

## SENATE—Friday, June 10, 1994

(Legislative day of Tuesday, June 7, 1994)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mrs. MURRAY].

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*Come unto me, all ye that labor and are heavy laden, and I will give you rest.—Matthew 11:28.*

Gracious Lord, we thank You for this loving invitation and pray that all who have need will respond. In our large Senate family, many may be hurting and most of us know nothing about it. This morning we pray for every person among the Senators and their families, all the staffs and their families, the pages and their families.

God of love and mercy, be with those who are ill—in home or hospital. Make them conscious of the presence of the Great Physician. May they experience His healing power. Be with any who may have lost a loved one. Comfort them in their grief. Be with every family that is experiencing alienation. Lead them in the way of reconciliation and the restoration of relationships. We pray for husbands and wives who are struggling with their own relationships, with their children, or with their financial situation.

Loving Savior, give each one who has a need, the grace to receive Your rest and strength and let Thy blessing abide upon all who labor here and their loved ones.

In the name of the Great Physician, we pray. Amen.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

## VOTE ON MOTION TO INSTRUCT THE SERGEANT AT ARMS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to vote on a motion to instruct the Sergeant at Arms to request the presence of absent Senators.

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

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Oklahoma [Mr. BOREN],

the Senator from Hawaii [Mr. INOUE], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Virginia [Mr. ROBB] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Utah [Mr. BENNETT], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Texas [Mr. GRAMM], and the Senator from Texas [Mrs. HUTCHISON] are necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 78, nays 13, as follows:

(Rollcall Vote No. 134 Leg.)

## YEAS—78

Akaka	Exon	Mathews
Baucus	Feingold	Metzenbaum
Bingaman	Feinstein	Mikulski
Bond	Ford	Mitchell
Boxer	Glenn	Moseley-Braun
Bradley	Gorton	Moynihan
Breaux	Graham	Murray
Brown	Grassley	Nunn
Bryan	Gregg	Packwood
Bumpers	Harkin	Pell
Byrd	Hatch	Pressler
Campbell	Hatfield	Pryor
Chafee	Heflin	Reid
Coats	Hollings	Riegle
Cochran	Jeffords	Rockefeller
Cohen	Johnston	Roth
Conrad	Kassebaum	Sarbanes
Coverdell	Kennedy	Sasser
Danforth	Kerrey	Shelby
Daschle	Kerry	Simon
DeConcini	Kohl	Simpson
Dodd	Leahy	Smith
Dole	Levin	Stevens
Domenici	Lieberman	Thurmond
Dorgan	Lugar	Wellstone
Durenberger	Mack	Wofford

## NAYS—13

Burns	Lott	Specter
Craig	McCain	Wallop
D'Amato	McConnell	Warner
Helms	Murkowski	
Kempthorne	Nickles	

## NOT VOTING—9

Bennett	Faircloth	Inouye
Biden	Gramm	Lautenberg
Boren	Hutchison	Robb

So the motion was agreed to.

## FEDERAL AVIATION ADMINISTRATION AUTHORIZATION ACT OF 1994

The ACTING PRESIDENT pro tempore. The clerk will report the pending business.

The assistant legislative clerk read as follows.

A bill (S. 1491) to amend the Airport and Airway Improvement Act of 1982 and authorize appropriations, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

(1) D'Amato amendment No. 1775, to establish a special subcommittee within the Committee on Banking, Housing, and Urban Affairs to conduct an investigation into allegations concerning the Whitewater Development Corp., Madison Guaranty Savings & Loan Association, and Capital Management Services, Inc. and other related matters.

(2) Mitchell amendment No. 1776 (to Amendment No. 1775), in the nature of a substitute.

Mr. MITCHELL addressed the Chair. The ACTING PRESIDENT pro tempore. The majority leader.

Mr. MITCHELL. Madam President, what is the pending business?

The ACTING PRESIDENT pro tempore. The pending question is the Mitchell amendment No. 1776.

Mr. MITCHELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## THE MEN OF D-DAY

Mr. DOLE. Madam President, earlier this week I had the honor to be present for ceremonies commemorating the 50th anniversary of D-day. I stood at Utah Beach, Omaha Beach, and the American cemetery at Colleville, reflecting on the sacrifice of Americans, Poles, British, Canadians, French, and many more who fought and died on the beaches of Normandy. Earlier, I was in Italy for ceremonies commemorating the landings at Anzio and Nettuno, and for the liberation of Rome.

The importance of the ceremonies was brought home to me when a young American lady—traveling with her grandfather, a veteran of D-day—said to me: "I never understood the meaning of American leadership until I came to Normandy."

Leadership is what D-day was all about and it is a lesson that spans generations. Many nations contributed, but D-day never would have happened without American leadership—at all levels. American leadership from the man from Abilene, Dwight David Eisenhower, who commanded allied forces on D-day, to Walt Ehlert, a humble sergeant from Junction City, KS.

We all know the story of General Eisenhower—his careful planning, and his

agonizing decision to move ahead with the landing despite a less than ideal weather forecast. However, other stories of American leadership in D-day are not as well known.

The story of Walt Ehlers is told in a pamphlet I read this week, describing Congressional Medal of Honor winners during the Normandy campaign. The stories of heroism and bravery are in the finest tradition of American military leadership. The story of Lt. Col. Leon Vance who landed his bomber despite serious wounds which prevented him from even looking out the plane's windshield. The story of Lt. Jimmie Monteith who rallied troops in the critical first hours at Omaha Beach, led tanks through minefields, and made the ultimate sacrifice on June 6, 1944.

All American military units had their share of heroes. The 10th Mountain Division in which I served in Italy, had many. Men like Pvt. John McGrath, the 10th's only Medal of Honor winner. On hill 909 on April 14, 1944, Private McGrath captured two German machinegun positions and led his company after the commander had been killed. Private McGrath lost his life later that day trying to gather a casualty report of his fallen comrades.

Much has been said and written about D-day in the last few weeks. But no stories are more eloquent than the stories of the Normandy Medal of Honor winners. Last Saturday after the liberation of Rome ceremonies, and again last Monday before the Omaha Beach ceremonies, I had the honor and the privilege of meeting Walt Ehlers, the hero from Kansas, and the only surviving Medal of Honor winner from the Normandy campaign. The world watched last Monday as Walt Ehlers spoke on Omaha Beach exactly 50 years after he landed on the shores of Europe. Walt Ehlers lost a brother that day in the fighting. Today, he is a grandfather who speaks not of the glory of war, but of the honor of sacrifice—sacrifice which made the world safe for his grandchildren and for future generations of Americans.

I salute all the veterans of World War Two—those of Normandy and the European theater, those in my part of the war in Italy, and those in the Pacific theater.

Madam President, I ask consent that the stories of the American heroes who were awarded the Medal of Honor in the Normandy campaign be printed in the RECORD.

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

[From "The Congressional Medal of Honor: The Names, the Deeds"]

HEROES

D-DAY

Vance, Leon R., Jr. (Air Mission)

Rank and organization: Lieutenant Colonel, U.S. Army Corps, 489th Bomber Group.

Place and date: Over Wimeraux, France, 5 June 1944.

Entered service at: Garden City, N.Y.

Born: 11 August 1916, Enid, Okla.

G.O. No.: 1, 4 January 1945.

Citation: For conspicuous gallantry and intrepidity above and beyond the call of duty on 5 June 1944, when he led a Heavy Bombardment Group, in an attack against defended enemy coastal positions in the vicinity of Wimeraux, France. Approaching the target, his aircraft was hit repeatedly by antiaircraft fire which seriously crippled the ship, killed the pilot, and wounded several members of the crew, including Lt. Col. Vance, whose right foot was practically severed. In spite of his injury, and with 3 engines lost to the flak, he led his formation over the target, bombing it successfully. After applying a tourniquet to his leg with the aid of the radar operator, Lt. Col. Vance, realizing that the ship was approaching a stall altitude with the 1 remaining engine failing, struggled to a semi-upright position beside the copilot and took over control of the ship. Cutting the power and feathering the last engine he put the aircraft in glide sufficiently steep to maintain his airspeed. Gradually losing altitude, he at last reached the English coast, whereupon he ordered all members of the crew to bail out as he knew they would all safely make land. But he received a message over the interphone system which led him to believe 1 of the crewmembers was unable to jump due to injuries; so he made the decision to ditch the ship in the channel, thereby giving this man a chance for life. To add further to the danger of ditching the ship in his crippled condition, there was a 500-pound bomb hung up in the bomb bay. Unable to climb into the seat vacated by the copilot, since his foot, hanging on to his leg by a few tendons, had become lodged behind the copilot's seat, he nevertheless made a successful ditching while lying on the floor using only aileron and elevators for control and the side window of the cockpit for visual reference. On coming to rest in the water the aircraft commenced to sink rapidly with Lt. Col. Vance pinned in the cockpit by the upper turret which had crashed in during the landing. As it was settling beneath the waves an explosion occurred which threw Lt. Col. Vance clear of the wreckage. After clinging to a piece of floating wreckage until he could muster enough strength to inflate his life vest he began searching for the crewmember whom he believed to be aboard. Failing to find anyone he began swimming and was found approximately 50 minutes later by an Air-Sea Rescue craft. By his extraordinary flying skill and gallant leadership, despite his grave injury, Lt. Col. Vance led his formation to a successful bombing of the assigned target and returned the crew to a point where they could bail out with safety. His gallant and valorous decision to ditch the aircraft in order to give the crewmember he believed to be aboard a chance for life exemplifies the highest traditions of the U.S. Armed Forces.

Roosevelt, Theodore, Jr.

Rank and organization: Brigadier General, U.S. Army.

Place and date: Normandy Invasion, 6 June 1944.

Entered Service at: Oyster Bay, N.Y.

Birth: Oyster Bay, N.Y.

G.O. No.: 77, 28 September 1944.

Citation: For gallantry and intrepidity at the risk of his life above and beyond the call of duty on 6 June 1944, in France. After 2 verbal requests to accompany the leading assault elements in the Normandy invasion had been denied, Brig. Gen. Roosevelt's writ-

ten request for this mission was approved and he landed with the first wave of the forces assaulting the enemy-held beaches. He repeatedly led groups from the beach, over the seawall and established them inland. His valor, courage, and presence in the very front of the attack and his complete unconcern at being under heavy fire inspired the troops to heights of enthusiasm and self-sacrifice. Although the enemy had the beach under constant direct fire, Brig. Gen. Roosevelt moved from one locality to another, rallying men around him, directed and personally unfaltering leadership, assault troops reduced beach strong points and rapidly moved inland with minimum casualties. He thus contributed substantially to the successful establishment of the beachhead in France.

Pinder, John J., Jr.

Rank and organization: Technician Fifth Grade, U.S. Army, 16th Infantry, 1st Infantry Division.

Place and date: Near Colleville-sur-Mer, France, 6 June 1944.

Entered service at: Burgettstown, Pa.

Birth: McKees Rock, Pa.

G.O. No.: 1, 4 January 1945.

Citation: For conspicuous gallantry and intrepidity above and beyond the call of duty on 6 June 1944, near Colleville-sur-Mer, France. On D-day, Technician 5th Grade Pinder landed on the coast 100 yards off shore under devastating enemy machinegun and artillery fire which caused severe casualties among the boatload. Carrying a vitally important radio, he struggled towards shore in waist-deep water. Only a few yards from his craft he was hit by enemy fire and was gravely wounded. Technician 5th Grade Pinder never stopped. He made shore and delivered the radio. Refusing to take cover afforded, or to accept medical attention for his wounds, Technician 5th Grade Pinder, though terribly weakened by loss of blood and in fierce pain, on 3 occasions went into the fire-swept surf to salvage communication equipment. He recovered many vital parts and equipment, including another workable radio. On the 3rd trip he was again hit, suffering machinegun bullet wounds in the legs. Still this valiant soldier would not stop for rest or medical attention. Remaining exposed to heavy enemy fire, growing steadily weaker, he aided in establishing the vital radio communication on the beach. While so engaged this dauntless soldier was hit for the third time and killed. The indomitable courage and personal bravery of Technician 5th Grade Pinder was a magnificent inspiration to the men with whom he served.

Monteith, Jimmie W., Jr.

Rank and organization: First Lieutenant, U.S. Army, 16th Infantry, 1st Infantry Division.

Place and date: Near Colleville-sur-Mer, France, 6 June 1944.

Entered service at: Richmond, Va.

Born: 1 July 1917, Low Moor, Va.

G.O. No.: 20, 29 March 1945.

Citation: For conspicuous gallantry and intrepidity above and beyond the call of duty on 6 June 1944, near Colleville-sur-Mer, France. 1st Lt. Monteith landed with the initial assault waves on the coast of France under heavy enemy fire. Without regard to his own personal safety he continually moved up and down the beach reorganizing men for further assault. He then led the assault over a narrow protective ledge and across the flat, exposed terrain to the comparative safety of a cliff. Retracing his steps across the field to the beach, he moved over

to where 2 tanks were buttoned up and blind under violent enemy artillery and machine-gun fire. Completely exposed to the intense fire, 1st Lt. Monteith led the tanks on foot through a minefield and into firing positions. Under his direction several enemy positions were destroyed. He then rejoined his company and under his leadership his men captured an advantageous position on the hill. Supervising the defense of his newly won position against repeated vicious counterattacks, he continued to ignore his own terrain under heavy fire to strengthen links in his defensive chain. When the enemy succeeded in completely surrounding 1st Lt. Monteith and his unit and while leading the fight out of the situation, 1st Lt. Monteith was killed by enemy fire. The courage, gallantry, and intrepid displayed by 1st Lt. Monteith is worthy of emulation.

*Barrett, Carlton W.*

Rank and organization: Private, U.S. Army, 18th Infantry, 1st Infantry Division.

Place and date: Near St. Laurent-sur-Mer, France, 6 June 1944.

Entered service at: Albany, N.Y.

Born: Fulton, N.Y.

G.O. No.: 78, 2 October 1944.

Citation: For gallantry and intrepidity at the risk of his life above and beyond the call of duty on 6 June 1944, in the vicinity of St. Laurent-sur-Mer, France. On the morning of D-day Pvt. Barrett, landing in the face of extremely heavy enemy fire, was forced to wade ashore through neck-deep water. Disregarding the personal danger, he returned to the surf again and again to assist his floundering comrades and save them from drowning. Refusing to remain pinned down by the intense barrage of small-arms and mortar fire poured at the landing points, Pvt. Barrett, working with fierce determination, saved many lives by carrying casualties to an evacuation boat lying offshore. In addition to his assigned mission as guide; he carried dispatches the length of the fire-swept beach; he assisted the wounded; he calmed the shocked; he arose as a leader in the stress of the occasion. His coolness and his dauntless daring courage while constantly risking his life during a period of many hours had an inestimable effect on his comrades and is in keeping with the highest traditions of the U.S. Army.

*Peregory, Frank D.*

Rank and organization: Technical Sergeant, U.S. Army, Company K, 116th Infantry, 29th Infantry Division.

Place and date: Grandcampe, France, 8 June 1944.

Entered service at: Charlottesville, Va.

Born: 10 April 1915, Esmont, Va.

G.O. No.: 43, 30 May 1945.

Citation: On 8 June 1944, the 3d Battalion of the 116th Infantry was advancing on the strongly held German defenses at Grandcampe, France, when the leading elements were suddenly halted by decimating machinegun fire from a firmly entrenched enemy force on the high ground overlooking the town. After numerous attempts to neutralize the enemy position by supporting artillery and tank fire had proved ineffective, T/Sgt. Peregory, on his own initiative, advanced up the hill under withering fire, and worked his way to the crest where he discovered an entrenchment leading to the main enemy fortifications 200 yards away. Without hesitating, he leaped into the trench and moved toward the emplacement. Encountering a squad of enemy riflemen, he fearlessly attacked them with handgrenades and bayonet, killed 8 and forced 3 to surrender. Con-

tinuing along the trench, he singlehandedly forced the surrender of 32 more riflemen, captured the machine gunners, and opened the way for the leading elements of the battalion to advance and secure its objective. The extraordinary gallantry and aggressiveness displayed by T/Sgt. Peregory are exemplary of the highest tradition of the armed forces.

