prayers to Mr. Kaufman and his family. We wish him a speedy recovery. And we wish the New York City Police Department every success in their efforts to track down the vicious thugs who have committed this cowardly act.

The American people have a right to voice their outrage, and they can do so not through calls for government censorship, but by derailing ''The Money Train'' at the box office.

Just so you get a better picture of what happened, this is the Daily News, the front page of the Daily News. It is just entitled ''Torched.'' So, when you put a flammable liquid into that little token booth and light a match to it, with no real way to escape, this is what happens. The front page says, ''Attack mimics the hit movie 'Money Train,' Token clerk firebombed in booth, Family and (transit authority) assail film thriller.''

Then in the New York Post pretty much the same. ''Torched! Gun-toting firebombers steal scene from movie to blow up token booth.'' I know, if there is any—maybe the paper is wrong. Maybe I am wrong. Maybe most Americans are wrong. But if someone out there is watching a movie and is taken by it and excited by it and says, ''I would like to try it,'' and then goes out to try it in real life, this is the result—burns over 80 percent of his body. Keep in mind he was working the overtime shift so he could earn a little extra money to send his son to college.

The same coverage is in part B of the New York Times, same kind of coverage, same broad coverage. But on the inside page here it says, ''TA Worker Hurt In Booth Inferno.'' ''Two are sought in 'movie' stunt.'' ''Train film's on fast track.''

It is all about what happens when people are mad and depraved or whatever. This is what happens. So I would just say to my colleagues, outrage is a powerful weapon. It is covered by the first amendment. The movie industry will tell you and the TV industry and all the others, ''Oh, this is the first amendment, right of free speech.''

We have also a right under the first amendment called ''outrage.'' And if the American people express their outrage, in my view, good things will happen. We do not need to pass legislation. We do not need censorship. We just need to alert the American people and to ask some of those—in this case Columbia Pictures—to accept some corporate responsibility, to be a good corporate citizen.

I noted that Time Warner—we recently talked about that—has decided to sell off and has sold off Interscope, which is producing some of the CD's that you could not repeat anywhere, privately or in public or anywhere else. They were available to young people 10, 11, 12 years of age or younger, walking into any of these stores and buying the CD's.

Those are the things that, in my view, I think make you wonder, where do you draw the line on profit? When does profit become greed? When does it stop, if it is harmful to society, particularly young people in America?

BOSNIA

Mr. DOLE. Mr. President, just quickly on another matter, I will just say that tonight the President of the United States is going to deliver a very important message to the American people. He will attempt to persuade the American people that the United States, as a member of NATO, has a responsibility to commit 20,000 Americans to keep the peace or to enforce the peace—I think there is some confusion of exactly what it might be at this point—in that part of the world.

The President talked to me, called me yesterday from Camp David. We had a good discussion. I said, ''Mr. President, you need to persuade the American people if you are to persuade Congress.'' I must say that it is difficult, particularly when this administration virtually sat on its hands the past 30 months while many of us talked about lifting the arms embargo. I still believe had we done that—and we had the debate on the Senate floor a number of times. We had strong bipartisan votes, Democrats joining Republicans, Republicans joining Democrats. The President indicated his opposition to that legislation. He said he would veto it.

Now, it is always easy to second-guess. I am not trying to second-guess the President of the United States. But it seems to me, and many who are experts, that had we lifted the arms embargo 6 months, a year ago, we would not be talking about sending American forces to that part of the world, to Bosnia, to Tuzla, wherever the Americans will be stationed.

Now, in my view the President has the authority and the power under the Constitution to do what he feels should be done regardless of what Congress does. But we also have a responsibility to our constituents and, I think, to the President of the United States to give him our best advice. So, I would guess that after the President makes his remarks and after the American people respond and after we finally have a signing of the peace agreement on December 15, is my understanding, that then the Congress will take some action. I am not certain what action that would be, because I think we need to consult with one another.

I remember when President Bush asked a previous Congress to authorize the use of offensive force in the gulf crisis, not a single Member of the Democratic leadership in either the House or the Senate would support the President of the United States. But, fortunately, in the Senate there were 11 Democrats who stood with President Bush, and by a narrow margin, after the President rolled the dice, we prevailed.

One thing I recall from that debate and the positive response after the vote was that the American people, once the Congress had given their—I do not say their stamp of approval, but at least authorized or backed up the President of the United States—as I recall, public approval for the operation rose rather significantly.

So, I will just say to the President, I wish you well tonight. I think you have a difficult job. I think the rest of us should keep an open mind—not an empty mind, an open mind—an open mind, assuming we had the same responsibility, keeping in mind that those in the armed services are now volunteers. They are volunteers. And I assume when they volunteer they know that the good and the bad can happen. But they are still young and still Americans and they still have a right, perfectly understandably, as do their families, to know what risks will be taken, how long they may be there, what the costs may be, is there a vital national security interest and American national security interest, do we have an exit strategy, how long will they stay, how many, and many other questions on which I think we should focus.

