

bodies won't cave in to political pressures being exerted.

One thing appears certain: The liberal media will likely get behind such an effort.

In any event, Mr. President, the Kinston, NC, Daily Free Press published an excellent article on July 16 written by a gentleman who knows whereof he speaks—Dr. Richard G. McDonald of Kinston who for more than 50 years has been working with homosexuals. Dr. McDonald has a clear understanding of what is going on even if the vast majority of U.S. Senators do not.

In any event, Mr. President, I want Dr. McDonald's observations to be made available to Senators and others who may have concerns about the obvious powerplay going on among U.S. homosexuals. Therefore, I ask unanimous consent that the published comments of Dr. McDonald be printed in the RECORD.

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

[From the Kinston Free Press, July 16, 1995]  
HOMOSEXUAL RIGHTS NEED CLEAR AND DIRECT DEBATE

(By Dr. Richard G. McDonald)

There has been an ongoing debate about gay rights, but the parameters of tolerance have not been addressed. This needs to be discussed clearly and directly.

There are tolerated limits and moral bounds to all human activity. There is a legal maxim that states, "Your right to swing your fist ends where my jaw begins." Self-explanatory. This is a line beyond which you may not proceed without dire consequence.

For over 50 years during and since WW II, I have been associated with, observed, supervised and counseled homosexuals; mostly male. Civil rights is something to which all people are entitled, regardless any other factor, i.e. jobs, housing, credit, etc., as a legal and moral right.

Most of us live our lives quietly and privately. Most homosexuals do also and enjoy successful lives interacting with society, in general, peaceably. There is a large number who, recognizing the inherent difficulty of their state, are involved in a serious effort to break away from what is unarguably abnormal and unnatural. They work closely with groups to this end; Exodus, nationally (with a N.C. unit) and Homosexual Anonymous, as in Maine (one of the groups with which I work).

These are troubled people who want to escape the clutches of their condition, knowing that it is a one-way road to nowhere; a nothingness to a tragic end and a sad death—if AIDS infected, a death sentence.

The state of their general equanimity, emotionally and psychologically, is disturbed, disordered, distressed, disabled; regrettable but largely correctable. In 1970-71 at two national conventions of the American Psychiatric Assoc. in San Francisco and Washington, homosexuality as a mental illness was removed from the Diagnostic Directory of Mental Illness under circumstances of coercion and intimidation that to this day are shameful and a professional disgrace. If you wonder why it was removed as a defined illness, you have only to read of the circumstances under which it was removed to realize that it never should have been.

There is, however, a radical and vociferous element within the homosexual community

who want it their way in all respects—such is their disturbed state, sadly. They press this agenda with an "in your face" approach and with scandalous public displays such as the parades and gay parties at Clinton's inauguration in D.C. and the gay pride parades nationally in general. (Pride in what?)

What this disturbed group wants is acceptance of their "lifestyle" with federal government blessing and protection as a "civil right" to promote their actions; to teach in our public schools that homosexuality is both natural and normal; to convince our youth that their lifestyle is merely an "alternative choice." To so convince and corrupt our youth would inevitably lead to a major breakdown in our social and moral order. Debauchery undermines the public moral fiber and the strength of people as a community and nation, this is precisely what led to the fall of great nations of the past; e.g. ancient Greece and Rome.

The moral reason for its rejection we all know. Causation is unknown to this day, scientifically. Predisposition to homosexuality is, no matter the cause, and will still be humanly abnormal and unnatural and should not be advanced to a government protected right. From time immortal, it has been rejected as unacceptable on the wisdom of thousands of years of human experience from the knowledge of consequences.

Because of their small numbers, despite their attempts to claim a large population, they are on a constant "recruiting campaign" to have a replacement base for their own purposes and to have available partners for their gratification. This applies to both genders though lesbians tend to have more personal, "caring and committed" relationship of longer duration.

But for both, their general attitude as it relates to human relations differs from that of the heterosexual majority significantly, in that it is inwardly directed in a self-centered matrix around gratification and the almost hysterical fear of aloneness without "partners." Sexual gratification is the motivating drive without the interconnectedness of "person," with the male. Most of the time, it is anonymous sex. The "bath houses" of San Francisco in the Castro district are the national hotbed of deviant gay sexuality and the center of the highest per capita AIDS infection rate in the nation. This is another sad consequence of homosexuality which is leading rapidly to a national epidemic; a fact that the AMA is ignoring and the Center for Disease Control does not want to admit; a serious warning to the American public is overdue.

Homosexual Congressman Steve Gunderson and his Gay Republican Caucus are solidly behind passage of the "Gay Bill of Rights" (H.R. 382 and Senate S. 25); further, they are busy lobbying for millions to fight for passage. To live their lives quietly and privately is one thing; to have a protected and special legal status is to give legitimacy to one of mankind's scourges. It must not happen for reasons that are indisputable; now you know what you must do.