*DeGlopper, Charles N.*

Rank and organization: Private First Class, U.S. Army, Co. C, 325th Glider Infantry, 82d Airborne Division.

Place and date: Merderet River at la Fiere, France, 9 June 1944.

Entered service at: Grand Island, N.Y.

Birth: Grand Island, N.Y.

G.O. No.: 22, 28 February 1946.

Citation: He was a member of Company C, 325th Glider Infantry, on 9 June 1944 advancing with the forward platoon to secure a bridgehead across the Merderet River at La Fiere, France. At dawn the platoon had penetrated an out line of machineguns and riflemen, but in so doing had become cut off from the rest of the company. Vastly superior forces began a decimation of the stricken unit and put in motion a flanking maneuver which would have completely exposed the American platoon in a shallow roadside ditch where it had taken cover. Detecting this danger, Pfc. DeGlopper volunteered to support his comrades by fire from his automatic rifle while they attempted a withdrawal through a break in a hedgerow 40 yards to the rear. Scorning a concentration of enemy automatic weapons and rifle fire, he walked from the ditch onto the road in full view of the Germans, and sprayed the hostile positions with assault fire. He was wounded, but he continued firing. Struck again, he started to fall; and yet his grim determination and valiant fighting spirit could not be broken. Kneeling in the roadway, weakened by his grievous wounds, he leveled his heavy weapon against the enemy and fired burst after burst until killed outright. He was successful in drawing the enemy action away from his fellow soldiers, who continued the fight from a more advantageous position and established the first bridgehead over the Merderet. In the area where he made his intrepid stand his comrades later found the ground strewn with dead Germans and many machineguns and automatic weapons which he had knocked out of action. Pfc. DeGlopper's gallant sacrifice and unflinching heroism while facing unsurmountable odds were in great measure responsible for a highly important tactical victory in the Normandy Campaign.

*Ehlers, Walter D.*

Rank and organization: Staff Sergeant, U.S. Army, 18th Infantry, 1st Infantry Division.

Place and date: Near Goville, France, 9-10 June 1944.

Entered service at: Manhattan, Kans.

Birth: Junction City, Kans.

G.O. No.: 91, 19 December 1944.

Citation: For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty on 9-10 June 1944, near Goville, France. S/Sgt. Ehlers, always acting as the spearhead of the attack, repeatedly led his men against heavily defended enemy strong points exposing himself to deadly hostile fire whenever the situation required heroic and courageous leadership. Without waiting for an order, S/Sgt. Ehlers, far ahead of his men, led his squad against a strongly defended enemy strong point, personally killing 4 of an enemy patrol who attacked

him en route. Then crawling forward under withering machinegun fire, he pounced upon the guncrew and put it out of action. Turning his attention to 2 motars protected by the crossfire of 2 machineguns, S/Sgt. Ehlers led his men through this hail of bullets to kill or put to flight the enemy of the mortar section, killing 3 men himself. After mopping up the mortar positions, he again advanced on a machine gun, his progress effectively covered by his squad. When he was almost on top of the gun he leaped to his feet and, although greatly outnumbered, he knocked out the position singlehanded. The next day, having advanced deep into enemy territory, the platoon of which S/Sgt. Ehlers was a member, finding itself in an untenable position as the enemy brought increased mortar, machinegun, and small-arms fire to bear on it, was ordered to withdraw. S/Sgt. Ehlers, after his squad had covered the withdrawal of the remainder of the platoon, stood up and by continuous fire at the semicircle of enemy placements, diverted the bulk of the heavy hostile fire on himself, thus permitting the members of his own squad to withdraw. At this point, though wounded himself, he carried his wounded automatic rifleman to safety and then returned fearlessly over the shell-swept field to retrieve the automatic rifle which he was unable to carry previously. After having his wound treated, he refused to be evacuated, and returned to lead his squad. The intrepid leadership, indomitable courage, and fearless aggressiveness displayed by S/Sgt. Ehlers in the face of overwhelming enemy forces serve as an inspiration to others.

*DeFranzo, Arthur F.*

Rank and organization: Staff Sergeant, U.S. Army, 1st Infantry Division.

Place and date: Near Vaubadon, France, 10 June 1944.

Entered service at: Saugus, Mass.

Birth: Saugus, Mass.

G.O. No.: 1, 4 January 1945.

Citation: For conspicuous gallantry and intrepidity at the risk of his life, above and beyond the call of duty, on 10 June 1944, near Vaubadon, France. As scouts were advancing across an open field, the enemy suddenly opened fire with several machineguns and hit 1 of the men. S/Sgt. DeFranzo courageously moved out in the open to the aid of the wounded scout and was himself wounded but brought the man to safety. Refusing aid, S/Sgt. DeFranzo reentered the open field and led the advance upon the enemy. There were always at least 2 machineguns bringing unrelenting fire upon him, but S/Sgt. DeFranzo kept going forward, firing into the enemy and 1 by 1 the enemy emplacements became silent. While advancing he was again wounded, but continued on until he was within 100 yards of the enemy position and even as he fell, he kept firing his rifle and waving his men forward. When his company came up behind him, S/Sgt. DeFranzo, despite his many severe wounds, suddenly raised himself and once more moved forward in the lead of his men until he was again hit by enemy fire. In a final gesture of indomitable courage, he threw several grenades at the enemy machinegun position and completely destroyed the gun. In this action, S/Sgt. DeFranzo lost his life, but by bearing the brunt of the enemy fire in leading the attack, he prevented a delay in the assault which would have been of considerable benefit to the foe, and he made possible his company's advance with a minimum of casualties. The extraordinary heroism and magnificent devotion to the duty displayed by S/Sgt. DeFranzo was a great inspiration to all about him, and is in

keeping with the highest traditions of the armed forces.

*Cole, Robert G.*

Rank and organization: Lieutenant Colonel, U.S. Army, 101st Airborne Division.

Place and date: Near Carentan, France, 11 June 1944.

Entered service at: San Antonio, Tex.

Birth: Fort Sam Houston, Tex.

G.O. No.: 79, 4 October 1944.

Citation: For gallantry and intrepidity at the risk of his own life, above and beyond the call of duty on 11 June 1944, in France. Lt. Col. Cole was personally leading his battalion in forcing the last 4 bridges on the road to Carentan when his entire unit was suddenly pinned to the ground by intense and withering enemy rifle, machinegun, mortar, and artillery fire placed upon them from well-prepared and heavily fortified positions within 150 yards of the foremost elements. After the devastating and unceasing enemy fire had for over 1 hour prevented any move and inflicted numerous casualties, Lt. Col. Cole, observing this almost hopeless situation, courageously issued orders to assault the enemy positions with fixed bayonets. With utter disregard for his own safety and completely ignoring the enemy fire, he rose to his feet in front of his battalion and with drawn pistol shouted to his men to follow him in the assault. Catching up a fallen man's rifle and bayonet, he charged on and led the remnants of his battalion across the bullet-swept open ground and into the enemy position. His heroic and valiant action in so inspiring his men resulted in the complete establishment of our bridgehead across the Douve River. The cool fearlessness, personal bravery, and outstanding leadership displayed by Lt. Col. Cole reflected great credit upon himself and are worthy of the highest praise in the military service.

*Butts, John E.*

Rank and organization: Second Lieutenant, U.S. Army, Co. E, 60th Infantry, 9th Infantry Division.

Place and Date: Normandy, France, 14, 16 and 23 June 1944.

Entered service at: Buffalo, N.Y.

Birth: Medina, N.Y.

G.O. No.: 58, 19 July 1945.

Citation: Heroically led his platoon against the enemy in Normandy, France, on 14, 16, and 23 June 1944. Although painfully wounded on the 14th near Orglandes and again on the 16th while spearheading an attack to establish a bridgehead across the Douve River, he refused medical aid and remained with his platoon. A week later, near Flottemanville Hague, he led an assault on a tactically important and stubbornly defended hill studded with tanks, antitank guns pillboxes and machinegun emplacements and protected by concentrated artillery and mortar fire. As the attack was launched 2d Lt. Butts, at the head of his platoon, was critically wounded by German machinegun fire. Although weakened by his injuries, he rallied his men and directed 1 squad to make a flanking movement while he alone made a frontal assault to draw the hostile fire upon himself. Once more he was struck, but by grim determination and sheer courage continued to crawl ahead. When within 10 yards of his objective, he was killed by direct fire. By his superb courage, unflinching valor and inspiring actions, 2d Lt. Butts enabled his platoon to take a formidable strong point and contributed greatly to the success of his battalion's mission.

*Ogden, Carlos C.*

Rank and organization: First Lieutenant, U.S. Army, Company K, 314th Infantry, 79th Infantry Division.

Place and date: Near Fort du Roule, France, 25 June 1944.

Entered service at: Fairmont, Ill.

Born: 19 May 1917, Borton, Ill.

G.O. No.: 49, 28 June 1945.

Citation: On the morning of 25 June 1944, near Fort du Roule, guarding the approaches to Cherbourg, France, 1st Lt. Ogden's company was pinned down by fire from a German 88-mm. gun and 2 machineguns. Arming himself with an M1 rifle, a grenade launcher, and a number of rifle and handgrenades, he left his company in position and advanced alone under fire, up the slope toward the enemy emplacements. Struck on the head and knocked down by a glancing machinegun bullet, 1st Lt. Ogden, in spite of his painful wound and enemy fire from close range continued up the hill. Reaching a vantage point, he silenced the 88-mm. gun with a well-placed rifle grenade and then, with handgrenades, knocked out the 2 machineguns, again being painfully wounded. 1st Lt. Ogden's heroic leadership and indomitable courage in along silencing these enemy weapons inspired his men to greater effort and cleared the way for the company to continue the advance and reach its objectives.

*Kelly, John D.*

Rank and organization: Technical Sergeant (then Corporal), U.S. Army, Company E, 314th Infantry, 79 Infantry Division.

Place and date: Fort Du Roule, Cherbourg, France, 25 June 1944.

Entered service at: Cambridge Springs, Pa.

Birth: Venango Township, Pa.

G.O. No.: 6, 24 January 1945

Citation: For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty. On 25 June 1944, in the vicinity of Fort du Roule, Cherbourg, France, when Cpl. Kelly's unit was pinned down by heavy enemy machinegun fire emanating from a deeply entrenched strongpoint on the slope leading up to the fort, Cpl. Kelly volunteered to attempt to neutralize the strongpoint. Arming himself with a pole charge about 10 feet long and with 15 pounds of explosive affixed, he climbed the slope under a withering blast of machinegun fire and placed the charge at the strongpoint's base. The subsequent blast was ineffective, and again, alone and unhesitatingly, he braved the slope to repeat the operation. The second blast blew off the ends of the enemy guns. Cpl. Kelly then climbed the slope a third time to place a pole charge at the strongpoint's rear entrance. When this had been blown open he hurled handgrenades inside the position, forcing survivors of the enemy gun crews to come out and surrender. The gallantry, tenacity of purpose and utter disregard for personal safety displayed by Cpl. Kelly were an incentive to his comrades and worthy of emulation by all.

#### LOST IN CYBERSPACE

Mr. DOLE, Madam President, telecommunications policymaking is like our space program. We are exploring the unknown. But while Houston ground control keeps our spacecraft from getting lost, Congress cannot seem to do the same for our telecommunications policy. In fact, it seems that our proregulator friends are lost in cyberspace. "Earth to regulator. Come in regulator." I have been waiting for years, and still no answer.

News stories across the Nation confirm my fears. I came across a story in

the New York Times entitled, "Goals Collide in Cable TV Rate Plan." It is virtually impossible to regulate lower prices without stagnating the development of new services. No doubt about it, the FCC could have made the process a whole lot simpler. But Congress is to be blamed, too. After all, it was Congress which told the FCC to devise a regulatory scheme.

For instance, the cable law requires the FCC to develop regulations that would simulate price structures if a cable TV system had competition. The idea was we all knew competition brings lower prices and better services. However, instead of taking the straightforward approach of injecting real competition, which I advocated, Congress saw fit to create the most complicated, confusing way of mimicking competition imaginable. I guess today they call that virtual reality. Well that is fine if we are writing science fiction. But Congress writes policy. And to set good policy, we should deal in reality.

The fact is that technology is developing faster than Congress can respond. The fact is that competition should replace monopoly regulation. The fact is that current regulatory policy shackles American communications companies. The fact is that all forms and levels of government have confused communications businesses to the point that sound, long-term decisions cannot be made.

Madam President, we will be judged by how we respond to these realities. One thing is certain, we should not use the Cable TV Act as the model.

#### CABLE TV REGULATIONS ARE IMMENSE

Almost 2 years have gone by since we passed that law. Officially, cable rate regulations went into effect on May 15. However, most consumers will not see any changes until July 14, 1994. It is my understanding that the FCC allowed this phase-in period because it realized that its rules were so complicated.

This is amusing in light of FCC Chairman Hundt's assurances that the rules were not complicated. In fact, his chief of staff insisted that the FCC's cable regulations were only 14 pages long and that I misrepresented the Commission's work when I stated that the paper trail exceeded 500 pages.

Well, he would be correct if he was only referring to the Commission's 14-page ruling on benchmarks. However, I was also including the 11-page ruling on cost of service, the 475 pages of supporting documents and new proposals, the 93 pages of forms and instructions that every cable operator must read and fill out, and the additional 54 pages of forms and instructions for those who choose cost-of-service regulation. That is 647 pages of paperwork. Stack those pages end to end and they would be taller than the Washington Monument. And, it does not stop there. The Commission has released corrections, and it

is my understanding that form 1211 and its instructions have yet to be released.

#### REGULATIONS STAGNATE INNOVATION

Madam President, the Cable TV Act and our current forays into communications policy reminds me of those crazy Rube Goldberg contraptions. You know, let us see how complicated we can make a simple task like opening a door. The problem is that instead of opening the door to future innovation, regulators are slamming it shut.

We all know the most recent cable TV rate rollback helped scuttle major deals. But what is business supposed to do when the Government establishes contradictory, arbitrary rules and later changes them? Instead, we should establish clear-cut policies that will provide these companies the security to make long-term investments. If we do not construction of the so-called information superhighway will face unwarranted delay.

In fact, the regulatory road we are heading down right now will wreck some companies that would have survived under competition. Chairman Hundt was certainly correct when he stated that "some firms will enjoy tremendous success. Others may fail. Our job is not to guarantee success. Our job is to make sure that the opportunities are there." But he should have—and did not say—that it is not the FCC's job to drive honest companies out of business. Let us face it, in the coming months we will see several cable companies, large and small, go under. Not because they were bad operators, but because a 17-percent rate cut will eliminate their profits and hinder them from meeting their financial obligations. I hope that my colleagues are prepared for the backlash when consumers turn on their TV's one day, only to find that their service has been cut off—and it will not be coming back any time soon.

#### ESTABLISHING CLEAR COMMUNICATIONS POLICY

Madam President, like many of my colleagues I have been concerned for some time about the courts setting communications policy. That is our role, not theirs. As we move forward on current communications legislation, I would urge the Congress to establish clear-cut policy and ignore fancy mechanisms that we all know will end up being challenged in court.

As I noted earlier, the cable TV rate regulation went into effect on May 15. Ironically, that is the same day that the Supreme Court invoked the Sherman Antitrust Act and dissolved Standard Oil 83 years ago. It seems to me that as we move forward on future communications legislation, we should be thinking more along the lines of the Sherman Act, not the Cable TV Act. This will limit the court's role in communications, and will reestablish Congress as the policymaker. No doubt about it, this will make some proregulators Greene with envy—Judge

Greene that is. But that is what happens when Congress steps up to its responsibilities.

