they are late at night. But tonight, while I know there are conflicting events, we have to keep open the option of having votes perhaps later on in the night in order to complete our work, if we are going to be able to complete our work before the end of the fiscal year, which, of course, is Monday.

MEASURE PLACED ON THE CALENDAR—H.R. 4134

Mr. LOTT. Mr. President, I understand there is a bill at the desk which is due for its second reading.

The PRESIDING OFFICER (Mr. SMITH). The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 4134) to amend the Immigration and Nationality Act to authorize States to deny public education benefits to aliens not lawfully present in the United States who are not enrolled in public schools during the period beginning September 1, 1996, and ending July 1, 1997.

Mr. LOTT. Mr. President, I object to further proceedings on this matter at this time.

The PRESIDING OFFICER. Objection is heard. Under rule XIV, the bill will be placed on the calendar.

SCHEDULE

Mr. LOTT. Mr. President, if I can seek further recognition for comment on our schedule, I know Senators are wondering what is happening to the various bills. The pipeline safety bill has basically been completed, but it still has one incomplete nongermane matter being discussed actively. Hopefully, some resolution can be reached on that, and maybe we can pass the bill on a voice vote.

With regard to NIH reauthorization, it had been my full intent to call it up yesterday. We thought we had all the problems worked out. A new issue arose at the last minute, and we were not able to get it resolved as we went into the night last night. We should not leave without the NIH reauthorization. We will make one more effort today. I will today at some point call that up. If a Senator or Senators have objections, they need to be prepared to come to the floor and actually object.

There is some concern here about how these holds and objections work. I do sometimes get concerned that Senators are not available but they send word over to put on a hold and will not let it be removed without their presence, and then their presence cannot be required. Again, this is not directed to the other side of the aisle. It happens on both sides of the aisle. It is a poor way to do business. Be prepared to object. If you want to object, you have to come and do it.

With regard to the immigration conference report, that bill and the Presidio conference report bill are classic examples of why we have problems developing trust between the Congress and the administration. For weeks, we have been told the problem with the illegal immigration bill was the so-called Gallegly amendment which would have allowed States like California not to have to continue to spend endlessly $2 billion a year for the education of 380,000 or more illegal immigrants' children.

We realized that was a problem. The President made it very clear that with the Gallegly amendment attached, he would veto it. We had a threatened filibuster. So we proceeded to work out a compromise agreement or perhaps even take the Gallegly amendment off the illegal immigration bill.

Eventually, and finally, in an effort to try to have cooperation and to attach the illegal immigration bill to the continuing resolution, the Gallegly amendment was removed. So we were prepared to go ahead with the laboriously developed illegal immigration bill that has been worked on literally for years, not just months, with tremendous effort by the Senator from Wyoming, Senator SIMPSON, Congressman SMITH of Texas, Senator DEWINE, and a wide variety of other Senators and Congressmen. But then when Gallegly was taken off and the bill was ready to go, all of a sudden the administration shows up and says, ''Oh, gee, by the way, we don't like the provisions that might be applicable to legal immigrants in this bill, so if you don't remove title V, we will object to its being put in the continuing resolution, or if it comes to the floor, we will object to unanimous consent. We may even insist on having the bill read in its entirety.'' Absolute, total dilatory tactics, insisting we read aloud the entire bill.

The truth of the matter is, the Gallegly amendment had been used as a mask to cover the opposition of the administration to any real illegal immigration reform legislation. That is really what is going on here. So I am at a loss. We might even say, ''Well, OK, in a good-faith effort, we'll remove title V.'' You know what I think they will do? They will come and say, ''By the way, we have this problem or that problem.'' It is an endless thing.

The American people overwhelmingly expect and want us to pass illegal immigration reform. At some point, I am going to move it forward. If there is objection heard, we will try to go on from there. If they insist on reading, we will just have to have a process to make it clear the Democrats are killing illegal immigration, even without the supposedly controversial Gallegly amendment.

The next step: the Presidio parks bill, a bill that has been in the making not months, not 2 years, but at least 4 years, a bill that has 41 States affected by preservation and parks and conservation. Is it perfect? I am sure it is not. I am sure there is some project or two Senators would like to have in there or some provisions maybe the administration may not like. This is not the end of the world. This is an authorization bill. The administration is in charge of the Park Service. They still have to get appropriations. If there is a problem, they don't have to support the funding.

