

cosponsors of S. 1252, a bill to amend the Internal Revenue Code of 1986 to provide additional tax incentives to stimulate economic growth in depressed areas, and for other purposes.

AMENDMENT NO. 3082

At the request of Mr. PRYOR the names of the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. BRYAN], the Senator from Vermont [Mr. LEAHY], the Senator from North Dakota [Mr. DORGAN], the Senator from Minnesota [Mr. WELLSTONE], the Senator from South Dakota [Mr. DASCHLE], and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of Amendment No. 3082 proposed to H.R. 1833, a bill to amend title 18, United States Code, to ban partial-birth abortions.

AMENDMENT NO. 3083

At the request of Mrs. BOXER the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of Amendment No. 3083 proposed to H.R. 1833, a bill to amend title 18, United States Code, to ban partial-birth abortions.

#### SENATE RESOLUTION 198—TO MAKE TECHNICAL CORRECTIONS TO SENATE RESOLUTION 158

Mr. LOTT (for himself and Mr. MCCAIN) submitted the following resolution; which was considered and agreed to:

S. RES. 198

*Resolved*, That (a) paragraph 1(c) of rule XXXV of the Standing Rules of the Senate (as added by section 1 of S. Res. 158, agreed to July 28, 1995) is amended—

(1) in clause (3) by striking “section 107(2) of title I the Ethics in Government Act of 1978 (Public Law 95-521)” and inserting “section 109(16) of title I of the Ethics Reform Act of 1989 (5 U.S.C App. 6)”;

(2) in clause (4)(A) by inserting “, including personal hospitality,” after “Anything”.

(b) Paragraph 3 of rule XXXIV of the Standing Rules of the Senate (as added by section 2(a) of S. Res. 158, agreed to July 28, 1995) is amended—

(1) in the matter before clause (a) by striking “paragraph 2” and inserting “paragraph 1”;

(2) in clause (b) by striking “income” and inserting “value”.

(c) Paragraph 4 of rule XXXIV of the Standing Rules of the Senate (as added by section 2(b)(1) of S. Res. 158, agreed to July 28, 1995) is amended by striking “paragraph 2” and inserting “paragraph 1”.

#### AMENDMENTS SUBMITTED

##### THE PARTIAL-BIRTH ABORTION BAN ACT OF 1995

##### BROWN AMENDMENT NO. 3087

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to the bill (H.R. 1833) to amend title 18, United States Code, to ban partial-birth abortions:

At the appropriate place, insert the following:

The Senate finds that:

The partial government shutdown of November 14, 1995 through November 20, 1995 caused great anxiety amongst over 800,000 federal workers, and;

The partial government shutdown of November 14, 1995 through November 20, 1995 added hundreds of millions of dollars to the federal deficit and cost the federal government hundreds of millions of dollars in lost productivity, and;

The partial government shutdown of November 14, 1995 through November 20, 1995 cost thousands of businesses and our federal government millions of dollars in lost revenues from the closure of federal agencies and federal parks and monuments, and;

The partial government shutdown of November 14, 1995 through November 20, 1995 caused significant financial concern to literally hundreds of thousand families because of the uncertainty of whether they would be able to pay mortgages, rent and meet monthly family expenses, and;

With the Holiday season approaching and the Congress and Administration still engaged in an effort to reach a budget agreement while the Congress attempts to complete the remaining appropriations bills before the expiration of the current Continuing Resolution on December 15, 1995 it is important that all federal workers be given assurance that their dedicated service to their country is both valued and respected and that they will not suffer needless uncertainty and hardship, because the Congress and Administration are unable to complete their work by the expiration of the current Continuing Resolution.

It is the sense of the Senate that: If the Congress and the Administration are unable to reach an agreement on an overall budget reconciliation bill and, if the Congress is unable to complete the remaining appropriations bill by the expiration of the current Continuing Resolution on December 15, 1995, that;

A new Continuing Resolution, identical to the Continuing Resolution now in effect except for the expiration date, should be adopted effective upon the expiration of the current Continuing Resolution on December 15, 1995 to ensure that government services continue, that employment of federal workers not be needlessly interrupted again, and that federal workers receive their normal compensation without delay.

##### DEWINE (AND DODD) AMENDMENT NO. 3088

Mr. SMITH (for Mr. DEWINE, for himself and Mr. DODD) proposed an amendment to amendment No. 3082 proposed by Mr. PRYOR to the bill, H.R. 1833, supra, as follows:

Beginning on page 1, line 3, strike “APPROVAL” and all that follows through line 22 on page 3 and insert the following: “SENSE OF THE SENATE.