#### CUBA

Mr. DOLE. Madam President, last weekend, a boat with dozens of Cubans fleeing Castro's tyranny was attacked by Cuba's Coast Guard. Four people were wounded by gunfire in the attack, at least one of them a child. The ship was eventually rescued by the U.S. Coast Guard in international waters, and made it to safety. The Cuban Government will even attack children fleeing Castro's island prison.

This is just the latest example of what more than 30 years of repression has done to the Cuban people. But after three decades, Castro's dictatorship is teetering. He has lost his patrons in the Soviet Union. His efforts to spread revolution in Latin America failed dismally. His troops are out of Africa. The Cuban economy is in a shambles while the Cuban jails are full.

It is no wonder discontent with Castro's rule is higher than ever. The Cuban Air Force knows the flight path to Key West and regularly flies in. Refugees are fleeing at a rate of 500 a month. Now is the worst possible time to ease the pressure on Cuba. If the West had not held firm in the cold war, the Soviet Union would still exist. Yet, there are some who want to lift the embargo in Cuba. Madam President, the embargo is working. Pressure is working. Castro's options are reduced every day. And every day, Cuba's freedom grows closer.

The embargo on Cuba is fundamentally different from the embargo on Haiti. Haiti has not seized American property. Haiti has not destabilized its neighbors, or built armed forces able to project power around the world. Haiti has not, fortunately, descended into the totalitarian nightmare of Cuba. Human rights violations in Haiti are deplorable, but the Haitian Government has not fired on boats of Haitians leaving. In Haiti, the border with the Dominican Republic is not mined the way approaches to Guantanamo Bay in Cuba are. Haitians build boats to flee without interference from the army or police. No one should compare the two situations.

I hope that maintaining the embargo on Cuba is a foreign policy promise this administration keeps. And if they do not, I believe the Congress will ensure there is no weakening or lifting of the embargo against Castro's Cuba. America should not bail out Fidel Castro and Cuban communism.

I yield the floor.

Mr. MITCHELL addressed the Chair. The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### FEDERAL AVIATION ADMINISTRATION AUTHORIZATION ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. MITCHELL. Madam President, noting the presence of the distinguished Republican leader on the floor, I wonder if I might direct an inquiry to him.

As the distinguished leader knows, we debated several hours yesterday the resolution on the Whitewater matter. We were prepared to vote last evening but were told our colleagues would not permit a vote to occur and are prepared to vote today.

I would like to inquire of my colleague whether or not the Republican colleagues will be prepared to permit a vote to occur today on the matter.

Mr. DOLE. I hope that will be the case, I say to the majority leader. We will be discussing it in our Cloakroom. A number of our colleagues have come in who have been outside the city.

We hope we can accommodate this request and, of course, accommodate the majority leader.

So I will get back to the majority leader within the next 30 minutes.

Mr. MITCHELL. I appreciate that very much.

I thank my colleague.

I yield the floor.

Mr. DOLE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### VERMONT'S HEALTH CARE PLAN

Mr. DOLE. Madam President, I would like to bring to the attention of my colleagues a rather compelling article in today's New York Times—"Vermont Shows How Health Care Can Fail."

What struck me about this article is that a State, like Vermont, with relatively low medical costs, few illegal aliens, an uninsured population of about 11½ percent, compared to 15 percent nationwide, and generous social welfare benefits—qualities conducive to comprehensive health care reform—could not enact such legislation.

Vermont is also unique in that it is the only State whose Governor—Howard Dean—is a physician. I have had the pleasure of meeting with Governor Dean and was impressed with his knowledge of health care. But, despite his expertise, the plan collapsed.

Madam President, it was not the fault of the Governor. And, it was not the fault of Democrats, or the fault of Republicans, that health care reform did not pass in Vermont. It was due to the very nature of the legislation that was being considered, the enormity of its costs, and its lack of public support.

What Vermont tried to pass is very similar to the President's plan and to democratic bills currently before the

Congress—the plan had mandatory alliances, global budgets, employer mandates, and a one-size-fits-all basic benefit package—the very same elements that are cause for concern for many Americans and for many of our colleagues—on both sides of the aisle.

One of the most compelling parts of this article, Madam President, was the statement made by the majority leader of the State Senate. In essence, he said the plan lost support in the end because officials refused to discuss the unpleasant financing details in the beginning.

I think this may be the very same trap we may be heading for here. I am hopeful that there will be enough of us to put together a reasonable, sensible, bipartisan package. Maybe this is not an example of what would happen here, but it seems to me that if you do not have the public's support, as we learned here on catastrophic coverage a few years ago, if it is not there when you act, it is not going to be there after something passes.

What this experience tells me, and what I hear from constituents in Kansas, is: Go slow and get it right. Congress comes back every year, and every year there is going to be somebody here—100 Senators—and they are going to be dealing with the issues of the day. We can do some this year and some next year.

The Finance Committee has a reputation of being a consensus committee, not a partisan committee. I think if anybody would go back and look at all the measures going through the Finance Committee—health care or anything else—you will find that in nearly every case it was either a unanimous voice vote, or 16-4, or something like that maybe, on amendments. Rarely on final passage have we had a strict party-line vote. So there is still some hope.

Yesterday, the chairman of the Finance Committee, Senator MOYNIHAN, gave us a nine-page document, and we are in the process of examining that. It seems to me that, just on first blush, it is about \$190 billion in new taxes, and a lot of mandates, and a lot of people are going to be denied the right to self insure.

There are problems, but as the chairman pointed out, I think it is a place to start, and we will see what happens in the next several weeks.

I ask unanimous consent that a New York Times article be printed in the RECORD.

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

VERMONT SHOWS HOW A HEALTH BILL CAN FAIL

(By Robert Pear)

MONTPELIER, VT., JUNE 4.—For years, Vermont set an example to the nation, showing how to regulate health insurance to control prices and expand coverage. Now it offers a

different lesson, showing the perils of trying to enact a health care overhaul that is both ambitious and complex.

Gov. Howard Dean, a doctor who is vice chairman of the National Governors' Association and who will soon be the group's chairman, listed health care as his top priority in January. He asked the General Assembly to pass legislation very similar to that proposed by President Clinton. But the Governor's plan collapsed last month, spurned by liberal Democrats who said it did too little and by Republicans who said it did too much.

"We tried to do too much too quickly," said State Representative Sean P. Campbell of Saxtons River, a Democrat who is the majority leader of the House and chairman of a special committee that drafted a health care bill. "It was too big. We couldn't swallow it. We ended up spitting it out."

Over and over, when Vermont residents describe their experience, they liken it to the national struggle over health care. They wonder how Congress can pass comprehensive legislation if it has proved impossible in a state like this, where the politics are much less complicated, the lobbying is more restrained and the Governor has a high approval rating as well as a large store of political capital.

State Senator Matt Krauss of Barre, a moderate Republican, said: "Early this year there was a great expectation that we would pass a comprehensive health care bill. But the more the public learned about the details and the cost, the more nervous they became. The general public soured on health care reform. In the month before our vote in the Senate Finance Committee, it became clear that the bloom had gone off the rose.

"Our mind-set was that we were going to revamp the health care system from top to bottom," Mr. Krauss continued. "In retrospect, that was a bad mistake. We should have been more realistic and targeted. We should have taken health care reform in small, modest doses, in doable increments. By trying to tackle everything, we ended up accomplishing nothing."

Like the President's plan, Governor Dean's proposal would have required employers to help pay health insurance premiums for their employees. As in the Clinton plan, most people would have obtained coverage through a purchasing pool, or alliance, and the government would have set an annual budget for all health spending.

A compromise bill that included new taxes to finance coverage for the uninsured died in the Senate Finance Committee. The vote was 7 to 0 against the bill, with four Republicans joining three Democratic backers of a Canadian-style system in which the government pays for the health care of its citizens.

One of those Democrats, State Senator Elizabeth M. Ready of Bristol, said she still supported "single payer" approach, financed with tax revenue. "I'm not wavering in that," she said. "It's clear and true vision."

But she has concluded that "We must take small, deliberate steps, an evolutionary rather than a revolutionary approach, because we're not going to get the whole enchilada."

In an interview, Governor Dean, a Democrat, asserted that "an unholy alliance of the far left and the far right killed a bill that would have guaranteed health insurance to everybody in the state."

Vermont has 15 hospitals, 1,000 practicing doctors, comparatively low medical costs, two major private health insurers, 68,500 uninsured people (out of a population of 576,000) and a history of bipartisan cooperation by

conscientious public officials. The state takes pride in its quality of life and in its comparatively generous social welfare benefits.

Vermont residents are widely conversant with the complexities of overhauling health care, having studied the issue for four years. Vermont was among a half-dozen states that could not wait for the Federal Government to act on health care; it passed its own laws in 1991 and 1992. These measures require insurers to sell coverage at standard rates to people regardless of their medical histories, and they set annual spending goals for each hospital.

State Senator John Carroll of Norwich, a Republican who is majority leader of the Senate, supported that legislation. This year he was ready to vote for new taxes to finance coverage of the uninsured, and he supported a plan requiring employers to contribute to the cost of coverage for their employees—two ideas opposed by many Republicans in Congress.

Mr. Carroll says the health care plan died here mainly because public officials delayed discussing unpleasant financial questions.

"The most important questions about health care reform are financial: How much does it cost, and who pays?" said Mr. Carroll. "There was a persistent tendency to put off those questions to the end. It was a fatal mistake. Those are the toughest questions, and we should have confronted them at the beginning."

Analyzing what they describe as their "health care meltdown," many Vermonters agree with State Senator Althea Kroger of Essex Junction, a Democrat and assistant minority leader of the Senate, who said: "We underestimated the complexity of the issue. We underestimated the opposition."

And many are asking, in the words of Norman E. Wright, president of the Vermont Hospital Association, "Did we have a dream bigger than our ability to perform?"

State Senator Peter E. Shumlin of Putney, a Democrat, said: "This is as much our fault as the special interests. We all collectively share the blame for telling voters this would be simple, easy, painless and free."

On the other hand, Governor Dean said that Vermont's failure showed the need for Federal action. "We really need a Federal framework," he said in the interview. The Federal Government, he said, should define a standard set of health benefits for all Americans and should prescribe some method of financing, whether through premiums or taxes, but should let states decide the best way of delivering health care.

Moderate Republicans, an endangered species in Washington, have dominated the Republican Party in Vermont. Likewise, the left wing of the Democratic Party is more influential here than in Washington. Nevertheless, Mr. Dean sees many similarities between Montpelier and Washington. Negative advertising frightened many consumers. Here, as in Congress, there was intense pressure to make the benefits package more generous and therefore more expensive.

Asked why health legislation has died this year, State Representative Robert J. Harris of Windsor, a Democrat, said, "The cost, pure and simple."

The Vermont House seriously considered raising income and payroll taxes to help pay for health care. Local newspapers published tables showing that state income taxes would double for many people. "It scared the daylight out of the public," Governor Dean said.

People generally did not realize that the new taxes would replace premiums they were

already paying for health insurance. House members, deluged with complaints, beat a hasty retreat. The bill that was eventually passed by the House did not specify a level of benefits or a means to pay for them; it called for a study of those questions.

"The opponents of health care reform were much more motivated than the supporters," the Governor said. "Businesses that favored health care reform sat on their hands."

On the other hand, Mr. Dean said, many advocates of a single payer health system used what he called "slash and burn tactics" to block a compromise.

"They were incredibly inflexible," he said. "They were more interested in ideological purity than in actually providing health care to the uninsured."

Alan Hark, a lobbyist for the Vermont Low-Income Advocacy Council, said some single payer advocates "did a disservice to their constituents, especially those who are uninsured, because they were so rigid and inflexible."

State Senator Cheryl P. Rivers of Bethel, a leader of the liberal Democrats, rejected such criticism but acknowledged that "we formed an alliance with the most conservative Republicans who didn't want anything."

"Instead of standing up to the special interests and getting efficiencies from the health care system, the Senate bill would have required middle-class people and small businesses to pay for health care reform," she said. "It would have taxed the benefits of people already insured, and it would have created a new welfare-like program for the uninsured."

#### WAITING FOR A CONSENSUS

When a bill dies, legislators often say they ran out of time. But State Senator Jan Backus of Brattleboro, a Democrat who is chairwoman of the Senate Committee on Health and Welfare, said that "in some ways, we had too much time"—people found more to dislike as they studied the legislation more closely.

It became evident, as Senator Ready said, that "we as Vermonters, we as a nation, have not come to a consensus on what to cover or how to pay for it."

Some Republicans said that rather than devising its own health insurance scheme, Vermont should wait to see what Congress does.

But as the legislature crawled toward adjournment, State Representative Margaret F. Martin of Middlebury, a Democrat who heads the House Committee on Health and Welfare said: "I'm battered and bruised and very, very disappointed. What happened here is, I fear, what will happen nationally."

#### COMMENDING SENATORS MOYNIHAN AND KENNEDY FOR THEIR HEALTH CARE PROPOSALS

Mr. MITCHELL. Madam President, I want to commend Senator MOYNIHAN, the chairman of the Finance Committee, for his leadership in presenting a detailed and positive proposal yesterday. I also commend Senator KENNEDY and the members of his committee for their action in reporting a bill yesterday. Both have demonstrated extraordinary leadership in moving this process forward.

I think it is fair to say that not a single Senator agrees with every single

provision in any bill. Some want changes in the President's bill; some want changes in the Labor Committee bill; some want changes in Senator MOYNIHAN's bill; some want changes in the bills presented by Senator CHAFEE and our Republican colleagues; and those offered by Senator BREAUX and Congressman COOPER. There are a lot of proposed changes. It is heartening to see the process moving forward, and that would not have occurred but for the leadership of Senators KENNEDY and MOYNIHAN. I commend them for their actions.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MURKOWSKI. Madam President, I ask unanimous consent to speak for 4 minutes as in morning business.

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

#### UNITED STATES-CANADIAN FISHERIES RELATIONSHIP

Mr. MURKOWSKI. Madam President, one of the more important natural resource arrangements that we have with our northern neighbor, Canada, is the Pacific Salmon Treaty, with which the Chair is well familiar. This is a treaty under which both our countries have agreed to share the benefits of salmon production along the west coast of the United States. However, today the treaty is in serious trouble, as the Canadian Government decided on unilateral action against the interests of the United States.

This year, negotiations intended to renew several annexes to the treaty broke down, with Canada's refusal to participate in a key negotiating session in January of this year, and subsequent refusal to reopen meaningful discussions on the important conservation measures, unless the United States agreed to Canadian demands for an equity agreement that would be to Canada's advantage and the United States' disadvantage.

The main goal of the Canadian strategy appeared to be to attempt to gain United States agreement to closing or severely limiting traditional United States fisheries in both Alaska and Puget Sound. In doing so, the Canadians would have succeeded in gaining unprecedented concessions, limiting our own jurisdiction over salmon in our waters, which under both the Magnuson Act and the Law of the Sea should remain solely in our hands. That is in the hands of the United States.

Canada has complained that the United States has not been willing to

negotiate an equity agreement. This is not the case at all. As the State Department noted yesterday, the United States proposed a framework for resolving this highly complicated matter and ensuring that, as the treaty requires, each country gains benefits equivalent to production of salmon from its waters. Canada, however, was not willing to approach this task in an organized, logical fashion, and instead insisted that the United States simply accede to the demands of Canada. Ultimately, they refused to meet further.

Canada's actions, and Canada's actions alone, led to the failure of our two countries to agree on annexes needed to protect stocks of salmon from rivers on both sides, including endangered and depressed salmon from the Columbia and Snake Rivers, and from other coastal streams in the United States.

