of growth in health care, in Medicare, which is 6 or 7 percent.

The inconsistency that comes forth from this administration is consistent. That is about the only consistent thing about this administration—its inconsistency.

So we are once again calling on the administration to commit to what we thought they committed to 3 or 4 weeks ago but which they have backed off of, which is to balance the budget in 7 years and use CBO figures.

We have heard a lot of discussion about why this is important, but I just want to reiterate that unless you look at the issue of how you are balancing the budget off the same baseline, unless everybody is looking at the same numbers, you can never get to any agreement assuming an agreement is possible. But there is a big issue here also, and that is that the few times we have been able to get any definitive direction out of the White House, it has become very clear that there are some deep philosophical differences between the two parties.

We believe that borrowing from our children to pay for the costs of operating the Government today is wrong, that it is fundamentally wrong. I heard the Senator from North Dakota talk about the vulnerable people in our society. Who is more vulnerable than our children, people who are being asked, even though they do not have any ability to confirm this decision, to take on the debt which our generation is running up? We have, as Republicans, said this is not right, and therefore we put together a real budget that reaches balance in 7 years.

Second, we have said you cannot run a system to assist our senior citizens if we know the system is going to go bankrupt in 7 years. We have been told by the trustees of the Medicare trust fund that it goes bankrupt in 7 years unless something is done, and so we have stood up and made a proposal which puts that system into solvency.

We have done it in a way which gives seniors more choices than they have today, which gives seniors the same options essentially as Members of Congress in choosing their health care. We have done it by using the marketplace.

We have further said that if you have a welfare system which says to people, you can stay on welfare all your life and then you can have your children on welfare, whether they are legitimate or illegitimate, and they can have their children on welfare, that is wrong; that people should not be on welfare for the remainder of their existence in this country but they should be asked to participate in the system of productivity which creates the ability to benefit those who are in need, and it is called work.

So we have proposed under our welfare proposal that people be required to go to work after a reasonable amount of time, 2 years, and after 5 years of being on welfare they not be any longer a charge to the State but be required to be out in society being a productive citizen.

These goals which we have—balancing the budget so that our children do not get the bills for this time but have an opportunity in their time to be successful; creating a Medicare system which is, first of all, solvent and, second of all, gives our seniors the same choices in the marketplace as citizens who are in the private sector; which allows a welfare system which is really directed at caring for the people who need support, not for the people who are abusing and using the system—these basic goals which we have put forward have been essentially rejected by this administration. They have either been rejected out of hand or they have been rejected in indirect ways through the manipulation of the numbers or the proposals that they have brought forward.

Underlying this administration's basic philosophy there appears to be a goal, or maybe it is their philosophy that is the goal, and it is called reelection. That is what is driving the basic decisions which we hear from the White House. There is no desire for substantive change for the purposes of improving the Medicare system or improving the Medicare system and getting our Government into balance. There does appear, however, to be a substantive drive for reelection. And that drive for reelection has caused this administration to time and again put forward proposals which are superficial, inconsistent.

The PRESIDING OFFICER. Time has expired.

Mr. GREGG. I thank the Chair for noting that. I will just simply wrap up by saying if we are going to accomplish a balanced budget, we have to get this administration to agree to a balanced budget, to do it in 7 years, to do it with CBO figures, and to do it by addressing the spending that the Government is presently involved in.

The PRESIDING OFFICER. All time has expired.

Mr. MACK. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been.

Mr. MACK. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the Senate adopts the amendment of the Senator from South Dakota, Senator DASCHLE.

So the amendment (No. 3108) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the joint resolution.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read a third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM], the Senator from Indiana [Mr. COATS], and the Senator from Delaware [Mr. ROTH] are necessarily absent.

I also announce that the Senator from Missouri [Mr. ASHCROFT] is absent due to a death in the family.

I further announce that, if present and voting, the Senator from Missouri [Mr. ASHCROFT] would vote ''yea.''

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is necessarily absent.

The PRESIDING OFFICER (Mr. GREGG). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 611 Leg.]