“It is the sense of the Senate that the Senate, should, through the Committee on the Judiciary, conduct hearings to investigate the effect of the new patent provisions of title 35, United States Code, (as amended by subtitle C of title V of the Uruguay Round Agreements Act (Public Law 103-465; 108 Stat. 4982)) on the approval of generic drugs under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355).”

##### BINGAMAN AMENDMENT NO. 3089

(Order to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, H.R. 1833, supra, as follows:

At the appropriate place, insert the following new section:

##### SEC. . SENSE OF THE SENATE.

(a) FINDINGS.—Congress finds that—

(1) the partial government shutdown of November 14, 1995 through November 20, 1995 interrupted government services to many Americans;

(2) the partial government shutdown of November 14, 1995 through November 20, 1995, added hundreds of millions of dollars to the Federal deficit and cost the Federal Government hundreds of millions of dollars in lost productivity;

(3) the partial government shutdown of November 14, 1995 through November 20, 1995, cost thousands of businesses and the Federal Government millions of dollars in lost revenues from the closure of Federal agencies and Federal parks and monuments;

(4) the partial government shutdown of November 14, 1995 through November 20, 1995, caused significant financial concern to literally hundreds of thousands of families because of the uncertainty of whether they would be able to pay mortgages, rent and meet monthly family expenses; and

(5) with the holiday season approaching and Congress and the Administration still engaged in an effort to reach a budget agreement while the Congress attempts to complete work on the remaining appropriations bills before the expiration of the continuing resolution (House Joint Resolution 123) on December 15, 1995, it is important that all Federal workers be given assurance that their dedicated service to the United States is both valued and respected and that those workers will not suffer needless uncertainty and hardship because Congress and the Administration are unable to complete their work prior to the expiration of such resolution.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that if Congress and the Administration are unable to reach an agreement on an overall budget reconciliation bill and if Congress is unable to complete work on the remaining appropriations bills by December 15, 1995, the data on which the continuing resolution (House Joint Resolution 123) expires, a new continuing resolution, identical to House Joint Resolution 123 except for the expiration date, should be adopted effective on December 16, 1995, to ensure that Federal Government services continue, that employment of Federal workers not be again needlessly interrupted, and that Federal workers receive their normal compensation without delay.

##### BROWN AMENDMENT NO. 3090

Mr. BROWN proposed an amendment to the bill, H.R. 1833, supra, as follows:

On page 2, line 6, strike “Whoever” and insert “Any physician who”.

On page 2, line 10 strike “As” and insert “(1) As”.

On page 2, between lines 13 and 14, insert the following:

“(2) As used in this section, the term ‘physician’ means a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions. *Provided*, however, that any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provisions of this section.

##### SMITH AMENDMENT NO. 3091

Mr. SMITH proposed an amendment to the bill, H.R. 1833, supra, as follows:

On page 3, strike lines 8 through and including 16.

FEINSTEIN (AND OTHERS)  
AMENDMENT NO. 3092

Mrs. FEINSTEIN (for herself, Mr. SIMPSON, Mrs. BOXER, Mr. SIMON, Ms. MOSELEY-BRAUN, and Mr. BRYAN) proposed an amendment to the bill, H.R. 1833, supra, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. SENSE OF THE SENATE.**

(a) FINDINGS.—The Senate finds that—  
(1) the United States has the most advanced medical training programs in the world;

(2) medical decisions should be made by trained medical personnel in consultation with their patients based on the best medical science available;

(3) it is the role of professional medical societies to develop medical practice guidelines and it is the role of medical education centers to provide instruction on medical procedures;

(4) the Federal Government should not supersede the medical judgment of trained medical professionals or limit the judgment of medical professionals in determining medically appropriate procedures;

(5) the Federal criminal code is an inappropriate and dangerous means by which to regulate specific and highly technical medical procedures; and

(6) the laws of 41 States currently restrict post-viability abortions.

(b) SENSE OF SENATE.—It is the sense of the Senate that Congress should not criminalize a specific medical procedure.

**SEC. 2. RULE OF CONSTRUCTION.**

Nothing in Federal law shall be construed to prohibit the States, local governments, local health departments, medical societies, or hospital ethical boards from regulating, restricting, or prohibiting post-viability abortions to the extent permitted by the Constitution of the United States.