Canada's solution to the impasse was to attempt to force the issue into a political arena, where it hoped the administration would attempt to override the democratic process established for treaty-related decisions, and join the Canadians in forcing the Canadian view down the throats of the States of Washington, Oregon, California, and Alaska, and of the treaty Indian tribes of the Pacific Northwest, all of whom, under the implementing legislation for the treaty, are entitled to a say in what happens. In other words, they are the decisionmakers, as well.

To the great credit of the administration, it has refused to give in either to the blandishments or the blackmail, and has firmly stood to protect the rights of Americans, the role of American States and tribes, and the U.S. national interest in control of its own resources.

However, things have progressed today so that Canada has announced the first of what it says would be a series of initiatives designed to manage its fisheries, in the words of the Canadian Minister of Fisheries, "to their own advantage and the United States' disadvantage."

The first action came yesterday, with the announcement that Canada intends to charge, Madam President, United States fishing vessels approximately \$1,100 for each trip traversing Canada's waters between Puget Sound and my State of Alaska. In other words, boats entering the Canadian waters would be charged \$1,100 one way. This has nothing to do with the realities associated with meeting and resolving our difference of opinion on the Pacific Salmon Treaty. This is a unilateral action by the Canadian Government through the Minister of Fisheries to simply level a fine for boats transiting what had been traditional free passage through Canadian waters in transit from Puget Sound in the State of Washington to my State of Alaska.

In my opinion, this move is an absolute violation of international law

which ensures the protection and the right of free passage, and may well be in violation of the North American Free-Trade Agreement and of other measures to which Canada had previously committed itself in a cooperative manner with the United States.

Worse, it potentially endangers the lives of Americans who would, if barred from the sheltered waters of the Inside Passage, have to take their small boats on the outside of Vancouver Island, offshore to the rough and unpredictable and dangerous open ocean.

Madam President, I call on the President of the United States and the State Department to protest this outrageous and illegal action in the strongest possible terms, and on other Agencies of the United States to take whatever action is necessary to protect the lives, safety, and economic interests of United States citizens jeopardized by Canada's unwarranted and inappropriate behavior.

If necessary, Madam President, I would call for the State Department to advise the U.S. Coast Guard that, if necessary, the Coast Guard should be authorized to accompany U.S. fishing vessels traversing from Puget Sound to Alaska. Obviously, unless the Canadian Government sees fit to withdraw this, we are going to have an incident. A vessel will be stopped and then we will have to face up to the threats of the Canadian Government.

It is my hope that the State Department will advise the Canadian Government of its intent to ensure free passage in the traditional manner that we have enjoyed, traversing our vessels between Puget Sound and Alaska, and ask that they reconsider before such situation develops where we do have an incident.

If necessary, again, Madam President, I think it is appropriate that our Coast Guard be alerted, and I know Senator STEVENS has already initiated that contact. I have alerted the State Department of our concern to ensure that we immediately get a review of the international law which would encompass questions such as this, and that we communicate to the Canadian Government our intention to maintain the right of free passage as we have traditionally had it in the past.

I thank you, Madam President, and I yield the floor.

#### FEDERAL AVIATION ADMINISTRATION AUTHORIZATION ACT OF 1994

The Senate continued with the consideration of the bill.

Mr. FORD. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum has been suggested, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FEINSTEIN). Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I rise to address the issue of section 211 of the Federal Aviation Administration Act and its effects on the trucking industry of our Nation. I am concerned that apparently the Senate is going to move forward on what appears to be a major shift in the way the Federal Government looks at the issue of regulation of the trucking industry, which has long term and far-reaching implications, in the guise of an amendment to a bill dealing with our Nation's airlines. I feel it is inappropriate for the Senate to take such a major step in this area without the benefit of full discussion and a serious examination of the ramifications of this action. I wish the Senate could have hearings on this matter so that the interests of all parties affected could be fully aired. As it stands, many individuals whose lives may be impacted by this legislation are not even aware of the details as the Senate proceeds in an unconventional manner to address the issue of trucking regulation.

Several aspects of the current process disturb me. First, I question the forum. Is an airport improvement bill, which has been held up for many months in the congressional process due to many contentious issues, the appropriate place to deal with the Nation's trucking system? I know that the issue has been couched in the terms of adjusting the definition of "intermodal all-cargo air carriers" for the purposes of exemption from some State regulation, but the current language that is scheduled to come before the Senate goes well beyond those limits. In an attempt to satisfy interests of large trucking firms across the Nation, the bill has been continuously expanded. First the bill was to deal with Federal Express and United Parcel Service; then the definition broadened to include those other large trucking interests whose voices speak loudly in the Halls of Congress. My colleagues have rushed to expand the definition of air carriers to levels that stretch the imagination with the apparent objective of assuring that any major trucking firm in their State is also an air carrier. This is no way to address this important matter.

I also would question the wisdom of our approach to this issue. Perhaps in a hearing process some of my concerns could be addressed, but I must say that in this context many serious questions come to mind. It would appear that this legislation would unduly restrict the legitimate and constitutional prerogative of the States to place limits and restrictions on intrastate movement of goods. The Constitution gives

the Federal Government the ability to regulate only interstate commerce. The scope of this legislation would appear to raise serious concerns about the intrusive hand of big brother stepping into an arena that is best left to our State officials. While the issue of excessive Federal mandates has been rising in prominence—rightly so I might add—it is just as intrusive and inappropriate for the Federal Government to step in and tell States what they cannot do. It is important that we not unduly restrict the ability of the States to make decisions regarding the movement of goods and the regulation of services within their own borders when those restrictions are reasonable. I fear that the Senate is acting hastily and carelessly on this issue and I would urge that we step back from this decision and consider the matter with the deliberation and thoughtfulness it deserves.

Madam President, I yield the floor.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. I thank the Chair.

Madam President, I thank my friend and colleague from Iowa for his remarks which I have been listening to with regard to the bill that is before us. I share some of his concerns. The bill before us is must-pass legislation. While there may be some legitimate differences of opinion as to what amendments are attached thereto, this bill, because of its vital concern for aviation, is going to pass, should pass, and certainly this Senator is not going to do anything to stand in the way of passing that measure.

However, I will simply say that my friend from Iowa and this Senator and others have discussed this from time to time. I will say, as the chairman of the Surface Transportation Subcommittee of the Commerce Committee, that I have offered, and offer again now if it is appropriate, and if there is sufficient interest, we can still hold some hearings on this matter in the Commerce Committee, either at the subcommittee or the full committee level, if there is sufficient interest in the body for that to happen.

I might add a little bit more to the history of what brought us to this place.

It all started some time ago by an action by a Federal court that basically said Federal Express, which is primarily an air freight carrier with local distribution, was not controlled by the existing statutes with regard to truck regulation because they were, essentially, as I understand the court's interpretation, an air transportation carrier and not a local carrier in the generally accepted context of those rules and regulations and laws.

When that happened, of course, it allowed Federal Express as the one and only carrier of its type to get out from

under the State regulations. Whether you can argue that is right or wrong, it is very clear it gave Federal Express an advantage that their competitors did not have.

So the Congress, in its wisdom, or lack thereof, rather than enacting legislation that could have been enacted, in my view, to place Federal Express on the same playing field as all of the other carriers, the Congress, in its wisdom, or lack thereof, has decided to take the opposite route, which is to make the court mandate, the court decision, applicable to everyone else that is in the trucking industry, basically, that owns an airplane. That is a pretty broad interpretation, but I believe that in layman's language is what we are coming to.

In essence then, I think we should understand that to a large extent this is a massive deregulation of many of our very large carriers that transport goods in one fashion or another—basically, those that have parcels or packages or freight that go part way by airplane, and then have to be delivered by truck at the local level.

All kinds of problems come up in this regard. I, too, have heard from many of my small and smaller local truckers who are very much concerned about this. Strangely enough, at least this Senator has not heard from the National Governors Association on this matter. The Senator from Iowa clearly indicated that there may be some concerns in this area. We have not heard from the individual Governors to any significant extent, nor have we heard from the National Governors Association. I suspect that we will be hearing from them as we go on. All too often the National Governors Association, of which I was once a member, reacts rather than acts, after we have taken action on legislation.

I should also like to recognize the comments that were made a day or two ago by my friend and colleague from South Dakota, who I note is in the Chamber at this time, expressing some of the same concerns that have been expressed by others. I believe that given the situation we face, the action suggested by the Senator from South Dakota, and just a few moments ago by the Senator from Iowa, is very much appropriate, had to be said in this context and in that regard.

I would, therefore, hope that if there once again is sufficient interest in this, after this measure passes, which I think it will, and for which I will vote in support, if there is sufficient interest by any and all parties, there would be nothing wrong or inappropriate for us to hold appropriate hearings on this matter before this measure eventually becomes law in some form.

There is a dual problem here. While I have some concerns, as do my colleagues, about the actions that have resulted from the Federal Express

court decision in their favor, and while it might well be we should have deregulation of some of these larger carriers, it has potentially a very dramatic and possibly significant effect on the interests of the States and the responsibilities that they have as outlined constitutionally by the Senator from Iowa. Therefore, I believe that we are all similarly situated in this.

Let me say that while there may be some concerns about the big truckers, whatever their shipping modus operandi is, there may be some good reasons that this further deregulation—and that is what it is under whatever guise—might be a step in the right direction from the interest of the consumers. Some of the smaller truck lines throughout the United States may have, as some maintain, too exclusive, too much protection in the interest of consumers on certain lines. So there are all kinds of conflicting economic situations that come into play here, and it might well be that at least we could ferret out some of those in some type of a hearing under some appropriate body of the Senate.

With that, I thank Senator FORD and the other leaders of this measure for recognizing the fact that we have waited far too long and had far too much delay on the matter that directly affects the quality and costs of airplane travel in the United States, so they are moving basically in the right direction, while I would agree with my colleagues that there is some concern about the matter that has been appropriately raised with regard to how far we are going in deregulation or how far we are not going in that area.

Madam President, I thank the Chair, and I yield the floor.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. FORD. Madam President, I thank my friend from Nebraska for his kind words. Senator PRESSLER and I have worked very, very hard to put together a piece of legislation that would try to meet everybody's concerns. I do not think we are perfect, so therefore we do not have a perfect piece of legislation. Particularly when one would have a view and others have a view, you try to get a majority view.

But I say to my friend from Iowa, I do not know anything unconstitutional about what we have done. That is speculation. The Senator's interpretation of it being unconstitutional is just as good as mine. I am not a lawyer, and as my father told me, a little knowledge of the law is dangerous, so get a good lawyer and stay with him or her. That is what I try to do.

We had a court case here that hurt the people in Iowa. They have a major installation there. What do we do to try to eliminate the problem as it faces the Senator's State, my State, and other States. That was pretty tough.

For 8 months we labored with this. We talked to the leaders on that side, leaders on this side. We talked to companies. We talked to everyone we knew of to talk to.

The United Parcel people, under the ruling, would have to take packages from Iowa, cross the border into an adjacent State, take the packages out of that truck and put them into another one and then drive back in order to meet the rules which applied to them but did not apply to the other companies.

That created two problems. One, it increased costs; if the consumer used them, it would cost more. And secondly, it would be, maybe, so high that it would put them out of business. So something had to be done in order to try to level the playing field.

As the Senator mentioned, some carriers got an airplane and figured that would do. So we had to find a shake-down part where we could get a consensus that would be acceptable.

Now, my friend from Nebraska, Senator EXON, and I have been friends for a long time and there is nothing we do but what we do not try to share everything. He has some concerns, as the Senator does, as I do. We have lowered the number of packages in the bill from 50,000 to 15,000, which I think is about as broad a door as you can walk through as it relates to the problems we faced prior to this piece of legislation.

We have not interfered with ICC in this legislation. I do not think we have interfered with any kind of safety, insurance problems, et cetera. There are bound to be problems that we will face. But as Senator EXON has said, he is willing to hold hearings. We will have a reform bill as it relates to FAA before the year is over. We will have plenty of time to get into minute detail.

I wish to tell the Senator, when you go day and night for weeks and months and you try to work this thing out—now for 8 months—I think the package we have satisfies more people than we had when we started. So I am hopeful that under section 211, if we will be able to move forward, we have leveled the playing field and created competition which will be better for the consumer.

Whatever problems the Senator may have, the Senator is not on the committee and the Senator said he did not know about all these other things, and so he is talking about what his view is there rather than what we have really been doing. Senator PRESSLER and I and our staffs have just labored monumentally to try to arrive at where we are today.

I think if we were not doing this, the problems would be greater than they will be after the legislation is passed. And then we say to the Senator that we will be more than willing to get back with Senator EXON, if they need

hearings, to work with him 110 percent. The FAA reform legislation, a lot of things can be included in that. So I hope the Senator would not make a judgment on this without looking through it in minute detail.

Mr. GRASSLEY. Madam President, will the Senator yield?

Mr. FORD. Madam President, I will be glad to yield for a question.

Mr. GRASSLEY. As to the comment where the Senator said that if we would look at this, we would be better off if we were not doing anything, I do not have any disagreement as that applies to Federal Express or UPS. What the Senator said there is what I am asking the question about.

Does the Senator extend that to reducing the packages down from 50,000 to 15,000 to accommodate other trucking companies?

Mr. FORD. Madam President, that is part of the effort we have made here, I might say, to accommodate those that have been creating problems for the Senator from Iowa. We have opened the wide door now as it relates to their ability to participate. If you are not in the 15,000 category, my judgment is it may not be that you would be in the business or want that kind of business or be able to handle that kind of business, anyhow.

So I think there is a level of stability and a level of accommodation. I am hoping that what we have done here, once it gets into place, and the reality of what we have done with not eliminating any ICC, or other approaches—as the Senator from Iowa mentioned in his statement earlier, we have not touched ICC. We just have new rules under which they operate.

Mr. GRASSLEY. I thank the Senator.

Mr. FORD. I thank the Senator, and I thank my friend from Nebraska, and I look forward to working with them in any way.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRESSLER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. PRESSLER addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

#### ORDER OF PROCEDURE

Mr. PRESSLER. Madam President, I ask unanimous consent to speak as if in morning business for a period of 5 minutes.

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

#### PEACE IN CENTRAL ASIA: PLEDGING TO END CONFLICT AMONG ARMENIANS AND AZERIS

Mr. PRESSLER. Madam President, today I rise to call attention to the continuing conflict among Armenians and Azeris over the Nagorno-Karabakh region of Azerbaijan in Central Asia. This is not the first time I have brought this issue to the Senate floor. I repeatedly have urged my colleagues, and the current, past, and present administrations, to help ease the suffering in Armenia. Yet, the fighting continues.

Together, with several of my colleagues, I recently signed a letter to President Clinton imploring him to continue efforts to end the fighting in the Transcaucas region of Central Asia. In this letter, we urged the President to remain vigilant in providing human aid and technical assistance to help improve living conditions for war-ravaged Armenians.

After a long winter, wrought with conflict and resource depletion, Armenians have a pressing need for foreign assistance if they are to move forward in their fight for democratic and economic reforms.

Since 1988, Armenians and Azeris have battled violently for control of the Nagorno-Karabakh region. Armenians in Nagorno-Karabakh have fought for independence from the Azeris, who in turn have defended the territorial integrity of the region. The fighting rages on as the two ethnic factions remain unable to reach agreement over the now war-torn Nagorno-Karabakh enclave.

Our world has remained unstable and troubled even as animosities among the superpowers has dissipated. Citizens in the Transcaucas region continue to search for peace. We must do all we can to help them achieve this goal.

Madam President, I remain committed to helping the Armenians and Azeris find lasting peace. Members of the Congress, along with the President, must not ignore the suffering and longstanding fighting in Azerbaijan. We must pledge our humanitarian support and encourage an end to the bloodshed.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MATHEWS). Without objection, it is so ordered.

#### FEDERAL AVIATION ADMINISTRATION AUTHORIZATION ACT OF 1994

The Senate continued with the consideration of the bill.

Mrs. FEINSTEIN. Mr. President, I respectfully request the chairman's reconsideration of a specific provision which has been incorporated into this important legislation.

