of secrecy for our most sensitive intelligence operations—perhaps to include very serious penalties for public discussion of these activities.

Finally, I am troubled that the bill leaves open the possibility of judicial review of Executive branch classification decisions. This will undoubtedly lead to costly legal challenges that could result in judicial second-guessing of the Commander-in-Chief on national security matters.

I look forward to addressing these and other concerns in our Committee. Our collective goal should be to craft legislation that establishes a sensible framework for a classification and declassification system that continues to protect sources and methods while improving oversight and accountability at an affordable cost.

Thank you, Mr. President.

Mr. KERREY. Mr. President, for Americans government secrecy is a paradox. In a democracy, it's an unusual action for us to decide to keep something secret from the public, because it's their government. What we do is for the people. It's carried out in their name. So it's unusual to do the public's business in secret.

There is only one legitimate reason for our government to keep something secret from its citizens: To keep America safe. As Vice Chairman of the Senate Select Committee on Intelligence, I have been exposed to many things that, if made public, would threaten the security of our citizens and our nation. But I have also seen valuable information unnecessarily kept from the public view. Which is why I support this effort to change the way our government classifies and declassifies its information.

Secrecy is the exception, not the rule, in these matters for a number of reasons. The first and foremost is that this is government of, by and for the people. The second stems from that old adage ''sunshine is the best disinfectant''. We do a better job in the open, where our ideas and actions are subject to the test of scrutiny, criticism and feedback, than we do in secret. And third, because information we gather belongs to the people, we should make sure information they can use—in their own lives, in their own businesses, and, most important, in making decisions as citizens in a democracy—is provided to them when we can make it available without compromising our safety.

We make the unusual decision to keep things secret for a reason: Because those secrets help to keep Americans safe. Our government classifies information to help protect our citizens and preserve the security of our nation. When the Director of Central Intelligence goes to the President or to Congress to tell us of the threats our nation faces, he can do so because there are men and women around the globe risking their lives to provide our nation's leaders with the information they need to protect our country. Whether the intelligence deals with foreign leaders, terrorists, narcotics traffickers, or military troop movements, our government needs to keep certain information secret or our nation's security will suffer.

Yet much of the information on foreign countries collected by our Intelligence Community can and should be shared with the American people. With the growth of open source information and widespread availability of information technology, the American public is also increasingly a consumer of intelligence. We live in a very complex world, with intertwining relationships between nations shaped by history and culture. It is difficult for policymakers—those of us who study foreign policy, who have access to classified information and analysis, and who receive detailed government briefings—to get the information we need for an informed view on foreign policy issues. Our citizens have an even more limited amount of information available to help them understand what occurs outside our nation's border. Which is why I believe the more information the American public has with which to understand foreign policy the better.

Mr. President, we need to continue to protect ''sources and methods'', a term of art which refers to the people working to collect intelligence and the means by which they do so. Yet, when we acquire information whose release will not threaten sources and methods, or have information so dated that the people and means used to collect it are no longer in jeopardy, the government should release this information to the public.

We must act this year to reverse a fifty year trend and reduce government secrecy, including intelligence secrecy. The classification system has been regulated by executive order for five decades, with new executive orders contradicting previous ones and producing new costs for all agencies involved. What is or is not a secret should not be subject to a change in political leadership. Congress should place in statute the concept of what is or is not classified information, and provide general standards for classifying and declassifying information.

Mr. President, Congress bears some of the responsibility for the status of our nation's classification policy. The Commission on Protecting and Reducing Government Secrecy was not able to find a single example of a congressional hearing on the issue of executive branch secrecy policy. At the very least, Congress needs to improve its oversight of this issue. As part of this effort, the Senate Select Committee on Intelligence is scheduled to hold a hearing on this issue later this year.

Senators MOYNIHAN and HELMS have shown great leadership in addressing the issue of governmental secrecy. Their work on the Secrecy Commission has helped provide the Senate with the necessary context and analysis of government secrecy we need to address this issue. Their legislation S. 712, the Government Secrecy Act of 1997, goes a long way towards outlining a balanced government policy which protects the most sensitive information while allowing the public access to as much information as possible.