YEAS—94

Abraham	Ford	Mack
Akaka	Frist	McCain
Baucus	Glenn	McConnell
Bennett	Gorton	Mikulski
Biden	Graham	Moseley-Braun
Bingaman	Grams	Moynihan
Bond	Grassley	Murkowski
Boxer	Gregg	Murray
Breaux	Harkin	Nickles
Brown	Hatch	Nunn
Bryan	Hatfield	Pell
Bumpers	Heflin	Pressler
Burns	Helms	Pryor
Byrd	Hollings	Reid
Campbell	Hutchison	Robb
Chafee	Inhofe	Rockefeller
Cochran	Inouye	Santorum
Cohen	Jeffords	Sarbanes
Conrad	Johnston	Shelby
Coverdell	Kassebaum	Simon
Craig	Kempthorne	Simpson
D'Amato	Kennedy	Smith
Daschle	Kerrey	Snowe
DeWine	Kerry	Specter
Dodd	Kohl	Stevens
Dole	Kyl	Thomas
Domenici	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Warner
Faircloth	Lieberman	Wellstone
Feingold	Lott	
Feinstein	Lugar	

NOT VOTING—5

Ashcroft	Coats	Roth
Bradley	Gramm	

So the joint resolution (H.J. Res. 132) was passed.

The preamble, as amended, was agreed to.

Mr. BENNETT. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah is recognized.

SECURITIES LITIGATION REFORM ACT—VETO

Mr. BENNETT. Mr. President, I understand the veto message with respect to the securities litigation bill has arrived from the House.

The PRESIDING OFFICER. The Senator is correct.

Mr. BENNETT. I ask unanimous consent that the veto message be considered as having been read and it be printed in the RECORD and spread in full upon the Journal.

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

The PRESIDING OFFICER laid before the Senate a message from the President of the United States to the House of Representatives, as follows:

To the House of Representatives:

I am returning herewith without my approval H.R. 1058, the ''Private Securities Litigation Reform Act of 1995.'' This legislation is designed to reform portions of the Federal securities laws to end frivolous lawsuits and to ensure that investors receive the best possible information by reducing the litigation risk to companies that make forward-looking statements.

I support those goals. Indeed, I made clear my willingness to support the bill passed by the Senate with appropriate ''safe harbor'' language, even though it did not include certain provisions that I favor—such as enhanced provisions with respect to joint and several liability, aider and abettor liability, and statute of limitations.

I am not however, willing to sign legislation that will have the effect of closing the courthouse door on investors who have legitimate claims. Those who are the victims of fraud should have recourse in our courts. Unfortunately, changes made in this bill during conference could well prevent that.

This country is blessed by strong and vibrant markets and I believe that they function best when corporations can raise capital by providing investors with their best good-faith assessment of future prospects, without fear of costly, unwarranted litigation. But I also know that our markets are as strong and effective as they are because they operate—and are seen to operate—with integrity. I believe that this bill, as modified in conference, could erode this crucial basis of our markets' strength.

Specifically, I object to the following elements of this bill. First, I believe that the pleading requirements of the Conference Report with regard to a defendant's state of mind impose an unacceptable procedural hurdle to meritorious claims being heard in Federal courts. I am prepared to support the high pleading standard of the U.S. Court of Appeals for the Second Circuit—the highest pleading standard of any Federal circuit court. But the conferees make crystal clear in the Statement of Managers their intent to raise the standard even beyond that level. I am not prepared to accept that.

The conferees deleted an amendment offered by Senator Specter and adopted by the Senate that specifically incorporated Second Circuit case law with respect to pleading a claim of fraud. Then they specifically indicated that they were not adopting Second Circuit case law but instead intended to ''strengthen'' the existing pleading requirements of the Second Circuit. All this shows that the conferees meant to erect a higher barrier to bringing suit than any now existing—one so high that even the most aggrieved investors with the most painful losses may get tossed out of court before they have a chance to prove their case.

Second, while I support the language of the Conference Report providing a ''safe harbor'' for companies that include meaningful cautionary statements in their projections of earnings, the Statement of Managers—which will be used by courts as a guide to the intent of the Congress with regard to the meaning of the bill—attempts to weaken the cautionary language that the bill itself requires. Once again, the end result may be that investors find their legitimate claims unfairly dismissed.