As the chairman knows, section 211 of S. 1491 deregulates intrastate trucking for small-package carriers. Concerns have been raised that it could eliminate States' authority over safety and insurance aspects of the affected carriers. The California Public Utilities Commission is concerned that economic and safety regulations are often intertwined, and as a result, this legislation could preempt State safety regulating authority, thereby jeopardizing the State's ability to protect public safety on highways.

It is my understanding that it is not the intent of this legislation to exempt the carriers affected by this bill from the relevant safety regulations; nor was this bill designed to impede States and their pertinent subdivisions from adopting, implementing, and enforcing highway safety and insurance standards. Mr. President, I hope the chairman will correct me if I am wrong, but although this bill deregulates the intermodal carrier industry, I have interpreted section 211 as being crafted with the implicit understanding that the authority of States or their relevant subdivisions to enact or enforce any law, rule, regulation, standard, or other provision functioning as law intended to protect and safeguard the public from the unsafe operations of motor carriers on public highways would be preserved; including, but not limited to the requirement that any persons engaging in the transportation of property by motor carrier, whether such property has had or will have a prior or subsequent air movement, obtain and keep effective operating authority issued by a State or relevant political subdivision.

Mr. FORD. The Senator from California is correct in her interpretation of section 211 of S. 1491. It was not my intent upon introduction of this legislation to in any way erode the State safety and insurance regulatory control over small-package carriers, but rather, merely to deregulate the intrastate trucking aspect of such carriers. My provision would serve specifically to regulate economic, not safety matters. I would like to thank the Senator for clarifying any misunderstanding relating to this feature of the bill.

#### QUORUM CALL

Mr. FORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 2]

Ford Mathews Mitchell  
The PRESIDING OFFICER. A quorum is not present.

The Senator from Maine.

Mr. MITCHELL. Mr. President, during the morning we have had discussions attempting to reach an agreement on how to best dispose of the matter. We have not been able to do so. We continue to request that there be a vote today on the Whitewater matter. Colleagues have indicated that they will not permit that to occur.

Therefore, I am now going to have another vote to instruct the Sergeant at Arms. This will be the last vote today. We will not be in session on Monday. There will be another such vote at 10 a.m. on Tuesday. Senators should be prepared to be here at 10 a.m. on Tuesday. We will resume consideration of the bill and this amendment.

Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and 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. The question is on agreeing to the motion of the Senator from Maine to instruct the Sergeant at Arms to request the attendance of absent Senators. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Oklahoma [Mr. BOREN], the Senator from California [Mrs. BOXER], the Senator from Connecticut [Mr. DODD], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Hawaii [Mr. INOUE], the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Georgia [Mr. NUNN], and the Senator from Virginia [Mr. ROBB] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Mississippi [Mr. COCHRAN], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Texas [Mr. GRAMM], the Senator from Texas [Mrs. HUTCHISON], the Senator from Kentucky [Mr. MCCONNELL], and the Senator from Pennsylvania [Mr. SPECTER] are necessarily absent.

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

The result was announced—yeas 70, nays 13, as follows:

[Rollcall Vote No. 135 Leg.]

YEAS—70

Akaka	Bryan	Cohen
Baucus	Bumpers	Conrad
Bingaman	Byrd	Coverdell
Bradley	Campbell	Danforth
Breaux	Chafee	Daschle
Brown	Coats	DeConcini

Dole	Johnston	Pell
Domenici	Kassebaum	Pressler
Dorgan	Kennedy	Pryor
Durenberger	Kerrey	Reid
Exon	Kohl	Riegle
Feingold	Leahy	Rockefeller
Feinstein	Levin	Roth
Ford	Lieberman	Sarbanes
Glenn	Lugar	Sasser
Gorton	Mack	Shelby
Graham	Mathews	Simon
Grassley	Metzenbaum	Simpson
Gregg	Mikulski	Stevens
Harkin	Mitchell	Thurmond
Hatch	Moseley-Braun	Wellstone
Hatfield	Moynihan	Wofford
Heflin	Murray	
Jeffords	Packwood	

NAYS—13

Bond	Kempthorne	Smith
Burns	Lott	Wallop
Craig	McCain	Warner
D'Amato	Murkowski	
Helms	Nickles	

NOT VOTING—17

Bennett	Faircloth	Lautenberg
Biden	Gramm	McConnell
Boren	Hollings	Nunn
Boxer	Hutchison	Robb
Cochran	Inouye	Specter
Dodd	Kerry	

So the motion was agreed to.

The PRESIDING OFFICER. With the addition of Senators voting who did not answer the quorum call, a quorum is present.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

## MORNING BUSINESS

Mr. DECONCINI. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. DECONCINI. Mr. President, I will yield to the Senator from Rhode Island for 1 or 2 minutes, not losing my right to the floor after the Senator from Rhode Island is finished.

The PRESIDING OFFICER. The Senator from Rhode Island.

## CONTAINING NORTH KOREA'S NUCLEAR THREATS

Mr. PELL. Mr. President, North Korea's refusal to comply with its obligations under the Nuclear Non-Proliferation Treaty has provoked a grave international crisis. No one should doubt the seriousness of the situation or the gravity of its test of the mettle of President Clinton and his foreign policy team. The critical nature of the dilemma, however, should not be aggravated by loose talk and false bravado.

For the past several years, under both President Bush and President Clinton, the objectives of the United States and the International Atomic Energy Agency [IAEA] have been: First, to determine North Korea's past nuclear weapons activities, and second,

to limit future North Korean weapons development.

It has become clear that North Korea's objective has been to use their apparent nuclear weapons program to gain political legitimacy in the West, principally the United States, while rebuffing pressure from the international community to end their nuclear program.

North Korea does not want its nuclear past exposed. Its decision to change fuel rods in its 5-megawatt nuclear reactor at Yongbyon at this time and in an accelerated fashion, precluded IAEA analysis, was evidently intended to keep its nuclear past cloaked in mystery. Without proper examination of the fuel rods during their withdrawal from the reactor, international experts cannot verify if North Korea withdrew plutonium at an earlier period.

We must presume the worst as long as we do not know what North Korea has done in the past. That worst, at a minimum, means as reported in the press one to two nuclear weapons.

North Korea may now consider that it has the best of both worlds. Because we do not know the extent of its nuclear arsenal, we must assume it has one, thus gaining for North Korea the attention it so obviously craves. It has served their purpose of ending their more than 40 years of diplomatic isolation. There is nothing North Korea may fear more than being ignored.

For several months, the United States has held talks with North Korea to seek their agreement to nuclear inspections by IAEA officials. I have always preferred talk to conflict, and I supported this effort, although it has not thus far achieved its stated objectives. But we must also recognize that the United States is not the only interlocutor. Regional states such as China, South Korea, and Japan all have a role as well as the United Nations, including the U.N. Command in South Korea.

In addition to the obvious threat of conflict including the use of nuclear weapons, there are three reasons why we must remain vigilant:

An active North Korean nuclear weapons program may provoke a similar response by South Korea and Japan, both of whom have remained out of the nuclear arms race;

Such a program could eventually lead North Korea to export nuclear weapons to terrorists or to rogue countries such as Libya and Iran, as North Korea now does with its conventional weapons; and

North Korea's nuclear program combined with its expanded missile program may result in a potential nuclear threat to the United States.

I am concerned that regional states do not appear to have a sufficient fear of North Korea's nuclear program. Japan is reportedly reluctant to have an embargo placed on North Korea and

hesitates to curb financial remittances by Koreans residing in Japan to North Korea, although these transactions may add close to \$2 billion annually to the North's reserves. While South Korea appears more concerned than Japan, they are also reluctant to provoke a confrontation which would risk a conflict, or to increase tension that could hurt their economic prosperity.

North Korea is not the only country with the potential to threaten nuclear terrorism. We urgently need to develop practical means to enforce our admirable commitment to restrain the international proliferation of weapons of mass destruction.

The eventual threat posed by the North Korean development of intercontinental ballistic missiles capable of carrying nuclear warheads has been monitored closely by the United States, and needs to be factored now in our strategic defense planning.

Given the dire consequences of another war on the Korean peninsula, nuclear or conventional, I believe there are a number of measures that we should take now. These include:

Suspending bilateral talks at any level between the United States and North Korea. The International Atomic Energy Agency and the U.N. Command in South Korea should be the principal interlocutors with the North until such time North Korean deeds match their promises in terms of compliance with the Nuclear Non-Proliferation Treaty;

Reassessing the American military force structure in South Korea and Japan;

Moving ahead with Japan to build a theater missile defense system in the region;

Reassessing South Korean defensive capabilities to establish that they are sufficient to meet the North's threat, and to verify that their forces continue to complement United States forces in South Korea, under U.N. Command;

Working with our allies on international efforts to end trafficking in weapons of mass destruction. It is time to use all the means at our disposal to shred the veil of hypocrisy that now covers the world arms trade; and

Taking such measures, either through the United Nations or with our allies, to enforce economic sanctions on North Korea, particularly to constrain international financial transactions.

I hope that such measures would bring North Korea to its senses. If they do, and if the regime is prepared to come out of its self-imposed isolation, then there is a real possibility that peace and stability in the region can be enhanced. But they may not and I would say with all seriousness that we must prepare the American people for the possibility that force may need to be used at some time in the future to ensure our own national security, as well as that of South Korea and other countries in the region.

The PRESIDING OFFICER. The Senator from Arizona.

#### KEEPING THE CSCE USEFUL

Mr. DECONCINI. Mr. President, many articles have been written and pronouncements made in recent months about the future security order in Europe and the former Soviet Union. Fancy phrases such as "interlocking institutions" and "European security architecture" have been used repeatedly, masking the uncertainty of the experts who toss them about and the policymakers who draw inspiration from using such phrases.

The area faces a fundamental dilemma—how to make newly independent governments and newly powerful movements play by the rules of civilization when there is uncertainty what those rules are and whether world powers, particularly the United States, are willing to enforce those rules when they are broken. This uncertainty has brought us war in the Balkans, war in the Caucasus, bloody civil conflict in Tajikistan, just to mention a few of the areas in conflict.

So long as this dilemma persists, lasting resolution of the crises in the region is unlikely. Some small and promising beginnings in preventing conflict, and in helping local citizens live together, have emerged, I am proud to report. Some of these have come from the efforts of the Conference on Security and Cooperation in Europe [CSCE], or Helsinki Process. Its High Commissioner on National Minorities monitors and promotes solutions to national minority-related tensions in several states, notably the Baltics. Although they have not been given sufficient resources or political support to facilitate resolutions to crises, its missions report on and work to ease local tensions which can blow up into international conflict and, indeed, has in Bosnia and Herzegovina. Training, legal assistance, and seminars work to educate officials and activists in human rights standards and implementation, promoting harmonious societies to prevent conflicts. These are the kinds of activities that our citizens understand and support in this country. We are based on that rule of law and that kind of a system. An international organization with such a pragmatic focus is a good investment for the United States and we should continue to support the CSCE.

However, some CSCE states are less interested in the efforts themselves than in promoting to have grand designs for the future and sometimes expansion of their territories. The temptation of strategies and architectures is always with us; but they mean nothing to the everyday people caught in the crossfire of ethnic hatred and economic deprivation.

I would urge this administration to keep this in mind as it responds to the

latest initiative for CSCE, put forward by the German and Dutch Foreign Ministers last month. Their view of the future for CSCE involves increasing the powers and centralization of its bureaucracy, a step which has had disastrous results at the United Nations and which this Congress is still trying to reverse; passing off more CSCE activities to that same overburdened and overbureaucratized United Nations; and pursuing arms control initiatives conceived at the end of the cold war and negotiated, continuously but with diminishing returns, ever since this occurred. We have to be careful, and I hope the administration pays heed to this suggestion.

The CSCE can accomplish more for us than providing employment for diplomats and window-dressing for national inaction. The United States should take the lead in presenting initiatives that would make use of CSCE's experience on the ground, broad membership, and comprehensive mandate to work for peace, democracy and stability. These might include, and I cite these as examples because planning for CSCE's Budapest Review Conference is at an early stage: support for the activities of the War Crimes Tribunal for the former Yugoslavia and for efforts to build democracy and guarantee human rights in the Bosnian Federation; education programs on international humanitarian law, to prevent the recurrence of the kind of repulsive violence we have seen in the Bosnian conflict; and more attention to the human rights issues so often at the root of conflict. Efforts to prevent and resolve conflict would be more effective if states worked out common approaches to the problems of peacekeeping and self-determination. The United States, which does not always give CSCE the attention the organization deserves, should act to prevent it from becoming a shadow organization, suited only for grandiose but empty gestures.

I thank the Chair, and I yield the floor.

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

#### COMMITMENT TO INNOVATION AND EXCELLENCE

Ms. MOSELEY-BRAUN. Mr. President, last week I visited a school in Chicago that has not been front-page news but, frankly, should be. I visited a school the other day where the floors were so clean that you could eat off them. I visited a school where the walls were decorated with pictures and projects from the various classes at that school. This was an elementary school, and it was situated right in the heart of the Robert Taylor Homes, a housing development in Chicago that

has made national news and captured international attention for the problems, for the violence, for the degradation in that community, that has gripped that community.

I was at the Beethoven Elementary School to learn about their Bank-at-School Program. I found a wonderful project in a wonderful school in the middle of a troubled and violent public housing complex. Beethoven School should be in the news because it is an example of what can be done and what is being done by principals, teachers, parents, and students to make learning possible.

I was there to take part in an award ceremony for 15 student bank tellers of the Bank-at-School Program. In this program, a bank—in this case it was the Cole Taylor Bank—partners with the school. The bank trains students to be tellers, to take deposits, and to keep track of accounts. Their money is then deposited in the Cole Taylor Bank, where it earns interest.

The Illinois Bank-at-School Program was organized by the Illinois treasurer's office with the assistance of 170 Illinois banks; 45,000 elementary school students currently participate in the program.

In all, Illinois students have saved a total of \$152,000 through the Illinois Bank-at-School Program. At the Beethoven School, 110 students have saved \$1,673.59 at Cole Taylor Bank, and I can assure you, Mr. President, they keep track of every penny.

The Bank-at-School Program has been operating at the Beethoven School now for some 2 years, and some students of Beethoven still come back to do their banking at the school or send deposits in to the school bank with their younger brothers or sisters.

Bank-at-School has been such a great success in large part because of the commitment of Beethoven School's principal, Ms. Lula Ford, and the teachers and, of course, the students.

This commitment is illustrated in another project that was part of or associated with Bank-at-School—the eighth grade store. Students are placed in positions of management and power. They decide on the products, they price those products, they sell sample products which are donated from the Merchandise Mart and other vendors in Chicago to fellow students, to teachers, and to parents.

I must say, I bought a little vase for a planter from the store while I was there. They handle inventory, price markups, and even markdowns when the inventory is not selling. In short, they become entrepreneurs as part of the school store.

The students in the process teach themselves about money and put their academic knowledge to practical use. The profits from the store are deposited in the Bank-at-School bank.

Mr. President, these young people are, by this initiative, being provided a

glimpse of how money works in ways that might not otherwise be available to them. They are being given tools to enter the economic mainstream that they might not otherwise have. The Bank-at-School Program is a stellar example of how hope can be kept alive in even the most difficult environments when people care.

I want to congratulate the school's leadership, the State treasurer and Cole Taylor Bank executives for their vision and for their caring. I want to congratulate the students of Beethoven School for showing us all what they can do given a chance.

Mr. President, I visited a school the other day in the middle of Robert Taylor Homes with a bank, a store, and a commitment to innovation and excellence. I visited a school that should be front-page news, and I hope that this glimmer of hope becomes a beacon to guide our collective efforts to keep the American dream alive.

Thank you, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TRANSPORTATION AMENDMENTS ACT OF 1994

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 432, H.R. 1758, a bill to revise and codify certain laws relating to transportation; that the bill be read a third time and passed, the motion to reconsider laid upon the table, and any statements thereon appear in the RECORD at the appropriate place.