In my discussions with Director of Central Intelligence George Tenet, I have learned that the Intelligence Community does have concerns with the current version of S. 712. The CIA's concerns include their desire that the originator of classified information be in charge of its declassification, and that the classification and declassification process not be subject to judicial review. I look forward to working with Senators HELMS and MOYNIHAN, with Director Tenet, and the Administration to develop legislative language which meets the twin goals of keeping America safe and ensuring our government responds to the needs of its citizens for information.

Because the Department of Defense and the Central Intelligence Agency are responsible for the vast majority of information that requires classification, I believe the committees responsible for oversight of these entities—the Senate Armed Services Committee and the Senate Select Committee on Intelligence—should have the opportunity to review S. 712. I hope that such a sequential referral can be arranged.

Mr. President, we seek legislation that is in balance. We seek secrecy legislation which protects the safety of our citizens and the security of our nation, but also ensures that our government's policies, actions, and information will be as open as possible to its citizens. We must help keep America safe, while also assuring that our actions truly reflect those of a government of, by and for the people. I look forward to the challenge. I yield the floor.

Mr. THOMPSON. Mr. President, I appreciate the attention being given to the Government Secrecy Act, S. 712, by Senator LOTT and Senator DASCHLE. I also wish to commend Senators MOYNIHAN and HELMS for the hard work they have put into this issue as Senate members of the Commission on Protection and Reducing Government Secrecy.

To review the entire secrecy system, Congress established the Secrecy Commission in 1994. Last year, the Commission issued its final report. The Governmental Affairs Committee held a hearing on the Commission's recommendations when they were first issued. Among the recommendations of the Commission was establishing a statutory basis for our secrecy system. Apart from nuclear secrets, there has never been a coordinated statutory basis for establishing and maintaining government secrets. Consequently, there is little coordination among agencies on how information is determined to be secret, little accountability among classifying officials, and little Congressional oversight of the government's secrecy activities.

The Commission also described how the secrecy system functions as a form of government regulation, imposing significant costs on the government and the private sector. It is time to begin reviewing these costs and identify which secrets really need to be kept and which do not. Like other areas of government regulation, we need to inject a cost/benefit analysis into the process to be sure that those secrets we do keep are worth the cost.

The Government Secrecy Act is an issue of good government reform that needs consideration by Congress. I intend to work with Senator GLENN, the Ranking Member of the Governmental Affairs Committee, to report an amended S. 712 very soon. The United States needs a secrecy system that does a better job of identifying those secrets which truly must be kept, and which then can truly keep them secret.

Mr. GLENN. Mr. President, I concur that this is an important issue that our Committee takes very seriously. We held a hearing on the Commission's report last year, and I know that the Chairman has wanted to return to this matter this year.

The question of establishing a statutory framework for classification and declassification has long been a matter of debate. Our own committee held extensive hearings on this subject in 1973 and 1974.

The current system is governed by Presidential executive order, and, as the Majority Leader noted, this has led over time to inconsistencies in policies and procedures. Some have questioned, however, whether legislation is needed. I believe that it is proper for Congress to legislate on this subject, while of course still respecting the authority of the President in this area. This principle of shared authority was recognized in the passage of the Atomic Energy Act, the Espionage Act, and the National Security Act. If Congress acts now to establish a statutory classification and declassification system, we should take a similarly balanced approach.

Balance is also needed in our approach to considering the legislation in the Senate. While S. 712 has been properly referred to our committee, the Committee on Governmental Affairs, the bill raises important issues of interest to the Select Committee on Intelligence, the Armed Services Committee, and the Committee on Foreign Relations. I am fully committed to working with each of these committees as the bill moves forward.

SUPPLEMENTARY NOTICE OF PROPOSED RULEMAKING

Mr. THURMOND. Mr. President, pursuant to Section 303 of the Congressional Accountability Act of 1995 (2 U.S.C. sec. 1383, a Supplementary Notice of Proposed Rulemaking was submitted by the Office of Compliance, U.S. Congress. The Supplementary Notice extends the comment period of a prior notice.

Section 304(b) requires this Notice to be printed in the CONGRESSIONAL RECORD, therefore I ask unanimous consent that the notice be printed in the RECORD.