Third, the Conference Report's Rule 11 provision lacks balance, treating plaintiffs more harshly than defendants in a manner that comes too close to the ''loser pays'' standard I oppose.

I want to sign a good bill and I am prepared to do exactly that if the Congress will make the following changes to this legislation: first, adopt the Second Circuit pleading standards and reinsert the Specter amendment into the bill. I will support a bill that submits all plaintiffs to the tough pleading standards of the Second Circuit, but I am not prepared to go beyond that. Second, remove the language in the Statement of Managers that waters down the nature of the cautionary language that must be included to make the safe harbor safe. Third, restore the Rule 11 language to that of the Senate bill.

While it is true that innocent companies are hurt by frivolous lawsuits and that valuable information may be withheld from investors when companies fear the risk of such suits, it is also true that there are innocent investors who are defrauded and who are able to recover their losses only because they can go to court. It is appropriate to change the law to ensure that companies can make reasonable statements and future projections without getting sued every time earnings turn out to be lower than expected or stock prices drop. But it is not appropriate to erect procedural barriers that will keep wrongly injured persons from having their day in court.

I ask the Congress to send me a bill promptly that will put an end to litigation abuses while still protecting the legitimate rights of ordinary investors. I will sign such a bill as soon as it reaches my desk.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *December 19, 1995.*

The Senate proceeded to reconsider the bill (H.R. 1058) to reform Federal securities litigation, and for other purposes, returned to the House by the President on December 19, 1995, with his objections, and passed by the House of Representatives, on reconsideration, on December 20, 1995.

The question is, Shall the bill pass, the objection of the President of the United States to the contrary notwithstanding? Who yields time?

Mr. BENNETT. Mr. President, we had a long, I think, careful and reasoned debate on this issue. It passed the Senate by a very substantial margin, indeed by a margin, which, if it had been the final vote, would have been sufficient to override a Presidential veto.

I am not sure what purpose will be served by our spending a great deal of time repeating the arguments that were made, but I am sure we will. The procedure and tradition in the Senate being what it is, we will go over this one more time.

I believe the President has made a mistake in vetoing this bill. I believe the House of Representatives has made the right decision in overriding the veto. I know the bill has been characterized as an issue between investors and corporations. The President, in his veto message, indicated that he was going to strike a blow for the investors.

Mr. President, I need to point out once more, perhaps, that the owners of corporations are the investors, and anything which damages the economic health of the corporation damages the investors who place their money in that corporation. Anything that prohibits the corporations' ability to earn a return on investment damages the investors who are seeking that return on investment.

I find it difficult to understand, therefore, those who say that we are going to help investors by supporting activities which damage the profitability of the corporation in which the investors have placed their money.

The key provisions of this bill are proinvestor provisions. I think the most significant provision of this bill is the one that allows the investors to determine who will prosecute the lawsuit when a class action suit is brought. Let me illustrate the importance of that, Mr. President, with an example that is admittedly overdrawn, but we need to overdraw these issues because some people do not seem to understand them when they are not overdrawn.

Let us assume that the ABC Corp. has 100 shares outstanding; let us assume that one investor has purchased one of those shares, and another investor has purchased the other 99. When a class action suit is brought, it is brought on behalf of all members of the class. In the circumstance I have just described, there are two members of the class—the class being the investors: One who has one share, the other who has 99 shares. If a class action suit is brought by the investor who has one share and the effect of that class action suit is to damage the ability of that corporation to perform, who is most damaged by the suit? It is the shareholder who owns the other 99 shares.

Yet the way the thing is structured now, the shareholder who owns one share can bring a class action suit on behalf of the entire class, and if he gets

to the courtroom first, he is determined to be the lead plaintiff in this suit. Now, the investor who owns the 99 shares sits down with him and says, ''Sam, this is stupid. This is going to damage the corporation. This is going to damage all of us.''

Sam smiles sweetly at Joe and says, ''Joe, what is it worth to you to get me to drop my suit?''

Joe says, ''Well, Sam, you know you will lose if we get in court.''