I will just say, it seems to me if I pick out one thing where I think the President can make a case, it is all these people came to America and they went to Dayton, OH, and they stayed there for a couple of weeks or longer, and they finally hammered out a fragile peace agreement and initialed it—it has not been signed yet—and initialed it, all under the auspices of American leadership—the President, the Secretary, the Assistant Secretary of State, Mr. Holbrook, and others—and all this was premised on the fact that there would be 20,000 Americans there.

So it seems to me the President may have at least laid some foundation, and there may be some obligation—some obligation—obviously that we follow through on that agreement. But the agreement has not been signed finally. We have not heard from the American people. We have not heard from Congress. We have heard from the House where they, by a pretty good margin, indicate they want to cut off all funds. That bill has not yet been taken up in the Senate and it may not be taken up this week.

I only hope that all of our colleagues will understand this is a very important decision all of us must make, and it must not be made just for today, but for next year and the next year and the next year. It is a question of Presidential authority, Presidential power, constitutional responsibility, and the responsibility of the Congress of the United States.

So I look forward to listening carefully to the President tonight and wish him success.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I wish to associate myself with the remarks made by our able majority leader on both subjects. He has shown leadership here, just as he has shown in so many other instances.

(The remarks of Mr. THURMOND pertaining to the introduction of S. 1426 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on November 21, 1995, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 1328. An act to amend the commencement dates of certain temporary Federal judgeships.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 32. Concurrent resolution providing for a conditional recess or adjournment of the Senate on Monday, November 20, 1995, until Monday, November 27, 1995, and a conditional adjournment of the House on the legislative day of Monday, November 20, 1995, or Tuesday, November 21, 1995, until Tuesday, November 28, 1995.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 2491) to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996.

The message further announced that the House agrees to the amendment of the Senate to the joint resolution (H.J. Res. 122) making further continuing appropriations for the fiscal year 1996, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 440. An act to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

S. 1328. An act to amend the commencement dates of certain temporary Federal judgeships.

H.J. Res. 122. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

Under the authority of the order of the Senate of January 4, 1995, the enrolled bills and joint resolution were signed on November 21, 1995, during the adjournment of the Senate by the President pro tempore (Mr. THURMOND).

MEASURE PLACED ON THE CALENDAR

The following measure was placed on the calendar:

H.R. 1833. An act to amend title 18, United States code, to ban partial-birth abortions.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on November 24, 1995 he had presented to the President of the United States, the following enrolled bills:

S. 440. An act to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

S. 1328. An act to amend the commencement dates of certain temporary Federal judgeships.

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–1620. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 94–07; to the Committee on Appropriations.

EC–1621. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals dated November 1, 1995; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, Committee on the Budget, Committee on Finance, Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–471. A resolution adopted by the Council of the City of Toledo, Ohio relative to the ''Contract With America''; ordered to lie on the table.

POM–472. A resolution adopted by the Captive Nations Committee of New York, New York relative to Chechenia; to the Committee on Foreign Relations.

POM–473. A resolution adopted by the Board of Directors of the Seattle Education Association of Seattle, Washington relative to Federal spending on education; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of November 20, 1995, the following report was submitted on November 21, 1995, during the adjournment of the Senate:

By Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation:

Report to accompany the bill (S. 1396) to amend title 49, United States Code, to provide for the regulation of surface transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI (for himself, Mr. HATCH, Mr. STEVENS, and Mr. BENNETT):

S. 1425. A bill to recognize the validity of rights-of-way granted under section 2477 of the Revised Statutes, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THURMOND (for himself and Mr. CRAIG):

S. 1426. A bill to eliminate the requirement for unanimous verdicts in Federal court; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself, Mr. HATCH, Mr. STEVENS, and Mr. BENNETT):

S. 1425. A bill to recognize the validity of rights-of-way granted under section 2477 of the Revised Statutes, and for other purposes; to the Committee on Energy and Natural Resources.

THE REVISED STATUTES 2477 RIGHTS-OF-WAY SETTLEMENT ACT

Mr. MURKOWSKI. Mr. President, I rise today to introduce legislation cosponsored both by myself, Senator HATCH, Senator STEVENS and Senator BENNETT. The purpose of this legislation is to allow State law to continue to determine revised statute covering 2477 right-of-ways, as it is known in the West.

Mr. President, for almost 130 years State law has applied to the validation of R.S. 2477 right-of-ways. Simply stated, that is the ''right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted.''

Originally, the grant was section 8 of the Mining Act of 1866. The provision then became section 2477 of the revised statute, R.S. 2477, until its repeal by the Federal Land Policy Management Act of 1976, known as FLPMA.

Section 706 of FLPMA repealed R.S. 2477. However, section 701 states—and I quote—''Nothing in this act terminates any valid right-of-way existing on the date of approval of the act.'' Similarly, Section 509 of FLPMA states that nothing in title V on right-of-ways—and I quote—''shall have the effect of terminating any right-of-way or rights-of-use heretofore issued, granted, or permitted.''

Under the authority of R.S. 2477, highways were established to achieve access through the public domain. It was a primary authority under which many existing State and country highways were constructed and operated over Federal lands in the Western United States.

Mr. President, in my State of Alaska many of these access routes were nothing more than perhaps a dogsled trail or footpath, but nevertheless provided essential routes from village to village for Alaska's Native people and other residents of the State. At that time it was a territory.