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

OFFICE OF COMPLIANCE—THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995: AMENDMENTS TO PROCEDURAL RULES

SUPPLEMENTARY NOTICE OF PROPOSED RULEMAKING—EXTENSION OF COMMENT PERIOD

Summary: On October 1, 1997, the Executive Director of the Office of Compliance (''Office'') published a Notice of Proposed Rulemaking (''NPRM'') to amend the Procedural Rules of the Office of Compliance to cover the General Accounting Office and the Library of Congress and their employees, 143 CONG. REC. S10291 (daily ed. Oct. 1, 1997), and on January 28, 1998, the Executive Director published a Supplementary Notice of Proposed Rulemaking requesting further comment on issues raised in comments submitted by the Library of Congress, 144 CONG. REC. S86 (daily ed. Jan. 28, 1998).

At the request of a commenter, the comment period stated in the Supplementary Notice of Proposed Rulemaking has been extended for two weeks, until March 13, 1998.

Dates: Comments are due no later than March 13, 1998.

Addresses: Submit comments in writing (an original and 10 copies) to the Executive Director, Office of Compliance, Room LA 200, John Adams Building, 110 Second Street, S.E., Washington, D.C. 20540–1999. Those wishing to receive notification of receipt of comments are requested to include a self-addressed, stamped post card. Comments may also be transmitted by facsimile (''FAX'') machine to (202) 426–1913. This is not a toll-free call.

Availability of comments for public review: Copies of comments received by the Office will be available for public review at the Law Library Reading Room, Room LM–201, Law Library of Congress, James Madison Memorial Building, Washington, D.C., Monday through Friday, between the hours of 9:30 a.m. and 4:00 p.m.

For further information contact: Executive Director, Office of Compliance, at (202) 724–9250 (voice), (202) 426–1912 (TTY). This Notice will also be made available in large print or braille or on computer disk upon request to the Office of Compliance.

Signed at Washington, D.C., on this 27th day of February, 1998.

RICKY SILBERMAN,
Executive Director, Office of Compliance.

WELCOMING DR. KAMIL IDRIS, DIRECTOR GENERAL OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

Mr. HATCH. Mr. President, I rise today to welcome to the United States Dr. Kamil Idris, the Director General of the World Intellectual Property Organization (WIPO). As many of my colleagues know, Dr. Idris was elected Director General in November 1997, succeeding Dr. Arpad Bogsch, who served in that capacity for 25 years. As Director General, Dr. Idris is responsible for overseeing WIPO's strong efforts in promoting intellectual property protection across the globe.

Dr. Idris has had a long and distinguished diplomatic career on behalf of his native Sudan. He is particularly well-known in international intellectual property circles through his 16 years of effective service to WIPO, most recently as Deputy Director General. I was pleased to visit with Dr. Idris informally shortly after his election as Director General and once again wish him success in his new position.

I would note that Dr. Idris is taking the helm of WIPO at a critical juncture in the evolution of international intellectual property protection. Nations throughout the world will look to his leadership in promoting a global fabric of intellectual property protection in the ever-explosive digital age. The WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, both signed in Geneva in December 1996, are important components of that fabric. The United States has an opportunity to set standards for the world to follow by ratifying and implementing these treaties in a timely fashion. I have joined with my colleagues Senator LEAHY, Senator THOMPSON, and Senator KOHL to introduce legislation to do just that. I look forward to Dr. Idris' support of similar efforts to implement these treaties in an effective manner in the remainder of the WIPO member countries.

Dr. Idris' visit today marks his first official visit to the United States. He will be accompanied by the Commissioner of Patents and Trademarks, Bruce Lehman, who will join Dr. Idris in meetings with the Secretary of Commerce and other agency officials who play important roles in safeguarding and promoting American ingenuity. Dr. Idris will also have the opportunity to meet with many of the leaders of our creative sectors, among them the pharmaceutical, motion picture, software, information technology, broadcasting, publishing, and recording industries. Each of these industries depend on the work of WIPO to assist them in securing effective protection for their intellectual property in the international marketplace.

I am pleased that Dr. Idris has made this important visit. I am sure I am joined by my colleagues in welcoming him today and in wishing him the best in his activities here. I look forward to