And Sam says ''Joe, that's not the point. What's it worth to you?''

Sam says, ''It will cost the corporation a million dollars to defend against your suit.''

Joe says, ''Fine, offer me half a million and I go away.''

It is blackmail, Mr. President, pure and simple.

So Joe finally says, ''OK, Sam, here is your $500,000. Drop your suit.''

Sam takes his $500,000 and he goes away until the next time.

I have told this story before. I have to repeat it again because I think it is an important part of the point I am trying to make. We are often told here, ''No, the only reason lawsuits are settled out of court is when the management has something to hide.'' Well, the story I am about to tell you is a real story. It really happened. It happened to my father. He served here in the Senate for some 24 years. When he retired from the Senate he was not ready to retire from life so he got himself another life and another series of activities. One of them was serving on boards of directors. He was on a number of boards. Some were charitable, some were nonprofit, some were very much profit.

On one of the boards he served, he would go to the board meetings and take his duty seriously—as my father always did—and then one day he received a stack of papers in the mail notifying him that he was being sued. The suit was made out to Wallace F. Bennett, et al., and the suit was claiming all kinds of things. My father looked through this. He was quite disturbed. It became clear to him that the ''et al.'' in this case were the other directors of the corporation. He called the legal division of the corporation whose board he was serving on and said, ''What is this all about?''

The lawyer said to him ''Oh, don't worry about that, Mr. Bennett. The reason you are named is because the directors are listed alphabetically and ''B'' comes before the letters of any of the other directors so they are suing you and all of the directors, but it is just a coincidence that your name comes first, that you are named in the suit. The entire board is being sued.''

Dad said, ''That is a little bit of comfort, but what are we being sued for? What did we do wrong?''

Well, the lawyer says ''You raised your salary.''

Dad said, ''Pardon me?''

And he said, ''Well, remember, the way this thing is structured, the compensation of the directors are tied to the profitability of the organization. So when the organization makes more money the directors' compensation goes up.''

Dad says, ''That is logical. That is proper. What is the basis of the suit?''

''There is a lawyer in New York who watches this, and whenever the compensation of the directors goes up for whatever reason, he automatically files a lawsuit against us claiming that the directors are looting the proceeds and assets of the corporation for their own profit.''

Dad said, ''Well, that lawsuit is absolutely absurd. It is sound business practice to tie the directors' compensation to the profitability of the company. That means the directors will take the actions that will make the company more profitable.''

''Don't worry about it, Senator, this lawyer knows he will never win his suit. He knows we will never spend the money to take him to court. It would cost us about $500,000 to prosecute this suit and take him to court and win and it is cheaper for us to send him a $100,000 check to settle this.''

So every time this happens, that is, there is a change in the compensation of the directors, he files the suit, we send him a $100,000 check, he goes away and the problem is solved. That is exactly what happened. They sent the lawyer a $100,000 check, he dropped his suit, and everybody went forward.

My father was outraged. But they told him, ''Senator, you can be as outraged as you want to be, but our alternative is to prosecute this lawsuit, take him to court, beat him in court, see a $500,000 legal bill run up in the process. The logical thing for us to do for the shareholders, the investors, if you will, is to pay him his $100,000, and hope he will go away.''

Now, my father was pleased when another member joined the board whose last name began with an ''A'' because then the papers were always filed on the new director rather than my father, but again and again they sent the $100,000 bribe money off to the lawyer in New York who had himself a really wonderful legal practice. All he had to do was file these papers and collect his check. There was no merit whatever in his claim and he knew it and everybody else knew it.

There is an end to this story that I kind of like. The lawyer decided to expand his practice and he started suing other companies besides the one of which my father served as a director. One of the companies he decided to sue was owned by Merrill Lynch, and the Merrill Lynch lawyers looked at this and decided the time has come to put an end to it and we have deep enough pockets that we can take this man to court and ruin him in his legal costs, trying to defend himself.

