

ideal of equal opportunity for all, it is important to note that we have made considerable progress over the three decades since President Johnson issued the first Executive order calling for affirmative action to end job discrimination. I think we should be proud of that progress—long overdue as it may have been. Every President since President Johnson, and every Supreme Court since then, has acknowledged that affirmative action programs were intended to be temporary. In the debate that is ongoing now, and on which the President made a major statement today, I believe we should pause to acknowledge not only our continuing commitment to equal opportunity and the work we still have to do to realize it for all Americans, but also to acknowledge our success in overcoming what was not only a legally sanctioned system of discrimination in our country but also ingrained biases about race and gender which were extremely widespread in our country. We have come a long way from those days. Today, poll after poll shows a very high and broad national consensus about ensuring equal opportunity for all, which, of course, was what the civil rights movement was all about.

Unfortunately, Mr. President, some poorly conceived and implemented affirmative action programs have done more to disturb and confuse that broadly accepted national consensus about equal opportunity than they have done to help their intended beneficiaries. Affirmative action is dividing us in ways its creators could never have intended because most Americans who do support equal opportunity, and are not biased, do not think it is fair to discriminate against some Americans as a way to make up for historic discrimination against other Americans. For, after all, if you discriminate in favor of one group on the basis of race, you thereby discriminate against another group on the basis of race. In discussing this subject the other day, a young man offered me this simple wisdom that we all learned from our mothers and fathers: "Two wrongs," he said, "don't make a right."

President Clinton deserves our praise for his willingness to wade into this fray and examine whether affirmative action programs are advancing our goal of equal opportunity in a manner that is consistent with our ideals and our Constitution. In particular, I am encouraged by the President's expressed commitment to implement the Supreme Court's recent Adarand decision on affirmative action. The Department of Justice has informed all Federal agencies that every program employing race-based or similar criteria must be rigorously examined to ensure that it is narrowly tailored to meet a compelling governmental interest that cannot otherwise be achieved. If a program does not meet that test, it must be significantly changed, or it must be eliminated.

In my own view, Mr. President, most Government programs in which race, gender, or similar status are dominant factors, will not survive the Supreme Court's new Adarand test. If that is in fact the case, we must work together to find new and, I would hope, more broadly acceptable ways to achieve the goal of promoting equal opportunity for all—particularly our poorest neighbors. I accept the premise, as I believe most Americans do, that there is still much work to be done. We must be prepared to devote more resources to enforcing our civil rights laws vigorously. We need to direct our attention, energy, and money to helping poor people, regardless of race or ethnic background, by making greater investments in education and job training, economic opportunity, and empowerment. Doing so would not only be more effective in achieving our national ideal of equal opportunity for all, but I think would restore a sense of traditional American fair play to this field that, sadly, for too many has been lost.

Some critics of affirmative action are simultaneously urging the dismantling of programs that are keys to helping poor people gain the education and skills that will make equal opportunity real for them. I will join the President, as I have before, in fighting both to preserve and reform, where necessary, those programs, and in finding ways to address the profound problems faced by those who are victims not only of discrimination, but of poverty.

I invite all our colleagues within this Chamber, in the House, and all people of good will throughout the country, who are committed to making our society as fair as possible—whatever their party affiliation or views on affirmative action—to join this important effort in the months and years ahead.

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

At 12:10 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1977. An act making appropriations for the Department of the Interior and relat-

ed agencies for the fiscal year ending September 30, 1996, and for other purposes.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 1977. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes; to the Committee on Appropriations.

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-1206. A communication from the Comptroller of the Department of Defense, transmitting, pursuant to law, a notice of a violation of the Antideficiency Act, case number 92-68; to the Committee on Appropriations.

EC-1207. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a supplemental legislative environmental impact statement with respect to the START II Treaty; to the Committee on Armed Services.

EC-1208. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the fiscal year 1994 financial statements of the United States Mint; to the Committee on Banking, Housing and Urban Affairs.

EC-1209. A communication from the Assistant Attorney General, Office of Legislative Affairs, transmitting, a draft of proposed legislation to provide administrative procedures for the nonjudicial foreclosure of mortgages on properties to satisfy debts owed to the United States, and for other purposes; to the Committee on the Judiciary.

EC-1210. A communication from the Assistant Attorney General, Office of Legislative Affairs, transmitting, a draft of proposed legislation to amend title 17, United States Code, title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

EC-1211. A communication from Commissioners of the United States Commission on Civil Rights, transmitting, notice of errors in the transmittal of the report "Funding Federal Civil Rights Enforcement"; to the Committee on the Judiciary.

EC-1212. A communication from the Assistant Attorney General, Office of Legislative Affairs, transmitting, a draft of proposed legislation to enable the United States to meet its obligations to surrender offenders and provide evidence to the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia and to the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of Humanitarian Law Committed in the Territory of Rwanda and Citizens Responsible for Genocide and other such Violations Committed in the Territory of Neighboring States; to the Committee on the Judiciary.

EC-1213. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, transmitting, pursuant to law, the Attorney General's Report on Risk Exposure of Private Entities Covered by the Federally Supported Health Centers Assistance