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

So the bill (H.R. 1758) was passed.

#### POKAGON BAND OF POTAWATOMI INDIANS FEDERAL SERVICES RESTORATION ACT OF 1994

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar 434, S. 1066, a bill to restore Federal services to the Pokagon Band of Potawatomi—I am sure I am not correct on that—Indians.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1066) to restore Federal services to the Pokagon band of Potawatomi Indians.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no consideration, the Senate proceeded to consider the bill.

AMENDMENT NO. 1777

(Purpose: To make technical changes)

Mr. FORD. Mr. President, on behalf of Senator INOUE, I send a technical amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. FORD], for Mr. INOUE, proposes an amendment numbered 1777.

Mr. FORD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In section 2, strike "(25 U.S.C. 461 et seq.)" and insert "(25 U.S.C. 461 et seq.; commonly referred to as the 'Indian Reorganization Act')".

In section 8, after "Indian Child Welfare Act", insert the following: "of 1978".

The PRESIDING OFFICER. If there is no objection, the amendment is agreed to.

So the amendment (No. 1777) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1066

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

The Congress finds the following:

(1) The Pokagon Band of Potawatomi Indians is the descendant of, and political successor to, the signatories of the Treaty of Greenville 1795 (7 Stat. 49); the Treaty of Grouseland 1805 (7 Stat. 91); the Treaty of Spring Wells 1815 (7 Stat. 131); the Treaty of the Rapids of the Miami of Lake Erie 1817 (7 Stat. 160); the Treaty of St. Mary's 1818 (7 Stat. 185); the Treaty of Chicago 1821 (7 Stat. 218); the Treaty of the Mississinewa on the Wabash 1826 (7 Stat. 295); the Treaty of St. Joseph 1827 (7 Stat. 305); the Treaty of St. Joseph 1828 (7 Stat. 317); the Treaty of Tippecanoe River 1832 (7 Stat. 399); and the Treaty of Chicago 1833 (7 Stat. 431).

(2) In the Treaty of Chicago 1833, the Pokagon Band of Potawatomi Indians was the only band that negotiated a right to remain in Michigan. The other Potawatomi bands relinquished all lands in Michigan and were required to move to Kansas or Iowa.

(3) Two of the Potawatomi bands later returned to the Great Lakes area, the Forest County Potawatomi of Wisconsin and the Hannahville Indian Community of Michigan.

(4) The Hannahville Indian Community of Michigan, the Forest County Potawatomi Community of Wisconsin, the Prairie Band of Potawatomi Indians of Kansas, and the Citizen Band Potawatomi Indian Tribe of Oklahoma, whose members are also descendants of the signatories to one or more of the aforementioned treaties, have been recognized by the Federal Government as Indian tribes eligible to receive services from the Secretary of the Interior.

(5) Beginning in 1935, the Pokagon Band of Potawatomi Indians petitioned for reorganization and assistance pursuant to the Act

of June 18, 1934 (25 U.S.C. 461 et seq., commonly referred to as the "Indian Reorganization Act"). Because of the financial condition of the Federal Government during the Great Depression it relied upon the State of Michigan to provide services to the Pokagon Band. Other Potawatomi bands, including the Forest County Potawatomi and the Hannahville Indian Community were provided services pursuant to the Indian Reorganization Act.

(6) Agents of the Federal Government in 1939 made an administrative decision not to provide services or extend the benefits of the Indian Reorganization Act to any Indian tribes in Michigan's lower peninsula.

(7) Tribes elsewhere, including the Hannahville Indian Community in Michigan's upper peninsula, received services from the Federal Government and were extended the benefits of the Indian Reorganization Act.

(8) The Pokagon Band of Potawatomi Indians consists of at least 1,500 members who continue to reside close to their ancestral homeland in the St. Joseph River Valley in southwestern Michigan and northern Indiana.

(9) In spite of the denial of the right to organize under the Indian Reorganization Act, the Pokagon Band has continued to carry out its governmental functions through a Business Committee and Tribal Council from treaty times until today.

(10) The United States Government, the government of the State of Michigan, and local governments have had continuous dealings with the recognized political leaders of the Band from 1795 until the present.

#### SEC. 2. FEDERAL RECOGNITION.

Federal recognition of the Pokagon Band of Potawatomi Indians is hereby affirmed. Except as otherwise provided in this Act, all Federal laws of general application to Indians and Indian tribes, including the Act of June 18, 1934 (25 U.S.C. 461 et seq.; commonly referred to as the "Indian Reorganization Act"), shall apply with respect to the Band and its members.

#### SEC. 3. SERVICES.

Notwithstanding any other provision of law, the Band and its members shall be eligible, on and after the date of the enactment of this Act, for all Federal services and benefits furnished to federally recognized Indian tribes without regard to the existence of a reservation for the Band or the location of the residence of any member on or near an Indian reservation.

#### SEC. 4. TRIBAL MEMBERSHIP.

Not later than 18 months after the date of the enactment of this Act, the Band shall submit to the Secretary membership rolls consisting of all individuals eligible for membership in such Band. The qualifications for inclusion on the membership rolls of the Band shall be determined by the membership clauses in the Band's governing documents, in consultation with the Secretary. Upon completion of the rolls, the Secretary shall immediately publish notice of such in the Federal Register. The Bands shall ensure that such rolls are maintained and kept current.

#### SEC. 5. CONSTITUTION AND GOVERNING BODY.

##### (a) CONSTITUTION.—

(1) ADOPTION.—Not later than 24 months after the date of the enactment of this Act, the Secretary shall conduct, by secret ballot and in accordance with the provisions of section 16 of the Act of June 18, 1934 (25 U.S.C. 476), an election to adopt a constitution and bylaws for the Band.

(2) INTERIM GOVERNING DOCUMENTS.—Until such time as a new constitution is adopted under paragraph (1), the governing documents in effect on the date of enactment of this Act shall be the interim governing documents for the Band.

##### (b) OFFICIALS.—

(1) ELECTION.—Not later than 6 months after the Band adopts a constitution and bylaws pursuant to subsection (a), the Secretary shall conduct elections by secret ballot for the purpose of electing officials for the Band as provided in the Band's constitution. The election shall be conducted according to the procedures described in subsection (a), except to the extent that such procedures conflict with the Band's constitution.

(2) INTERIM GOVERNMENT.—Until such time as the Band elects new officials pursuant to paragraph (1), the Band's governing body shall be the governing body in place on the date of the enactment of this Act, or any new governing body selected under the election procedures specified in the interim governing documents of the Band.

#### SEC. 6. TRIBAL LANDS.

The Band's tribal land shall consist of all real property, including the land upon which the Tribal Hall is situated, now or hereafter held by, or in trust for, the Band. The Secretary shall acquire real property for the Band. Any such real property shall be taken by the Secretary in the name of the United States in trust for the benefit of the Band and shall become part of the Band's reservation.

#### SEC. 7. SERVICE AREA.

The Band's service area shall consist of the Michigan counties of Allegan, Berrien, Van Buren, and Cass and the Indiana counties of La Porte, St. Joseph, Elkhart, Starke, Marshall, and Kosciusko.

#### SEC. 8. JURISDICTION.

The Band shall have jurisdiction to the full extent allowed by law over all lands taken into trust for the benefit of the Band by the Secretary. The Band shall exercise jurisdiction over all its members who reside within the service area in matters pursuant to the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.), as if the members were residing upon a reservation as defined in that Act.

#### SEC. 9. DEFINITIONS.

For purposes of this Act—

(1) the term "Band" means the Pokagon Band of Potawatomi Indians;

(2) the term "member" means those individuals eligible for enrollment in the Band pursuant to section 4; and

(3) the term "Secretary" means the Secretary of the Interior.

Mr. FORD. Mr. President, I move to reconsider and table the motion to reconsider.

The motion to lay on the table was agreed to.

#### UNITED NATIONS AND TAIWAN RESOLUTION

Mr. FORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 438, Senate Resolution 148, a resolution relating to the participation of Taiwan in the activities of the United Nations, that the resolution be agreed to, and the motion to reconsider laid upon the table, that the preamble be agreed to, and, that any statement relating to this measure be placed in

the RECORD at the appropriate place as if read.

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

The resolution (S. Res. 148) was considered and agreed to.

The preamble was agreed to.

The resolution and the preamble are as follows:

#### S. RES. 148

Whereas the United States has had a long history of friendship with the government of the Republic of China, more widely known as Taiwan;

Whereas Taiwan has the largest foreign reserves of any nation and a strong, vibrant economy, and now has the 20th largest gross national product in the world;

Whereas Taiwan has dramatically improved its record on human rights and now routinely holds free and fair elections in a multiparty political system;

Whereas agencies of the United States Government or the United Nations working with Taiwan does not prevent or imperil a possible voluntary union between the People's Republic of China and Taiwan any more than recognizing separate governments in the former West Germany and the former East Germany prevented the voluntary reunification of Germany;

Whereas Taiwan has much to contribute to the work and funding of the United Nations;

Whereas governments of other nations that maintain diplomatic relations with the People's Republic of China such as France and Norway, have also had ministerial-level exchanges with Taipei; and

Whereas it is in the interest of the United States and the United Nations to maintain good relations with a government and an economy as significant as that on Taiwan: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President, acting through the United States Permanent Representative to the United Nations, should encourage the United Nations to permit representatives of Taiwan to participate fully in the activities of the United Nations and its specialized agencies; and

(2) Cabinet-level exchanges between Taiwan and the United States should take place in the interests of both nations.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

#### RECOGNIZING PORTUGAL'S SPECIAL RELATIONSHIP WITH THE UNITED STATES, AND THE CONTRIBUTION OF PORTUGUESE-AMERICANS TO AMERICAN LIFE

Mr. FORD. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Senate Resolution 220, a resolution recognizing Portugal's special relationship with the United States; that the resolution and the preamble be agreed to; that the motions to reconsider be laid upon the table en bloc; and, that any statements thereon appear in the RECORD at the appropriate place.

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

The resolution (S. Res. 220) was considered and agreed to.

The preamble was agreed to.  
The resolution and the preamble are as follows:

## S. RES. 220

Whereas June 10, Portugal's National Day, celebrates the life and work of the 16th century poet Luis Vaz de Camões of Portugal, whose work extols the courage and exploits of Portuguese explorers who sailed to points beyond the horizon;

Whereas thousands of Portuguese have embarked on their own voyages to the United States, and today over 2,000,000 Americans are able to trace their ancestry to Portugal;

Whereas Portuguese Americans have distinguished themselves an honest, hard-working, patriotic, and family-oriented;

Whereas Portuguese Americans have achieved an important place in American culture through their participation in the arts, commerce, academics, sports, politics, and religion;

Whereas Portugal and the United States have had friendly and cordial relations since American independence;

Whereas Portugal and the United States continue to work together, cooperating through their membership in the North Atlantic Treaty Organization, to promote peace and to adapt to the challenges of a changing world in light of the lifting of the Iron Curtain;

Whereas Portugal and the United States have a relationship based on mutual respect and a sharing of interests and ideals, particularly a deeply held commitment to democratic values; and

Whereas it is appropriate to honor Portuguese Americans and celebrate the unique contributions both have made throughout the history of the United States; and

Whereas it is appropriate to honor Portuguese people and their national day: Now, therefore, be it

*Resolved*, That Portugal is hereby recognized for its special relationship with the United States, and that Portuguese people are hereby recognized for their special contributions to the United States.

Mr. CAMPBELL. Mr. President, I submitted a resolution that recognizes the special relationship between Portugal and the United States, and recognizes the special contribution that Portuguese people have made and continue to make to this country.

Mr. President, my native American heritage is pretty well known. What many people do not know is that I have a lot of Portuguese blood in me as well.

The occasion for this resolution is Portugal's National Day. Portugal celebrates its National Day on June 10. On this day, Portuguese people remember their heritage of exploration and their long, colorful national history.

Mr. President, I just had the chance to visit Portugal for the first time.

This is a good time, in honor of Portugal's National Day, to recognize the unique relationship between the United States and Portugal, and to show our appreciation for Portugal's support of our country ever since American independence.

This is also a good time to honor the 2 million Americans who trace their ancestry to Portugal. Portuguese-Americans contribute to all aspects of American life, in the arts, commerce,

academics, sports, politics, and religion. We have added our own special flavor to our large and multifaceted Nation.

This resolution has been cleared by the Senate Foreign Relations Committee. I would like to thank Senator HELMS for his support and help. I especially want to thank Senator PELL for his help in bringing this bill to the floor on such short notice because of its timeliness. Senator PELL is a great friend to Portugal, and represents a good number of Portuguese-Americans in his State, and I know he particularly appreciates their contributions to American life.

## COMMEMORATING PORTUGAL'S NATIONAL DAY

Mr. PELL. Mr. President, today, as Portugal celebrates its National Day, I believe it is a good opportunity to pay tribute to the people of Portugal as well as to the more than 2 million Americans who trace their ancestry to that country.

Yesterday, Senator CAMPBELL, who is himself a Portuguese-American, submitted a resolution to recognize Portugal's special relationship with the United States as Portugal celebrates its National Day. I commend Senator CAMPBELL for his efforts to bring this important day to the Senate's attention. I am pleased to join him in co-sponsoring this resolution.

I would note that I, too, have a strong bond to Portugal and its people. My father, Herbert Pell, served as U.S. Minister to Lisbon from 1937 to 1941, and I remember the friendly and warm welcome I always received when I visited my father while he held that post. My home State of Rhode Island boasts a large and energetic Portuguese population, and Portuguese-Americans have contributed greatly to the commercial, religious, and political life not only of Rhode Island, but of the Nation.

Sea trade, for example, was the most important aspect of United States-Portuguese relations during the last century, and New England fishermen regularly visited the Portuguese islands of Cape Verde and the Azores. Many Portuguese mariners joined the crews of the United States ships and eventually many of these sailors emigrated to Rhode Island towns, where their ancestors are leaders in our State's fishing industry.

I would also note that the first synagogue in the United States—the Touro Synagogue in Newport, RI—was dedicated in 1763 by Portuguese and Spanish Jews.

Portugal's National Day celebrates the life and work of the 16th century poet Luis Vaz de Camoes, demonstrating the high regard the Portuguese have for culture and the arts. Indeed, Portuguese Americans have made many important contributions to America's cultural life. For example, composers John Philip Sousa and Joe Raposo, writers Emma Lazarus and

John Dos Passos were Portuguese-Americans.

Three years ago, we celebrated the bicentennial of United States-Portuguese relations. At that time, I sponsored a resolution marking that anniversary and noted that our political and diplomatic ties with Portugal, a NATO ally and trusted friend, were strong. I am pleased to report that during the past 3 years, in the midst of a great deal of upheaval in Europe—war in the Balkans, the break-up of the Soviet Union, a reexamination of NATO's role—the ties between the United States and Portugal have remained solid. Our two countries continue to share a commitment to democracy, freedom and peace—values which are important not only as we confront a changing Europe—but as we approach challenges in the Middle East and Africa. Portugal is a great friend of the United States, and on this important day, I would like to pay tribute to Portugal and Portuguese-Americans.

## RECORD TO REMAIN OPEN UNTIL 3 P.M.

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that the RECORD remain open today until 3 p.m. for the introduction of legislation and statements.

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

## 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-2793. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the financial statements of the Pension Benefit Guaranty Corporation for fiscal years 1992 and 1993; to the Committee on Labor and Human Resources.

EC-2794. A communication from the Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of enforcement and budget activities for fiscal year 1990; to the Committee on Labor and Human Resources.

EC-2795. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the appropriate Federal role in assuring access by medical students, residents, and practicing physicians to adequate training in nutrition; to the Committee on Labor and Human Resources.