Again, we were told, well, there are problems with the Tongass language dealing with Alaska, there is a problem with the boundary waters in Minnesota. There were four or five provisions singled out as being veto bait.

To the credit of the chairman and Members on both sides of the Capitol, and both parties, they said, ''We will take these controversial provisions out.''

Now we have an omnibus parks bill, important for the preservation of the future. There is tremendous support for the Presidio bill. We can move this bill. We were ready to go. It was already passed overwhelmingly in the House, and it is in the Senate. Then word comes up, down—whatever—from the White House, ''Oh, gee, we have these other little problems.'' Not one, not two, not three, not four. ''We have these other problems.''

I think our colleagues on the other side of the aisle were stunned. As a matter of fact, this bill has the support of the Senators from California, I believe, who attended a press conference.

Mrs. BOXER. Will the Senator yield?

Mr. LOTT. I will be glad to yield.

Mrs. BOXER. The majority leader is correct that we are anxious for this bill. We were pleased, Senator FEINSTEIN and I, to go to the press conference, but we had not read the 700 pages of the bill. But we do hope very much, as I know you do, that we can work all these problems out. And we do stand ready.

I would say to the majority leader, on behalf of my leadership, we are ready to enter a time agreement on this veto message override. We were hoping to start probably at 9 and finish probably at 12. We have had many colleagues come over for the last 2 days in morning business, as I am sure my colleague is aware, to speak about this issue. We think in 3 hours, the time equally divided, we could have voted at noon. The problem we had on your side was they did not want a vote at noon. So I just want to make it clear that there is a great willingness to work with the majority leader to get this done and to move on. I share his hope that we can work out our problems. I certainly stand ready, as a Senator from California who has much at stake on both of these bills that my colleague referred to.

Mr. LOTT. If I could respond, Mr. President.

I would like for us to see if we could reach a time agreement. If I could go back to a little history, there were those who wanted 6 or 7 or 8 hours today. I said, we have had time to talk about this. We need to go ahead and have a final vote; it is a very important issue, but wrap it up. There was a little problem in that you and your leadership have a luncheon-type rally with

the President coming today, and you needed time between 12 and 2. And we are always trying to accommodate all kinds of Senators' schedules coming and going. So there was a narrow window in there where we would have it hopefully around 12. That is what I was hoping for. We ran into a conflict. We would like to get it around 2, if we can. If we need to go to 2:30 because of your luncheon meeting, we can make it 2:30.

Mrs. BOXER. I say to my colleague, I know that the Democratic leader and the majority leader have talked about this. I know from him that it would not be acceptable, because as Senator Dole came here for a meeting with Republican colleagues of the House and Senate, so does President Clinton and Vice President GORE, they do come here. We certainly would all want to be there for that meeting, just as we cooperated when Senator Dole was here. Therefore, we would not be on the floor between 12 and 2 to debate this matter, and we do not think that is appropriate, particularly since this is an issue that needs explanation. This is an attempt to override the veto by the President. So we thought that was an unfair situation.

Mr. LOTT. I do not know of any luncheon that goes longer than 2 hours. Could we then have 1 hour of debate after your luncheon and vote at 3?

Mrs. BOXER. I will confer with the Democratic leader, because we are anxious to get done.

Mr. LOTT. We have the possibility of business luncheons and dinners and meetings. I am not complaining about that.

Mrs. BOXER. When Senator Dole came, I noticed all the Republicans were there, as well they should have been. But the fact is we would never interfere with you taking a break. We just want to make sure we are on the floor as this debate proceeds. So we were hopeful we could wrap it up at noon. We cannot wrap it up at noon. If we take a break for that 2-hour period and then have a——

Mr. LOTT. Mr. President, we want to accommodate that luncheon. We understand you want to do that. We would honor that. It may be even that we could do some other debate during that time. Maybe we can work on some of these other issues. Or if you want to vote at 3 o'clock, I will be flexible to accommodate your luncheon, but I think we should be ready to go to a vote as soon as everybody makes their final points.

Mrs. BOXER. I will confer with the Democratic leader.