**NOTICE OF HEARING**

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will hold an open markup on December 12, 1995, at 9:30 a.m. in room 485 of the Russell Senate Office Building. The markup agenda will include S. 814, to provide for the reorganization of the Bureau of Indian Affairs, and S. 1159, to establish an American Indian Policy Information Center.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, December 7, at 9:30 a.m. for a hearing on S. 94, prohibition on the consideration of retroactive tax increases.

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

COMMITTEE ON THE JUDICIARY

Mr. GREGG. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, December 7, 1995, at 10 a.m. in SD226.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, December 7, 1995, to hold a hearing to receive testimony on "An Agenda for the Information Age: Managing Senate Technology."

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

**ADDITIONAL STATEMENTS**

**THE PRESIDENT'S VETO OF THE BALANCED BUDGET RECONCILIATION ACT OF 1995**

• Mr. FRIST. Mr. President, I would like to join my colleagues in expressing my disappointment in President Clinton's veto of the Balanced Budget Act of 1995. The Republican plan would have resulted in a balanced Federal budget in 2002, a plan that would have finally restrained the growth of Federal spending to a manageable level. And yet, President Clinton felt compelled to veto our plan. He felt compelled to protect his priorities.

President Clinton's statements regarding protecting his priorities belie one sad truth buried in his rhetoric: The only thing that is not a priority to this President is balancing the budget. There is only lip service one day, a speech another, a third budget plan this week. If we are to believe that President Clinton is serious about his commitment to balancing the budget, why is he now submitting a third budget? Why did he first submit two budgets that resulted in deficits of over \$200 billion in the year 2000 and beyond?

The only logical conclusion to be drawn from the President's actions is that he is trying to deal in the most politically popular way he can with a Congress that is unwavering in one commitment, a commitment to the American people to, once and for all, put the U.S. Government on the road to fiscal health.

The future could be so bright if the President would only join us in agreeing to a balanced budget. We will compromise, but not on the principle that the budget must be balanced using credible, honest projections. There is a growing consensus among respected economists that interest rates will drop significantly, 1, maybe 2 percent, if a balanced budget is reached. This would mean cheaper home mortgages, less to pay for student loans, lower credit card payments. American families will save again. Without a balanced budget agreement, though, there will be profoundly negative consequences. Chairman Greenspan of the

Federal Reserve predicts a "quite negative" reaction in the financial markets if no deal is reached, and a sharp increase in long-term interest rates.

And yet we are mired here in a disagreement that is disheartening to all of us, especially those of us who were elected just last year, those of us who heard from thousands of citizens across our respective States, those of us who heard, "balanced the budget" above all else.

The disagreement between Congress and the President comes down to one issue: the difference between credibility and something for nothing. Syndicated columnist Ben Wattenberg makes a compelling case in yesterday's edition of USA Today that the country's social ills boil down to one fundamental shift in the Nation's attitude: The attitude that it is possible to gain something for nothing. Whether it is crime, poor education, or even the epidemic problem of illegitimacy, Mr. Wattenberg traces the cause of these ills to the lack of personal responsibility and the lack of effort, hard work, and even sacrifice that is necessary to gain anything worth having. Unfortunately, the White House's phony numbers are the means to appear to balance the budget, without making any adjustments or imposing any discipline on Government spending.

The Republican plan, on the other hand, recognizes the need for adjustment, reform, and downsizing of the Federal Government. It reforms Government programs in a sensible way and provides tax relief for hardworking American families and to spur investment. It will result in long-term benefits—a stable and growing economy, lower interest rates, greater investment, higher incomes, millions of new jobs. The benefits of the Republican plan are not unlike the gratification of earning one's own way in the world, completing an education, or staying married for 40 years. Hard work, but definitely worth it.

So, I close with these thoughts, Mr. President. The American people will rise to any occasion, and if we ask them to help us address this fiscal crisis, they will. What they won't do is allow this generation to burden the next with an impossible debt. I am disappointed that the President chose not to sign the historic Balanced Budget Act of 1995, but I remain hopeful that the administration will trust the American people and agree to a balanced budget. We must.●

**TRIBUTE TO DR. THOMAS E. BELLAVANCE**

• Mr. SARBANES. Mr. President, I rise today to pay tribute to Dr. Thomas E. Bellavance as he retires as the president of Salisbury State University.

In 1980, when the Board of Trustees of State Universities and Colleges unanimously selected Dr. Bellavance to be the new president of Salisbury State College, Thom arrived on campus with