So the system that had worked for the lawyer in the one circumstance then turned against him. Merrill Lynch said, ''Whatever it takes in legal costs, it takes, but we are going to put a stop to this, force this man to go to court and force him to defend his position.'' And they ultimately did put a stop to it because when he was faced with actually proving his position in a court of law and running up the costs connected with that kind of litigation, the lawyer was finally forced to back down.

I tell this story because I want to lay to rest, once and for all, the canard that is raised on the other side of this issue by those who say that by passing this legislation we are damaging investors for the benefit of big corporations. The investors in the company where my father served as a director were benefited by the actions of Merrill Lynch and their legal department when they finally stepped in. They would be benefited by the passage of this legislation, and Merrill Lynch investors would be benefited by the fact that Merrill Lynch would no longer have to spend that kind of money to clean up that sort of an outrage.

If you want to vote on behalf of the investors, you vote for the override of the President's veto of this bill.

I was sorry to hear that the President had vetoed. We were told informally on the floor when the bill was passed that the President would probably sign it. We were told that the President and the people advising him understood that this was proinvestor legislation and the President, obviously, wants to position himself as being proinvestor.

I was also told by those who watch these kinds of things that the President would probably sign it because this legislation is very, very important in Silicon Valley. The companies that have been the target of these frivolous lawsuits are primarily located in the high-technology industry, and Silicon Valley in California is considered the seed bed of high technology in this country.

I might, in a parochial way, Mr. President, note that there are more software companies in Utah Valley than there are in Silicon Valley, but that is a parochial comment made by the Senator from Utah.

Why would it be important for the President to sign a bill that would benefit Silicon Valley? One need only look at the political map and the number of electoral votes that are contained in California to realize that anything that improves the California economy would be of political benefit to a politician who could take credit for improving the California economy. The California delegation as a whole has been most vigorous in their support of this bill. The senior Senator from California [Mrs. FEINSTEIN] has been a supporter of this bill. But the President decided, apparently, that whatever political benefit would accrue to him by doing something that would be good for Silicon Valley might be offset by his ability to pose as the defender of the small investor.

There have been many editorials written by people who perhaps do not

understand this bill, to say, no, this really does support the small investor, and the President decided to go with that rhetoric rather than with what I consider to be the true substantive benefit of this bill.

So we are back again. We have gone through this argument in committee. The bill was reported out of committee by a strong bipartisan margin. We are back into it here on the floor. As indicated, the bill was passed by the Senate by a strong bipartisan margin. It has gone through the House. The override vote was 319 to 100, more than 3 to 1. It needed only be 2 to 1, but it was more than 3 to 1. So that makes it very clear there is a strong bipartisan message here.

I am interested that the authorship of this bill began on the Democratic side of the aisle with Senator DODD, joined on the Republican side of the aisle by Senator DOMENICI. It was known as the Dodd-Domenici bill in the previous Congress. Now, given the results of the election, it is called the Domenici-Dodd bill. But it demonstrates the bipartisan nature, rising above partisan bickering, that has marked this entire effort. The effort has taken years, and in the years since Senator DODD began his crusade to get this problem fixed, there have been millions, if not hundreds of millions of dollars wasted, investor dollars wasted in dealing with these frivolous lawsuits. If this veto is upheld, there will be millions, if not hundreds of millions of dollars wasted in the future.

This legislation will ultimately pass. It will ultimately pass because it is the right thing to do and more and more people recognize that it is the right thing to do. The only question is whether it should pass in this Congress and become law in this year. I believe the time has gone long enough for us to debate this and repeat the arguments back and forth. The time has come for us to pass this bill.

So I hope the Senate will respond, as the House has done, with a strong bipartisan majority to override the President's veto. I expressed my concern that I think the President was misguided by his advisers on this one, both those who advised him on the substance and those who may have advised him on the politics. I hope we will help correct this Presidential mistake by what we do here on the floor.

Mr. President, I could go on and repeat all of the arguments that have been made in committee and on the floor on this issue, but I see the senior Senator from Maryland, who was the ranking member of the Banking Committee and who is opposed to this bill, and undoubtedly in support of the President's veto. He is on the floor, and I will be happy to yield to him for whatever opening statement he might have. Then we can go forward from there.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, as I understand it, the distinguished Senator from Tennessee would like to address the Senate for a short period of time. I ask unanimous consent the Senator from Tennessee be recognized, and at the conclusion of his remarks I then be recognized.