EC-2796. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation to amend and extend the authorization of appropriations for the Family Support Center Program under the Stewart B. McKinney Homeless Assistant Act, and for other purposes; to the Committee on Labor and Human Resources.

EC-2797. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the

implementation of the Age Discrimination Act during fiscal year 1993; to the Committee on Labor and Human Resources.

#### 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. DASCHLE (for himself and Mr. AKAKA):

S. 2178. A bill to provide a program of compensation and health research for illnesses arising from service in the Armed Forces during the Persian Gulf War; to the Committee on Veterans' Affairs.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE (for himself and Mr. AKAKA):

S. 2178. A bill to provide a program of compensation and health research for illnesses arising from service in the Armed Forces during the Persian Gulf war; to the Committee on Veterans' Affairs.

#### PERSIAN GULF WAR VETERANS' COMPENSATION ACT OF 1994

● Mr. DASCHLE. Mr. President, almost 4 years ago, the nation of Kuwait was invaded by Saddam Hussein, and then President George Bush ordered the deployment of American forces to the gulf. Fighting alongside other coalition forces, American service men and women defended Saudi Arabia against a possible Iraqi invasion and went on the drive Hussein's forces out of Kuwait.

From the homefront, the Persian Gulf war seemed like a rather neat and tidy conflict. The ground war lasted a mere 4 days. American casualties were relatively few, thanks to our technologically advanced weaponry. And our first troops were on their way home just 7 months after the conflict began.

Unfortunately, this picture does not reflect the true nature of the Persian Gulf conflict. Many American soldiers were in the Persian Gulf long after the war had ended. And to paraphrase Jesse Brown, Secretary of Veterans' Affairs, this was actually a very dirty war.

Those who served in the gulf during Operation Desert Shield/Desert Storm were potentially exposed to a wide range of toxins and environmental hazards. The list includes possible exposures to: smoke from oil well fires set by retreating Iraqi soldiers; industrial chemicals and pesticides; depleted uranium used in munitions; diseases endemic to the Persian Gulf; vaccines to prevent anthrax and botulism; anti-nerve agent pills; and chemical and/or biological agents.

After all that, is it really any surprise that many gulf war veterans are now sick?

We've all heard about their mystery illness, which has become known as Persian Gulf syndrome. Common symptoms include extreme fatigue, joint and muscle pain, short-term memory loss, diarrhea, unexplained rashes, night sweats, headaches, and bleeding gums. In addition, women veterans have experienced chronic or recurring yeast infections and menstrual irregularities.

So far, a single cause for all these problems has yet to be found.

To add to the mystery, these health problems are no longer limited to those who actually spent time in the gulf. Many ill veterans have watched helplessly as their spouses and even their children have become afflicted with unexplained ailments. There have also been many reports of miscarriages by military wives and birth defects in children born after the gulf war.

I do want to acknowledge that many research efforts are underway to determine the cause or causes of these illnesses. But we are far from any answers. At a recent symposium sponsored by the National Institutes of Health and the VA experts concluded that the complex environment in the gulf war theater caused complex adverse health effects, and that it thus appears these veterans have multiple illnesses with overlapping symptoms and causes.

And in the meantime, while we wait for those answers, veterans and their families are suffering.

The men and women who served in the Persian Gulf war did so with distinction and with honor. They were summoned to a distant country by their government and they went, leaving their loved ones behind and putting their lives on hold. Their government needed their help, and they responded.

Now many of these fine soldiers are ill as a result of their service in the gulf. They are having difficulty receiving quality and timely health care from the VA. Many cannot pay their bills because they are too sick to work.

These veterans need help from their government, and I believe the government has an obligation to respond.

Under title 38 of the United States Code, a veteran is entitled to compensation for "disability resulting from personal injury suffered or disease contracted in the line of duty." At present, however, the VA will not provide such a compensation unless a veteran's health problems can be explained by a specific diagnosis. This is true even if the veteran was clearly healthy before being deployed to the gulf and became disabled by sickness upon return.

Secretary Brown believes that the VA does not have the authority to extend compensation to gulf war veterans suffering from undiagnosed illnesses. Yesterday, however, he announced that the administration would support leg-

islation giving that authority to the VA.

I was encouraged by Secretary Brown's announcement. Never before has our government embraced the principle of providing compensation to veterans for illnesses which have not yet been defined.

However, I disagree with the Secretary on the issue of VA's authority. Like the other members of the Senate Veterans' Affairs Committee, I believe that the VA already has the authority to compensate for undiagnosed illness. The requirement of a diagnosis is a convention adopted by the VA to make its compensation decisions easier. It is not a requirement of law.

Nevertheless, my good friend Senator AKAKA and I have decided to introduce legislation on this issue for two reasons. First, our bill will make it clear that VA is to provide compensation to ill gulf veterans, even if we don't yet know what is making them sick. This will clear up the current disagreement over VA's authority in this area.

Second, our bill goes beyond the approach that was endorsed by Secretary Brown and the administration. To them, it is acceptable to cut off compensation after 3 years and to limit it to veterans who get sick within 2 years after coming home from the gulf.

To us, that approach is too limited.

The legislation we are introducing today would require the VA to provide compensation to veterans disabled by undiagnosed illnesses which have become manifest within 3 years of their return from the gulf. Further, it would specify that VA must pay this compensation until such time as it can show that a veteran's illness is unrelated to his or her gulf war service.

Our bill also seeks to expand outreach and research efforts by the VA. It would require the establishment of a program to keep Persian Gulf veterans and their families informed of ongoing research activities, as well as the services and benefits to which they are entitled. Specific measures would include the creation of a newsletter to be sent to those on the VA Persian Gulf Registry and a toll-free information line.

Additional funds for scientific research would be authorized. Specifically, the bill would provide funding for an epidemiological study by the National Academy of Sciences on the health risks and health effects of gulf war service on veterans and their families. A minimum of \$7.5 million per year for fiscal years 1995 through 2000 would be authorized for this purpose. Annual reports to Congress on the study's progress would be required. This legislation would also authorize \$5 million per year for fiscal years 1995 through 1998 for other research relating to the health effects of gulf war service.

I would like to note that this legislation is identical to H.R. 4540, which was

introduced in the House on Wednesday by my friend, Representative LANE EVANS. Representative EVANS and I have worked closely over the years on veterans' issues, and I want to commend him for his leadership on issues of concern to gulf war veterans.

Mr. President, for more than a decade, I fought to gain compensation for veterans whose illnesses were caused by their exposure to the toxic herbicide agent orange during the Vietnam war. This battle was eventually won on the basis of scientific evidence which showed an association between agent orange and these illnesses. But for the more than 10 years it took to discover this connection, ill veterans and their families suffered needlessly. We must not allow the same scenario to happen here.

I ask that a copy of this legislation be printed in the RECORD.

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

S. 2178

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Persian Gulf War Veterans' Compensation Act of 1994".

#### SEC. 2. CONGRESSIONAL FINDINGS.

The Congress makes the following findings:

(1) The United States bears responsibility for the care and treatment of illnesses and disabilities connected with service in the Armed Forces. When the etiology of a specific condition occurring in veterans is unknown, it is the Government's responsibility to give veterans the benefit of the doubt and to provide appropriate treatment and compensation until the scientific evidence warrants otherwise.

(2) During the Persian Gulf War, members of the Armed Forces (A) were exposed to numerous potentially toxic substances (including fumes and smoke from petrochemicals and depleted uranium), to infectious agents, to chemoprophylactic agents, and to indigenous diseases, (B) received multiple immunizations and (C) may have been exposed to various chemical and biological warfare agents. Threats of enemy use of chemical and biological weapons heightened the psychological stress otherwise associated with the military operation.

(3) Significant numbers of veterans of the Persian Gulf War are suffering from illnesses, or are exhibiting symptoms of illnesses, that cannot (as of the enactment of this Act) be diagnosed or clearly defined. As a result, many of these conditions or illnesses are not considered to be service connected for purposes of benefits administered by the Secretary of Veterans Affairs.

(4) The Technology Assessment Workshop on the Persian Gulf Experience and Health conducted by the National Institutes of Health found that the complex biological, chemical, physical, and psychological environment of the Southwest Asia theater of operations produced complex adverse health effects in Persian Gulf War veterans and that it appears as if there is no single condition or illness among affected Persian Gulf War veterans, but rather multiple illnesses with overlapping symptoms and causes.

(5) That workshop concluded that the data concerning the range and intensity of expo-

sure to toxic substances by military personnel in the Southwest Asia theater of operations are very limited and that such data were collected only after a considerable delay.

(6) In response to concerns regarding the health care needs of Persian Gulf War veterans, particularly those who suffer from undiagnosable conditions or illnesses, the Congress, in Public Law 102-585, directed the establishment of the Persian Gulf War Veterans Health Registry, authorized health examinations for Persian Gulf War veterans, and provided for the National Academy of Sciences to conduct a comprehensive review and assessment of information regarding the health consequences of military service in the theater of operations during the Persian Gulf War and to develop recommendations for research on such health consequences. In Public Law 103-210, Congress authorized the Department of Veterans Affairs to provide health care services on a priority basis to Persian Gulf War veterans. In Public Law 103-160, Congress provided funding for the establishment of a specialized environmental medical facility for the conduct of research into the potential health effects of low-level chemical exposure and for research on the potential health effects of battlefield exposure to depleted uranium.

(7) The workshop referred to in paragraph (4) noted that well-designed epidemiological studies have not been conducted to link the conditions or illnesses of the military personnel with exposures in the theater of operations during the Persian Gulf War and found that the absence of such studies has hampered efforts to provide treatment and compensation to veterans of the Persian Gulf War. Accordingly, further research and studies should be undertaken to determine the underlying causes of the illnesses suffered by Persian Gulf War veterans and, pending the outcome of such research, veterans who are seriously ill and whose illness may be related to their military service should receive compensation benefits to offset the impairment in earnings capacities they may be experiencing.

#### SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to require the Secretary of Veterans Affairs to provide compensation to Persian Gulf War veterans who have disabilities resulting from an illness or illnesses that cannot (as of the enactment of this Act) be diagnosed or defined and for which other causes cannot (as of the enactment of this Act) be identified until such time as scientific evidence demonstrates that the illnesses are unrelated to military service during the Persian Gulf War;

(2) to require the Secretary of Veterans Affairs to develop case assessment protocols and case definitions for such illnesses;

(3) to establish an outreach program to inform them of ongoing research activities as well as the services and benefits for which they are eligible; and

(4) to authorize further research activities, including an epidemiological study, on the health risks and effects of military service in the Southwest theater of operations during the Persian Gulf War.

#### SEC. 4. DEVELOPMENT OF CASE ASSESSMENT PROTOCOLS AND CASE DEFINITIONS.

(a) UNIFORM CASE ASSESSMENT PROTOCOL.—

(1) The Secretary of Veterans Affairs shall develop and implement a uniform case assessment protocol that will ensure thorough assessment, diagnosis, and treatment of all

Persian Gulf War veterans suffering from illnesses the origins of which are (as of the enactment of this Act) unknown and that may be attributable to service in the Southwest Asia theater of operations during the Persian Gulf War.

(2) If such a uniform case assessment protocol is not implemented before the end of the 120-day period beginning on the date of the enactment of this Act, the Secretary shall, before the end of such period, submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report as to why such a protocol has not yet been developed.

(b) CASE DEFINITIONS.—(1) The Secretary shall develop case definitions or diagnoses for illnesses, the origins of which are (as of the enactment of this Act) unknown and that may be associated with service in the Persian Gulf War.

(2) If such case definitions and diagnoses are not developed before the end of the 120-day period beginning on the date of the enactment of this Act, the Secretary shall, before the end of such period, submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report as to why such case definitions and diagnoses have not yet been developed.

(c) CONSULTATION.—Subsections (a) and (b) shall be carried out in consultation with the Secretary of Defense and the Secretary of Health and Human Services.

#### SEC. 5. OUTREACH TO PERSIAN GULF VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall implement a comprehensive outreach program to inform Persian Gulf War veterans and their families of the medical care and other benefits that may be provided by the Department of Veterans Affairs and the Department of Defense arising from service in the Persian Gulf War.

(b) NEWSLETTER.—The outreach program shall include a newsletter which shall be updated and distributed at least annually and shall be distributed to the veterans listed on the Persian Gulf War Veterans Health Registry. The newsletter shall include summaries of the status and findings of Government sponsored research on illnesses of Persian Gulf War veterans and their families as well as on benefits available to such individuals through the Department of Veterans Affairs. The newsletter shall be prepared in consultation with veterans service organizations.

(c) TOLL-FREE NUMBER.—The outreach program shall include establishment of a toll-free telephone number to provide Persian Gulf War veterans and their families information on the Persian Gulf War Veterans Health Registry, health care and other benefits provided by the Department of Veterans Affairs, and such other information as the Secretary considers appropriate. Such toll-free telephone number shall be established not later than 90 days after the date of the enactment of this Act.

#### SEC. 6. COMPENSATION FOR DISABILITIES RESULTING FROM ILLNESSES ASSOCIATED WITH SERVICE DURING THE PERSIAN GULF WAR.

(a) IN GENERAL.—

(1) Chapter 11 of title 38, United States Code, is amended by adding at the end of subchapter I the following new section:

"§1117. Compensation for conditions or illnesses of unknown origin associated with service during the Persian Gulf War

"(a) The Secretary shall pay compensation under this subchapter to a Persian Gulf War veteran suffering from a disability resulting from an undiagnosed illness, or combination

of illness, that becomes manifest to a degree of 10 percent or more within three years of separation from active military, naval, or air service.

"(b)(1) The Secretary shall issue, within 90 days of the date of the enactment of this section, preliminary regulations governing the award of such compensation.

"(2) The percentage of disability that equals 10 percent shall be described as 'mild impairment of social and industrial adaptability'.

"(3) The percentage of disability that equals a total or 100 percent rating shall be described as 'demonstratively unable to obtain or retain substantial gainful employment'.

"(4) In determining the rating schedule for such disability, the Secretary should examine analogous ratings.

"(5) In determining eligibility for compensation under this section, the Secretary shall give due consideration to 'lay evidence', including testimony provided by the claimant, supporting witnesses, and independent medical experts.

"(c) Not later than 60 days after the date on which the Secretary issues any proposed regulations pursuant to this section, the Secretary shall issue final regulations under this section. Such regulations shall be effective on the date of issuance.

"(d) A disability for which compensation under this section is awarded shall be considered to be service connected for purposes of all other laws of the United States.

"(e) Compensation may not be paid under this section for a disability occurring in a veteran—

"(1) where there is a preponderance of evidence that the disability was not incurred by the veteran in the Southwest Asia theater of operations during the Persian Gulf War; or

"(2) where there is a preponderance of evidence to establish that an intercurrent injury or illness which is a recognized cause of the disability was suffered by the veteran between the date of the veteran's most recent departure from the Southwest Asia theater of operations while on active duty and the onset of the disability.

"(f) For purposes of this section, the term 'Persian Gulf veteran' means a veteran who served on active duty in the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War.

"(g) Payments shall be made under this section to a veteran until such time as the scientific evidence demonstrates that the illnesses for which compensation is awarded under this section are not connected to service in the Southwest Asia theater of operations during the Persian Gulf War. The Secretary may cease payments under this section only after providing a report describing the Secretary's intentions, as well as the scientific basis for ceasing such payments, at least 90 days before implementation of such action to the Committees on Veterans Affairs of the Senate and House of Representatives.

"(i) Compensation awarded under this section shall not preclude a veteran from receiving retroactive compensation for a benefit claim that was filed before the date of the enactment of this section if the veteran's illness or illnesses are later found to be service connected.

"(j) The Secretary shall consider having all claims for compensation under this section adjudicated on a priority basis at a single Department facility in order to better ensure the consistency of rating decisions.