#### WAS CONGRESS IRRESPONSIBLE? CONSIDER THE ARITHMETIC

Mr. HELMS. Mr. President, it does not take a rocket scientist to be aware that the U.S. Constitution forbids that any President spend even a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when a politician or an editor or a commentator pops off that "Reagan

ran up the Federal debt" or that "Bush ran it up," bear in mind that the Founding Fathers, two centuries before the Reagan and Bush Presidencies, made it very clear that it is the constitutional duty of Congress—a duty Congress cannot escape—to control Federal spending.

Thus, is it not the fiscal irresponsibility of Congress that has created the incredible Federal debt which stood at \$4,948,204,552,522.39 as of the close of business Friday, July 28?

This outrageous debt—which will be passed on to our children and grandchildren—averages out to \$18,783.46 for every man, woman, and child in America.

#### THE FEDERAL JUDICIARY

Mr. GRAMS. Mr. President, in addition to the Minneapolis Star Tribune articles regarding the Federal judiciary circulated to Senators on Friday, July 28, I would like to share with my colleagues the following article, which was published on the op-ed page of the Star Tribune on Sunday, March 12, 1995.

I ask unanimous consent that the article be printed in the RECORD.

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

SERIES WRONGED WEST AND JUDGES

(By Ruth E. Stanoch)

What could explain the character assassination the Star Tribune performed at the expense of the reputation of several U.S. Supreme Court justices, other distinguished federal jurists and the 6,000 employees of the West Publishing Co.? This is a question many people are asking after the Star Tribune wasted over eight pages of copy to prove a faulty premise, and then ran an editorial condemning allegations that the excruciatingly long articles never substantiated.

Cleverly linking unrelated events, the Star Tribune pulled quotes out of context and employed provocative tabloid language in lead headlines and paragraphs, only to suggest wrongdoing that its own handpicked panel of experts could not find.

The Star Tribune suggests as much in its own editorial. "All this might be just a minor eyebrow-raiser," state the editors, "if not for a question of timing."

Timing indeed. How is it that some 13 years after the creation of the Devitt Award—and after receiving press releases from West explaining every detail and identifying every recipient of this most distinguished award—that the Star Tribune finally woke up and destroyed half a forest in an effort to trash West and some highly respected federal judges? As the newspaper would have found from its own clips, the Devitt Award was started long before the West cases cited by the paper came before the U.S. Supreme Court, and it continues today, long after the cases have been resolved. If the issue is timing, it is the Star Tribune's timing that ought to be questioned.

The answer won't sell many newspapers, for there is no murky conspiracy or unfounded allegation of improper influence. In fact, the Star Tribune's effort to out-trigue Oliver Stone is merely the latest example of the bare-knuckled tussling that has become the norm in the fiercely competitive online information service sector.

According to a February news release from the Star Tribune's partner, AT&T, the Star Tribune's parent company, Cowles Media, has formed Cowles Business Media for the sole purpose of creating an online news and information service for business professionals. Furthermore, in a March 3 letter to West, the Star Tribune admitted that "if there is a major court decision we will obviously report it on the online service, and we might publish the decision if we had access to it." WESTLAW, West Publishing's flagship online service, is already the nation's leading source of legal and nonlegal business and professional information. Make no mistake. The Star Tribune and Cowles Business Media will compete directly with WESTLAW. West welcomes competition. In fact, since 1992, the number of competing providers of caselaw has increased from 65 to more than 190. West's two largest competitors are multibillion dollar, multinational conglomerates headquartered in foreign countries. The Star Tribune lamely states it has no intention of entering the legal publishing business, hoping its readers don't know and will not find out that West isn't just a caselaw publisher, but one of America's leading online business and professional information providers.

The Star Tribune must not forget that aside from its competitive business ventures it remains a newspaper. It could have added a dose of journalistic integrity to the story by merely mentioning the AT&T venture somewhere in that enormous story—just as it did whenever notions of accuracy forced it to admit, however cryptically, that neither West nor the judges had done anything wrong at all.

The Star Tribune also has a duty to pursue its tasks in good faith. In correspondence with Star Tribune editors and feature writers, West was told that the newspaper was undertaking a broad examination of the entire legal publishing industry. West was asked to cooperate with work on an article that involved "major contractors such as Mead Data Central, West Publishing Co. and Lawyers' Cooperative Publishing."

West cooperated initially because any story entitled "Who Owns the Law" ought to say—and we did—that among major legal publishing companies, only West is American-owned. West thought that in the wake of Dutch-owned Reed Elsevier's \$1.5 billion purchase of West's primary American competitor, Mead Data Central, the Star Tribune would do a story on how a relatively small Minnesota company was holding its own against massive foreign competitors.

Wrong. While the Star Tribune's editors sent West placating letters declaring their intention to write a balanced story, the writers relentlessly focused on West. And now, given the appearance of West's name in the sensational headline of the story, and its single-minded focus on West and the conduct of West executives, how can the Star Tribune state publicly, as it has, that West was not even a focus in the report? West was purposefully misled.

The Star Tribune story also did an enormous disservice to the honorable people serving in America's federal judiciary. The Devitt Award, according to the Star Tribune, was intended to be the "Nobel Prize for the federal judiciary." Indeed, as the Star Tribune acknowledges, the Devitt Award has become a "prestigious" award whose "recipients chosen over the years have been worthy of honor." Judges who have received the award "have shown courage in handling civil rights matters and creativity in improving the administration of justice."