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

The Senator from Tennessee.

THE HOWARD H. BAKER, JR. COURTHOUSE

Mr. THOMPSON. I thank the Senator from Maryland, and I thank the Chair.

Mr. President, one of the highest honors that I have in serving in the U.S. Senate is the fact that I hold a seat once occupied by Howard H. Baker, Jr. I have no doubt that this seat will always be known as the Baker seat, and that is how it should be.

This morning I rise and it is my honor to rise in support of the action of the Senate taken last night, just prior to adjournment. The Senate passed H.R. 2547 to name the new U.S. courthouse in Knoxville, TN, in the Senator's beloved east Tennessee, after Senator Baker.

I know that the Howard H. Baker, Jr. Courthouse will always serve as a reminder of the love and respect that all Tennesseans, as well as all Members of this body, have for him.

Mr. SARBANES. Mr. President, let me simply say I am delighted to hear the courthouse has been named for our very able colleague, Howard Baker. I did wonder whether Howard Baker would be able to practice law in the Howard Baker Courthouse, but I guess that issue can be settled when the time arises. But it is certainly a recognition that his very distinguished career here in the Senate makes well deserved.

SECURITIES LITIGATION REFORM ACT—VETO

The Senate continued with the reconsideration of the bill.

Mr. SARBANES. Mr. President, first I want to say that the logic of my colleague from Utah is absolutely right. I think he said right at the end of his remarks that I was against the bill and, therefore, he assumed that I would be in support of the veto. And he is obviously correct. I will not now—I may later—talk a bit about the broader defects which I see in the legislation. But I want to address now the items that were touched upon in the President's veto message as the basis for his vetoing the legislation.

My own view is that there are other reasons as well that go well beyond what the President indicated. But I want to focus on that for the moment since it is the veto message, the veto, that is before us. And the issue, of course, would be whether to override the veto.

I listened to my distinguished colleague from Utah as he talked, and to the various examples that he gave as a reason for why we should pass this legislation in terms of the kinds of suits that had been brought and the frivolousness of the actions. And I want to simply say to him that, if that is all the bill did, if the bill were crafted in a way to get at the kind of examples he was citing, I think the bill would have passed 99–0. So I do not really differ with him in the examples that he cited as being problems and saying that those are problems and measures ought to be taken in order to correct them. The problem is that this bill goes way beyond that. That is the problem.

The President, since the conference report was passed 2 weeks ago, has now vetoed it. That actually reflects, I think, the overwhelming position taken by newspaper and magazine editors around the country who have analyzed this legislation and who have no vested interest in it. There are a number of interest groups who have an interest on either side of this legislation. But these are common indicators outside of that framework. They have by and large strongly come down against it.

The President said in his message, ''Those who are victims of fraud should have recourse in our courts. Unfortunately, changes made in this bill during conference could well prevent that.''

I hope that the Senate will sustain the President's veto so that we could get about the business of crafting legislation better targeted at the goal that I think we all share—deterring frivolous lawsuits. I want to emphasize that again. I know of no one who argues against reasoned measures to deter frivolous lawsuits.

The President's veto message recognizes that this bill is not a balanced response to the problem of frivolous lawsuits. This legislation will affect far more than frivolous lawsuits. As I said at the outset, if the bill dealt only with the problem of frivolous lawsuits, I would be for it, and presumably the President would have signed it.

Unfortunately, this bill that is before us will make it more difficult for investors to bring and recover damages in legitimate fraud actions. Investors will find it far more difficult to bring and to recover damages in legitimate fraud actions.

The editors of Money magazine concluded that this legislation hurts investors, stating in their December editorial as follows: ''Now only Clinton can stop Congress from hurting small investors like you.'' That is Money magazine. The President has tried to do that through the veto. We should do our part now by supporting this veto.

The President's message identified three areas of concern with the bill: The pleading standard, the safe harbor, and the rule 11 provision. On the first point, the President said, and I quote him: ''The pleading requirements of the