Mr. President, now that we have both managers on this bill, I would like to proceed and lay out what course of action we would like to follow. What I will be doing is seeking a unanimous-consent agreement so that the pending amendment before us can be laid aside.

The reason that I will make that request is because a motion to table that last night was not successful. During the hours since then, different concerned Senators have been discussing what sort of modifications might be made to that amendment language. Since there has been no agreement at this time, it will be my request that we lay that aside so we can then take up the next pending committee amendment which would be before us. We would dispense with that committee amendment so that we can keep moving. So that is going to be my intent.

Again, as I just confer with the other manager, I would again suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER OF PROCEDURE

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the Senator from Pennsylvania be allowed to make remarks as though in morning business for approximately 10 minutes, and that following his comments I reserve the right to the floor.

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

The Senator from Pennsylvania is recognized for 10 minutes.

Mr. SPECTER. Mr. President, I thank the Chair. I thank my colleague from Idaho.

THE BASEBALL STRIKE

Mr. SPECTER. Mr. President, I have sought recognition while there is a lull in the action on the pending legislation to talk for a few minutes about the pending issues before the Judiciary Committee on possible legislation regarding the antitrust exception which might have an impact on the current baseball strike.

I believe that it is highly unlikely—virtually impossible—for the Congress of the United States to act on an antitrust exemption to have any meaningful impact on the pending strike and, therefore, urge in the strongest possible terms that both parties return to the negotiating table to work in a collective bargaining sense to end the strike and bring baseball to the playing field this spring.

I have had long reservations about the antitrust exemption as it applies to baseball, as it applies to other major sports, like football, which has an antitrust exemption for revenue sharing, and participated more than a decade ago, in 1982, in extensive hearings when the Los Angeles Raiders, then the Oakland Raiders, were proposing a move. And those hearings were very important and raised some of the same considerations which are now pending on the baseball strike.

As we have moved forward in the consideration of the complex issues on the antitrust exemption, my view has been to retain the exemption as it impacts on the Pirates, which are a major factor in Pittsburgh, and a major constituent interest of mine. If we eliminate the antitrust exemption, we will have bedlam with respect to franchise changes. I notice my colleague Senator GORTON nodding in agreement because of the impact on the Seattle baseball team.

One thing is certain, Mr. President, and that is that it is highly unlikely, I am almost certain, that Congress is going to act with any speed, and I think that Congress should not act, should not get involved in the midst of a labor dispute, where there are very, very serious issues, to try to affect the outcome of that labor dispute. At the present time, the Judiciary Committee is totally involved in the consideration of the constitutional amendment for a balanced budget. And on the Senate floor we are involved in very complex legislation on taking away mandates by the Federal Government which are not paid for. There is a very, very heavy agenda on economic issues, budget issues, trying to reduce the size of Government, trying to reduce spending, and the consideration of tax cuts, so that far behind on the back burner is this issue of changing the antitrust exemption.

My comments this morning are prompted, in part, by this banner headline in the Philadelphia Inquirer this morning: ''Phillies President Blasts Union, Hinting at Player Defections.''

Bill Giles is president of the Philadelphia Phillies, and he is a very, very mild-mannered man. I cannot remember a headline on Bill Giles speaking out in such emphatic terms. What he is saying bears directly on my comments, where he makes the statement that ''The union has spent most of their energy in Washington trying to do away with our antitrust exemption instead of negotiating and trying to grow the game.''

I have been in frequent contact with Mr. Don Fehr, head of the union, asking him what help I could be or what help the Senate could be in a constructive way in trying to bring the strike to a close. I first made that contact with Mr. Fehr last summer before the strike started on August 12. And at the same time period, I talked to the acting commissioner, Bud Selig, and the officials of both the Philadelphia Phillies and Pittsburgh Pirates, my two home State teams, to see what help we could be. The antitrust exemption came up briefly last fall on the Judiciary Committee calendar, and it was voted down, I think, largely because of a sense that the Congress and the Senate should not get involved in a pending labor dispute. The issue in Pittsburgh is especially touchy at the present time because the Pittsburgh Pirates are up for sale, and the Pirates have been kept in Pittsburgh by a consortium of hometown business people who have bought the Pirates, to keep it in Pittsburgh. That is a difficult matter because the Pirates are losing so much money, which is a source of the controversy today which has led to the strike. The Pirates have had a prospective buyer, John Rigas, of Coudersport, PA. I have been trying to be helpful in meeting with officials of the Pittsburgh Pirates to see if that sale could be effectuated. That sale is going to be held up because of the uncertainty of what is going to happen in the strike and to the antitrust exemption.

Obviously, I speak as only one Senator, one member of the Judiciary Committee. I think that given the complexity of the Judiciary Committee calendar, and given the complexity of the Senate calendar, and the complexity of the House calendar, it is as close to a certainty as anything can be that there is not going to be legislation coming out of the Congress between now and April on the antitrust exemption. There are too many things ahead of it. If it did come to the floor, I think many would agree with my position that the Congress ought not to intervene to try to alter—ought not to change the level playing field. That is an expression we use very frequently about our debates on many subjects, but it is certainly applicable not to change the level playing field when we talk to the baseball effort.

What the Phillies' president has had to say on one end of my State, and what is happening with the Pirates at the other end of my State, trying to sell the team to keep it in Pittsburgh, I hope that the parties will go back to the bargaining table and will settle the dispute so that we can have baseball this spring, and not to look to the Congress to try to intervene, which is not our place and is so highly unlikely on the current state of the record. I thank the Chair.

I yield the floor.

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

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

UNFUNDED MANDATE REFORM ACT

AMENDMENT NO. 31

(Purpose: To prevent the adoption of certain national history standards)

Mr. GORTON. Mr. President, I have an amendment at the desk and I ask that it be read.