



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 104<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 141

WASHINGTON, WEDNESDAY, JULY 19, 1995

No. 117

## Senate

(Legislative day of Monday, July 10, 1995)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

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

Sovereign Lord God, You have not only called this Senate to give bold and courageous leadership to the internal affairs of our Nation, but also to its role as the leading nation of the world. Today, we confront the complex issues of the war between the Serb forces and the Moslems in Bosnia. We have been stunned and shocked by the ravage and rape, torture and murder, cruelty and carnage of the brutal hatred of this age-old conflict. All attempts to bring resolution to this strife have failed.

Today, this Senate must make hard choices about the extent of our Nation's involvement. This is one of those times when none of the alternatives is free of negative implications. When we don't know which way to turn, we know it is time to turn to You for wisdom and guidance. Lord, draw the Senators together in a spirit of unity as this complicated situation is discussed and they move toward what is the best solution for the future of Bosnia and the world. We confess our need for Your divine insight, but also for Your incisiveness. Most of all Lord, we ask You to intervene miraculously to heal the prejudice and hatred perpetuating this crisis in Bosnia. Bring an end to this brutal conflict and a just peace. We commit to You the crucial decisions of this day. In Your holy name. Amen.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized.

### SCHEDULE

Mr. DOLE. I thank the President pro tempore. This morning the leader time has been reserved and there will be a period for morning business until the hour of 9:30 a.m.; and I just urge my colleagues—many always ask for a period of morning business, so we have 30 minutes this morning. I hope Senators will show up here in that time if they have anything to say. Then at 9:30 the Senate will resume consideration of S. 21, the Bosnia legislation. I assume rollcall votes can be expected throughout today's session of the Senate. Also, under the provisions of the agreement reached last evening, after a call for the regular order is made by the majority leader, the Senate may resume consideration of S. 343, the regulatory reform bill, and rollcall votes can be expected on that bill as well, including a third cloture vote on the Dole-Johnston substitute. But I do not anticipate any votes on S. 343 today. I think there will be an effort—in fact, I know there is an ongoing effort already in progress of some on each side of this issue—to try to work out some compromises. I am not certain whether any will be achieved, but there is an effort made to do that.

I hope that everybody understands the importance of the regulatory reform bill. In my view, it is probably the second or third most important piece of legislation we have considered this year. It affects almost every family, every small business man or woman, every rancher, every farmer, every big business. And we have tried to make the case. We made a number of concessions. We believe we have a real regulatory reform bill. We believe that it should be supported by 75 percent of the Members of this body. And we did not understand, or at least this Senator does not understand, the reluctance of some on the other side to come to the table, because this is im-

portant legislation. It is a battle between those in the private sector and the bureaucracy and those who believe in more regulation and more Government and more micromanagement from Washington, DC.

That is what is at issue here. Win or lose, it will be the issue. It seems to me that it is our obligation to try to put this together so the American people are the winners. We did not have debate on this floor as to whether we lost or they lost or somebody else lost. But obviously, there are some who cannot be satisfied, some who would gut the so-called Dole-Johnston proposal. This is not what it is about. It is about real regulatory reform. So I hope that those who will be meeting today will keep in mind the importance of this for the American people, not the Senate, not the Senators, not somebody's ego, but the importance to the American family where it has been estimated the cost of regulation is about \$6,000 per year, which in most cases is more than people pay in Federal income tax. So it is very, very important.

I will also give a report on welfare reform. We are making progress on welfare reform, and we will have other meetings today throughout the day on welfare reform. It is still the hope of the majority leader that on the week of August 7, we will take up welfare reform. And again it is not easy. Everybody has a different view on welfare reform. We believe we made some progress. And I hope, if we can resolve some of the issues, we can start the process of drafting that legislation.

It also will be our intent to take up gift and lobbying reform next Monday. We are hoping to get a time agreement. We have a draft of a time agreement that has not yet been given the Democratic leader. Also, the Ryan White bill is supposedly coming up next Monday. And then also we hope to have some

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



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appropriations bills tomorrow and Friday. So, I just state to my colleagues, as far as we can determine at this point, there will be votes throughout the day on Friday and there will be votes on Monday. We will try to accommodate people on Monday by having votes occur later in the afternoon, but there will be votes on Monday.

So, again, I hope we can move ahead on reg reform. It seems to me, rather than to just stand in recess, we might as well move on to the Bosnia resolution, which is highly important, as noted by the Chaplain this morning. There are no easy answers when it comes to this conflict. But it seems to me the best option at this point is to lift the arms embargo, give the Bosnians a right to defend themselves. They are an independent nation. They are a member of the United Nations. And under article 51, they have the right, or should have the right, of self-defense. This is not involving American ground troops. In my view, it certainly does not Americanize the war. If anything, it moves us farther away from the conflict. I believe that would be in our interest and would satisfy the concerns of most Americans.

I reserve the remainder of my leader time.