So how can the Star Tribune blithely infer that the same distinguished judges who, through their integrity and courage, are de-

serving of such a respected award, would engage in misconduct to benefit West? Clearly the Star Tribune cynically plays upon the public's mistrust of government institutions, leaving the casual reader with the impression that another great institution has fallen victim to misplaced ethics.

Such allegations are doubly outrageous given the article's unequivocal statements that "West broke no laws in making the gifts," and that "the award complies with all laws and ethics codes." Is the Star Tribune the brave new arbiter of illusory judicial standards? Why, even the Star Tribune's own handpicked ethics expert had to admit that "it is perfectly legitimate for a law book publisher to sponsor such an award—I've nominated someone myself—and to enlist the aid of judges in selecting the recipients and to pay their reasonable expenses in fulfilling that selection obligation."

Finally, the Star Tribune established no link between the Devitt Award and court cases resolved in West's favor because no such link exists. With regard to the U.S. Supreme Court cases cited by the Star Tribune, the court did not hear the cases. Rather, the justices declined to review the rulings of lower courts—something they do with 96 percent of the cases that come their way. In the face of this overwhelming percentage, what evidence did the Star Tribune uncover to support its lurid reference that, but for West's influence, any one of those cases were special enough to warrant review? Absolutely none.

In fact, the petitions involving West were rejected by the Supreme Court because they were simply without merit. Yet the Star Tribune, finding no evidence to suggest otherwise, turns instead to the predictable sour grapes of losing attorneys for accusations of misdeeds. The article also quoted out of context an unnamed federal appeals court judge who asks an attorney challenging West, "Did West do something to make you mad?" Placed in the proper context, the judge was asking precisely the right question, since the issue before the court was whether there was an actual controversy in the first place. The quoted judge was frustrated over the other party's failure to identify a dispute that the court could resolve. It's all there in the transcripts and pleadings, but the Star Tribune chose to ignore it.

In short, the Star Tribune expended enormous resources to concoct a self-serving, long-winded and repetitive story that trashed a fine, old Minnesota company, reached no constructive conclusion, found no improper behavior and left readers asking, "So what?" But most importantly, the story took several poorly aimed and ill-advised shots at the pinnacle of the American judiciary. It was all unnecessary and unfortunate. The people of Minnesota and the readers of the Star Tribune deserve better.

#### UNITED STATES-UNITED KINGDOM AVIATION RELATIONS

Mr. PRESSLER. Mr. President, I rise today to discuss a matter of great importance to U.S. passenger and cargo carriers. I refer to aviation relations between the United States and the United Kingdom. The strategic location of the United Kingdom makes it a key crossroad for international traffic. It is a gateway to Europe and an important link in the global aviation market.

A liberalized, balanced air service agreement between the United States and the United Kingdom is in the best

interest of both countries. Of equal importance, the increased competition resulting from such an agreement would benefit consumers on both sides of the Atlantic. Unfortunately, our current bilateral aviation agreement—the Bermuda II Agreement—is anticompetitive, nowhere near balanced, and harms consumers.

First, the agreement is terribly restrictive. For example, presently only two U.S. carriers—American Airlines and United Airlines—can serve London Heathrow Airport and they can do so only from specific cities. This is particularly significant since Heathrow is the most important international gateway airport in the world. Also, the number of passengers carried to the United Kingdom by United States airlines is severely constrained by the Bermuda II Agreement. Without question, Bermuda II is our most restrictive bilateral aviation agreement.

Second, the air service agreement is grossly imbalanced in favor of the British. Currently, United Kingdom airlines carry approximately 60 percent of the transatlantic passengers between the United States and the United Kingdom. In 1976, U.S. air carriers had around 60 percent of the transatlantic passenger market share. The British found that state of affairs intolerable. In fact, the United Kingdom relied on this inequitable balance as the basis for renouncing the Bermuda I Agreement.

The British were right. A 60 percent-40 percent imbalance is intolerable. It must be corrected. U.S. carriers are highly competitive and, but for Bermuda II, the market would not be skewed in this manner. I am willing to put our highly efficient carriers up against any foreign carriers. Given the chance, I am confident they will successfully compete in any market worldwide.

Finally, Bermuda II is undesirable for consumers because it limits competition. Consumers on both sides of the Atlantic would benefit greatly from increased competition in the United States-United Kingdom transatlantic market. Bermuda II does not discriminate, it harms British consumers as well as United States travelers.

Mr. President, earlier this year the United States began pressing for a liberalized, market oriented aviation agreement with the United Kingdom. This is not the first time we have tried to secure an air service agreement on this basis. In fact, for more than 50 years the United States has repeatedly tried to get the United Kingdom to embrace an air service agreement based on free-market principles. Our current position is not new, nor is it novel.

Unfortunately, for more than 50 years, these attempts have consistently been rebuffed by the British who are very concerned about the prospect of unrestrained head-to-head competition with United States carriers. Many aspects of our trade relationship with