Mr. LOTT. With regard to the Presidio conference report, we do have that pending. At the request of the Democratic leader, we are trying to see what the complaints of the administration are. But it sure is hard to get to the goalposts when the goalposts keep moving. This is a big bill, one of the two or three most important preservation and conservation issues of this Congress, maybe the most important. Once again, even after we complied with the request to move out certain objectionable features, the administration is having problems with it.

Mr. President, do I have leader time reserved?

The PRESIDING OFFICER. Leader time is reserved.

Mr. LOTT. Mr. President, I would like to have time for a statement on the issue pending before us. Do I need to use leader time at this point in order to proceed on that?

The PRESIDING OFFICER. The Senator may use his leader's time or he may use time to lay down the measure and then speak on it while it is pending.

Mr. LOTT. Mr. President, I seek recognition under the time that is available under the bill, not the leader time. I reserve that for use later in the day.

PARTIAL-BIRTH ABORTION BAN ACT OF 1995—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the veto message on H.R. 1833.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

The House of Representatives having proceeded to reconsider the bill (H.R. 1833) entitled ''An act to amend title 18, United States Code, to ban partial-birth abortions,'' returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

The PRESIDING OFFICER. The question is, Shall the bill pass, the objection of the President of the United States to the contrary notwithstanding?

Mrs. BOXER addressed the Chair.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader still has the floor.

Mr. LOTT. Mr. President, the debate we are going to hear today on this partial-birth abortion issue is certainly not an easy one. It is a discussion of matters that we really should not even have to talk about and should not have to deal with, not in this country, not in this day in age, not among people who profess regard for human rights.

I cannot imagine a more blatant disregard of the most fundamental human right, the right to life, than this partial-birth abortion procedure.

I will spare the Senate another graphic description of the procedure. I know the Senators know it by now. And more and more Americans are becoming familiar with this procedure.

Without regard to religion, race, sex, philosophy, or party, people have to be horrified that this procedure is actually used as often as it is.

All of us who have followed this debate over the past year must have by now permanent memories of what we have heard and seen. The almost-born baby, the surgical scissors, the dehumanizing terminology that transforms the killing into a medical procedure.

I think there has, in the process, been a tremendous amount of misinformation—some might say disinformation. There are some facts we need to be made aware of. We were told that partial-birth abortions sometimes are necessary to protect the mother's health or fertility. I do not believe that is so.

I think the facts do not bear that out. I discussed this procedure this morning with my wife, who has a medical-related background. She said there clearly are other options that can be used that would be safe to both mother and the baby.

Former Surgeon General C. Everett Koop, along with many prominent specialists in obstetrics and gynecology, has made clear ''that partial-birth abortion is never medically indicated to protect a mother's health or her future fertility.''

We were told that partial-birth abortions were rare, but they are not. This week's Time magazine claims there are only about 600 partial-birth procedures in the entire country. I do not consider 600 insignificant. Yet, earlier this month the Bergen County Sunday Record reported that in New Jersey alone at least 1,500 partial-birth abortions are performed each year.

Just this week in the Washington Post—yes, even the Washington Post—an article by Richard Cohen indicated that when he checked into it, when he found the facts, he found it no longer acceptable.

Mr. President, I ask unanimous consent that a copy of his article in that newspaper be printed in the RECORD.

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

[From the Washington Post, Sept. 24, 1996]

A NEW LOOK AT LATE-TERM ABORTION

(Richard Cohen)

Back in June, I interviewed a woman—a rabbi, as it happens—who had one of those late-term abortions that Congress would have outlawed last spring had not President Clinton vetoed the bill. My reason for interviewing the rabbi was patently obvious: Here was a mature, ethical and religious woman who, because her fetus was deformed, concluded in her 17th week that she had no choice other than to terminate her pregnancy. Who was the government to second-guess her?

Now, though, I must second-guess my own column—although not the rabbi and not her husband (also a rabbi). Her abortion back in 1984 seemed justifiable to me last June, and it does to me now. But back then I also was led to believe that these late-term abortions were extremely rare and performed only when the life of the mother was in danger or the fetus irreparably deformed. I was wrong.

I didn't know it at the time, of course, and maybe the people who supplied my data—the usual pro-choice groups—were giving me what they thought was precise information. And precise I was. I wrote that ''just four one-hundredths of one percent of abortions are performed after 24 weeks'' and that ''most, if not all, are performed because the fetus is found to be severely damaged or because the life of the mother is clearly in danger.''