#### MORNING BUSINESS

The PRESIDING OFFICER (Mrs. HUTCHISON). Under the previous order, there will now be the period for the transaction of morning business not to extend beyond the hour of 9:30 a.m. with Senators permitted to speak therein for not to exceed 5 minutes each.

Mr. DOLE. 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.

Mr. LIEBERMAN. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### REGISTRATION OF MASS MAILINGS

The filing date for 1995 second quarter mass mailings is July 25, 1995. If a Senator's office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records Office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records Office on (202) 224-0322.

#### AFFIRMATIVE ACTION

Mr. DOLE. Madam President, earlier this month, in homes, neighborhoods,

and communities across the country, Americans celebrated our Nation's 219th birthday.

There was, of course, much to celebrate. Over two centuries after the signing of the Declaration of Independence, America remains what she has always been—the beacon of freedom, and the last best hope for all mankind on Earth.

#### REMEMBERING AMERICAN HISTORY

But as we celebrate these freedoms, and commemorate those who have sacrificed so much along the way, we must also remember that American history is not always a tale of progress and dreams fulfilled.

American history is a history of hope mixed with tragedy—institutionalized slavery, a Constitution which said that African-Americans were only three-fifths human, Jim Crow and "separate but equal."

This legacy is a source of great shame for us precisely because so many of these outrages contradicted one of the founding principles of our republic—that all men are created equal and that we are all endowed by our creator with certain inalienable rights, including the right to life, liberty and the pursuit of happiness.

Today, in the America of 1995, the evils of discrimination and racism persist. They may not be as blatant as they once were. They may not be as fashionable. But they are out there, lurking in the corners, poisoning young minds, and yes, harming real people in the process.

Over the years, Americans of goodwill have tried to make a difference. We have enacted an array of anti-discrimination laws. And in the 1960's and the early 1970's, the concept of affirmative action was born, the product of a heartfelt desire to rectify past injustices and expand opportunity for all Americans. Many Republicans, acting with the best of intentions, were directly involved in this effort. I, for one, not only supported the landmark Civil Rights Act of 1964 and the Voting Rights Act of 1965, but have also endorsed certain race- and gender-conscious steps to remedy the lingering effects of historic discrimination. That is my record, and I am proud of it.

#### ONLY A TEMPORARY REMEDY

Few of us, however, believed that these policies would become a seemingly permanent fixture of our society, but that is exactly what they have become today.

During the past 30 years, we have seen the policies of preference grow and grow and grow some more, pitting American against American, group against group, in a bitter competition for a piece of the Government pie.

Somehow, somewhere along the way, fighting discrimination has become an easy excuse to abandon the color-blind ideal. Too often today, the laudable goal of expanding opportunity is used by the Federal Government to justify dividing Americans. That is wrong, and it ought to stop. You do not cure the

evil of discrimination with more discrimination.

#### THE PRESIDENT'S REVIEW: LACK OF LEADERSHIP

President Clinton had the opportunity today to stand up for principle by stating—in the clearest possible terms—that it is wrong for the Federal Government to discriminate against its citizens on the basis of race, color, ethnic background, or gender.

Without hesitation or ambiguity, he could have said "yes" to individual rights, and "no" to group rights; "yes" to the principle of equal opportunity and "no" to the perversion of this principle with the divisive policies of preference.

Instead of clarity—and I have just finished listening to the President—the President has chosen confusion. He has chosen to complicate an uncomplicated issue with an avalanche of words and fine distinctions.

This is not a difficult issue: discrimination is wrong, and preferential treatment is wrong, too. Our Government in Washington should unite the American people, not divide us. It should guarantee equal opportunity, not divide Americans through the use of quotas, set-asides, numerical objectives, and other preferences.

And that is why I will introduce legislation next week designed to get the Federal Government out of the group preference business. The President says he is against quotas. Quotas are only a small part of the entire regime of preferences. It is not enough to oppose "quotas," as if the label is what might be offensive. It is the practice of dividing Americans through any form of preferential treatment that is objectionable.

The President also denounces preferences for "unqualified"—"unqualified" individuals, when the real issue here is not preferences for the unqualified, which virtually every American opposes—why have preferences for the unqualified?—but preferences for the "less qualified" over those who are "more qualified." That is the debate. This distinction is critical. But it is one that the President conveniently ignores.

Madam President, leadership is about making the tough choices. It is about staking out a clear and crisp principle and holding firm to it. And, yes, leadership can sometimes mean putting a little distance between yourself and your political allies. Regrettably, the President is trying to have it both ways.

#### A CIVIL RIGHTS AGENDA FOR THE 1990'S

Madam President, 2 years ago, I convened a meeting in my office with a distinguished group of African-American leaders with the goal of developing a civil rights agenda for the 1990's, one that is relevant for the needs and challenges of our time. A relevant civil rights agenda means enforcing the antidiscrimination laws that are already on the books—enforcing the anti-discrimination laws that are already