"(k) The Secretary shall have all claims for service-connected benefits connected to

an undiagnosable illness or illnesses in veterans of the Persian Gulf War that were denied before the date of the enactment of this section reopened and adjudicated as original claims. In such a case, the date of claim shall be considered to be the date on which the original claim was filed."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1116 the following new item:

"1117. Presumption of service connection for illnesses associated with the Persian Gulf War."

(b) EFFECTIVE DATE.—Section 1117 of title 38, United States Code, as added by subsection (a), shall take effect on October 1, 1994.

**SEC. 7. RESULTS OF EXAMINATIONS AND TREATMENT OF PERSIAN GULF WAR VETERANS WITH UNDIAGNOSABLE ILLNESSES.**

(a) ACCESS TO DATA.—The Secretary of Veterans Affairs shall enter into an agreement with the Secretary of Defense to have access to all clinical data of the Department of Defense on veterans of the Persian Gulf War who remain on active duty.

(b) ONGOING COMPILATION OF DATA.—The Secretary of Veterans Affairs shall compile and analyze, on a continuing basis, all clinical data obtained on veterans of the Persian Gulf War in connection with examinations and treatment furnished by the Department of Veterans Affairs and the Department of Defense that are likely (1) to be scientifically useful in determining the association between the undiagnosable illnesses of veterans and their service in the Southwest Asia theater of operations during the Persian Gulf War, and (2) to be useful in the development of case assessment protocols or case definitions.

(c) ANNUAL REPORT.—The Secretary shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives an annual report containing—

(1) the information compiled in accordance with subsection (b);

(2) the Secretary's analysis of such information;

(3) a discussion of the incidence of illnesses identified or treated by the Department of Veterans Affairs in the case of veterans referred to in subsection (b); and

(4) the Secretary's explanation for the incidence of such illnesses and disabilities.

**SEC. 8. EPIDEMIOLOGICAL RESEARCH.**

(a) CONTRACT.—The Secretary of Veterans Affairs shall enter into a contract for the conduct of an epidemiological study designed to assess both the short- and long-term health consequences of service in the Southwest Asia theater of operations during the Persian Gulf War on veterans of the Persian Gulf War and their immediate family members.

(b) OVERSIGHT.—(1) The Secretary shall seek to enter into an agreement with the National Academy of Sciences for the Medical Follow-Up Agency (MFUA) of the Institute of Medicine of the Academy for (A) the review of proposals to conduct the research specified in subsection (a), (B) oversight of such research, and (C) review of the research findings.

(2) If the Secretary is unable to enter into an agreement under paragraph (1) with the entity specified in that paragraph, the Secretary shall enter into an agreement described in that paragraph with another appropriate scientific organization which does not have a connection to the Department of Veterans Affairs. In such a case, the Sec-

retary shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives, at least 90 days before the date on which the agreement is entered into, notice in writing identifying the organization with which the Secretary intends to enter into the agreement.

(c) ACCESS TO DATA.—The Secretary shall enter into agreements with the Secretary of Defense and the Secretary of Health and Human Services to access and make available to the contractor under subsection (a) all data that the Secretary, in consultation with the National Academy of Sciences and the contractor, considers relevant to the study.

(d) STATUS REPORT.—Within 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives a report on the status of the contract specified in subsection (a).

(e) AUTHORIZATION.—There is authorized to be appropriated to the Department \$7,500,000 for each of fiscal years 1995 through 2000 for the conduct of the research specified in subsection (a). In addition to amounts for such research appropriated pursuant to the preceding sentence, the Secretary may provide funds for such research from any funds appropriated for any fiscal year after fiscal year 1994 for the purpose of research sponsored by the Department.

(f) ANNUAL REPORT.—For each year of the study, the Secretary shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives a report accompanying the budget for that year containing—

(1) the methodology and status of the study specified in subsection (a); and

(2) any preliminary analyses of the information compiled in accordance with subsection (a), including that provided by the National Academy of Sciences.

(g) FINAL REPORT.—At the conclusion of the study, the Secretary shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives a report accompanying the budget containing—

(1) the methodology of the study specified in subsection (a);

(2) the analysis of the information compiled in accordance with subsection (a), including that provided by the National Academy of Sciences;

(3) a discussion of incidence of illnesses observed in veterans of the Persian Gulf War and their families;

(4) the National Academy of Sciences conclusions concerning the health consequences of service in the Southwest Asia theater of operations during the Persian Gulf War on veterans and their immediate family members; and

(5) the Secretary's explanation for the incidence of such illnesses and disabilities and recommendations for future action.

**SEC. 9. AUTHORIZATION FOR OTHER RESEARCH.**

There is authorized to be appropriated to the Department of Veterans Affairs \$5,000,000 for each of fiscal years 1995 through 1998 for the conduct of research which the Secretary, in consultation with the Secretary of Defense and the Secretary of Health and Human Services, determines could advance understanding of health risks and effects of service during the Persian Gulf War and the means of treating those health effects.●

## ADDITIONAL COSPONSORS

S. 493

At the request of Mr. COHEN, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 493, a bill to amend the Public Health Service Act to facilitate the entering into of cooperative agreements between hospitals for the purpose of enabling such hospitals to share expensive medical or high technology equipment or services, and for other purposes.

S. 1096

At the request of Mr. SIMPSON, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 1096, a bill to amend the Foreign Assistance Act of 1961 to establish and strengthen policies and programs for the early stabilization of world population through the global expansion of reproductive choice, and for other purposes.

S. 1669

At the request of Mrs. HUTCHISON, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of S. 1669, a bill to amend the Internal Revenue Code of 1986 to allow home-makers to get a full IRA deduction.

S. 1826

At the request of Mr. KERRY the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 1826, a bill to reduce the deficit for fiscal years 1994 through 1998.

S. 1910

At the request of Mr. JOHNSTON, the names of the Senator from Mississippi [Mr. LOTT] and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of S. 1910, a bill to establish a national research program to improve the production and marketing of sweet potatoes and increase the consumption and use of sweet potatoes by domestic and foreign consumers, and for other purposes.

S. 1972

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1972, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize inclusion in a community policing grant of funds to pay 25 percent of the cost of providing bulletproof vests for 100,000 police officers.

S. 1983

At the request of Mr. HEFLIN, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 1983, a bill to provide that the provisions of chapters 83 and 84 of title 5, United States Code, relating to reemployed annuitants shall not apply with respect to postal retirees who are reemployed, on a temporary basis, to serve as rural letter carriers or rural postmaster.

## SENATE JOINT RESOLUTION 176

At the request of Mr. PRYOR, the names of the Senator from Maryland [Ms. MIKULSKI] and the Senator from Maine [Mr. MITCHELL] were added as cosponsors of Senate Joint Resolution 176, a joint resolution to designate the month of May 1994 as "Older Americans Month."

## SENATE JOINT RESOLUTION 178

At the request of Mr. DOMENICI, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from North Carolina [Mr. HELMS], the Senator from West Virginia [Mr. BYRD], the Senator from California [Mrs. FEINSTEIN], and the Senator from Wyoming [Mr. SIMPSON] were added as cosponsors of Senate Joint Resolution 178, a joint resolution to proclaim the week of October 16 through October 22, 1994 as "National Character Counts Week."

## SENATE JOINT RESOLUTION 185

At the request of Mr. PELL, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of Senate Joint Resolution 185, a joint resolution to designate October 1944 as "National Breast Cancer Awareness Month."

## AMENDMENTS SUBMITTED

POKAGON BAND OF POTAWATOMI INDIANS RESTORATION ACT OF 1994

## INOUYE AMENDMENT NO. 1777

Mr. FORD (for Mr. INOUYE) proposed an amendment to the bill (S. 1066) to restore Federal services to the Pokagon Band of Potawatomi Indians; as follows:

In section 2, strike "(25 U.S.C. 461 et seq.)" and insert "(25 U.S.C. 461 et seq.; commonly referred to as the 'Indian Reorganization Act')".

In section 8, after "Indian Child Welfare Act", insert the following: "of 1978".

## NOTICES OF HEARING

## COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, the Senate Rules Committee will meet on Thursday, June 16, 1994, at 9:30 a.m., in SR-301, to continue its markup of legislation on legislative reorganization and consider three original resolutions to amend the Standing Rules of the Senate with respect to committee procedure, floor procedure, and germaneness of amendments.

The hearing previously scheduled for Thursday, June 16, at 9:30 a.m., on Senate Resolutions 69, 157, and 158, to amend the Standing Rules of the Senate with respect to unfunded Federal mandates, has been canceled. It is the understanding of the Senate Rules Committee that the Senate Committee on Governmental Affairs plans to con-

sider legislation on unfunded Federal mandates at a markup on June 16. Any rescheduling of a Rules Committee hearing on this matter is subject to the actions of the Governmental Affairs Committee.

## AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON FINANCE

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today, Friday, June 10, 1994 at 10 a.m., to hear testimony on health care for nonworking people between the ages of 55 and 64.

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

## COMMITTEE ON INDIAN AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Friday, June 10, 1994, beginning at 9:30 a.m., in 485 Russell Senate Office Building on off-reservation boarding schools.

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

## SUBCOMMITTEE ON NUTRITION AND INVESTIGATIONS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry Subcommittee on Nutrition and Investigations be allowed to meet during the session of the Senate on Friday, June 10, 1994, at 9:30 a.m., in SD-562, on S. 1614, the Better Nutrition and Health for Children Act.

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

## ADDITIONAL STATEMENTS

## TRIBUTE TO MILFORD, NH

• Mr. GREGG. Mr. President, I rise today to recognize a special town in my home State of New Hampshire. As our Nation prepares to celebrate the 218th anniversary of our Declaration of Independence, it is appropriate and timely for us to recognize the contributions the people of the great town of Milford, NH, have made to our heritage.

Milford's origins and growth closely mirror that of our country. In 1764, Thompson Maxwell moved into the area that was to become known as Milford. In 1773, he took part in the Boston Tea Party and, later, fought along side 15 other future Milford citizens at the Battle of Bunker Hill. Fortunately, none of those patriots were killed or seriously wounded, although Lieutenant Maxwell reported he lost one fine shirt and one powder horn.

In 1794, the residents of the southwestern portion of Amherst, NH, and the northwestern section of Hollis, petitioned the New Hampshire General

Court for their independence and to be "invested with all the powers, privileges, and immunities which towns in this State are entitled to enjoy." That year, Augustus Blanchard became the first chairman of the Milford Board of Selectmen and served with Jacob Flinn and Benjamin Hutchinson in a tradition that continues to this day.

Some of the earliest opposition to slavery was heard in Milford. In 1841, Rev. Humphrey Moore, in a speech on the New Hampshire State Senate floor, denounced the institution of slavery. Several prominent town residents, including Benjamin Gooden and Elizabeth Hutchinson, took the name of "come-outers" as a result of their opposition. One hundred and ninety-six Milford citizens volunteered to serve in the War Between the States to preserve the union of the States. Sixty lost their lives. Col. Oliver W. Lull, after being gravely wounded, said, "Thank God I die for my country."

As the railroads connected the town to Nashua and Boston, Milford grew into a thriving industrial center in the later 19th century. The mills along the Souhegan River produced textiles, furniture, shoes, and lumber. The layer of granite underneath Milford gave it the nickname "The Granite Town of the Granite State." It has been said that here is hardly a town or city in the United States that does not contain some Milford granite in its buildings, monuments, and in the curbing that makes up its streets. In fact, the columns in the U.S. Treasury Building are made of granite cut from Lovejoy's Quarry in 1908.

Today, Milford has stretched to a community of almost 12,000 people with diversified interests but a common goal. On the bicentennial of the founding of Milford, we salute its citizens and honor their accomplishments, their love of country, and their spirit of independence. ●

#### DON'T PANIC ABOUT EGYPT

● Mr. SIMON. Mr. President, the moves toward peace in the Middle East have encouraged all of us who have hoped for that for so long.

Many countries have played a role in that.

Norway, clearly, played a brokering role in bringing the Palestine Liberation Organization [PLO] and Israel together. Tunisia played a key role in being willing to host the PLO during this transition period and giving an example of a moderate government that is successful to the PLO leaders.

Less well-known is the leadership of President Mubarak in Egypt. In a recent article I saw in the Jerusalem Report on June 2, 1994 titled, "Don't Panic about Egypt," Leslie Susser tells in some detail what is happening in the Middle East and provides additional de-

tails about President Mubarak's leadership.

I join many others in being grateful to President Mubarak for that leadership.

I ask that the Jerusalem Report article be inserted into the RECORD at this point.

The article follows:

#### DON'T PANIC ABOUT EGYPT

(By Leslie Susser)

Well after midnight on May 4, just hours before the planned signing ceremony of the Israel-PLO peace deal, President Hosni Mubarak swept dramatically into the sideroom assigned to the Israeli negotiating team in Cairo's Al-Itihad Palace. He put his arm around Prime Minister Yitzhak Rabin, took him aside and whispered, "You must give Arafat the Muasi area on the Gaza coast (south of Gaza city)." Rabin agreed.

During the ceremony 10 hours later, when Arafat refused to sign the maps attached to the agreement, it was Mubarak who, once offstage with the PLO leader, gave him a brutal tongue-lashing and cowed him into putting pen to paper.

Not for nothing was the signing staged in Cairo. Egypt has played a crucial role in helping Israelis and Palestinians surmount innumerable obstacles on the way to agreement. According to Tel Aviv University's Prof. Shimon Shamir, a former Israeli ambassador in Cairo and an expert on Egypt, Mubarak's role was "decisive."

Rabin himself has long recognized the importance of Egypt. Within two weeks of forming his coalition government in July 1992, he traveled to Cairo, his first trip abroad as prime minister. Because of its peace treaty with Israel, Rabin sees Egypt as uniquely placed to bridge differences between Israel and the Arab world, in particular the Palestinians.

The prime minister's aides speak of the Rabin-Mubarak relationship in glowing terms. They say when problems surfaced with the Palestinians, Rabin would automatically pick up the phone to the Egyptian leader. Says one senior aide: "Rabin and Mubarak are both military men, and respect each other's blunt speech, ability to stick the point and to solve problems in a practical way. Mubarak often praises Rabin's honesty and contrasts it with what he saw as former prime minister Yitzhak Shamir's deviousness."

Rabin was understandably concerned about reports earlier this year that the threat to Mubarak's regime from Islamic radicals was growing. He even speculated in closed meeting about Mubarak's vulnerability to an assassin's bullet and, when word got back to Mubarak, apologized to the Egyptian leader for seeming to doubt his regime's stability.

The height of the apocalyptic reporting on Egypt was a London Sunday Times spread on February 20, quoting American and Israeli intelligence sources as saying that the Egyptian regime was in danger. The report was prompted by abortive assassination attempts in November on both President Mubarak and Prime Minister Atef Sidki, and an intensification of fighting between Egyptian armed forces and Islamic militants, especially in the South, where the fundamentalists hold sway in large areas.

The Americans quickly made it clear that while they believed there could be a long-term threat to the regime, it was not tottering. And Israeli intelligence pooh-poohed the whole story. By their reasoning, even if the radicals manage to assassinate Egyptian

leaders, they do not have the organizational infrastructure or the military support to effect a full-scale coup. They have infiltrated the army, but only at junior officer level. Without the generals they cannot succeed.

After last November's plot, seven of the would-be assassins were rounded up and hanged, and a huge arms cache was found in Cairo, complete with underground bunkers, explosives and vast quantities of weaponry, including RPG rockets. The find, gloated Hasan al-Alfi, Egypt's minister of the interior, was a death blow to the radicals. But other Egyptian officials saw the arms cache as a worrying sign of unanticipated organizational capacity on the part of the militants.

Egypt's Foreign Minister Amr Moussa denounced the Western reports of a threat to the regime as stemming from "sheer ignorance of the Egyptian situation." Shimon Shamir agrees: "A regime that has half a million people in the internal security services, a strong bureaucracy and a firm tradition of governmental control can hardly be said to be tottering."

Israeli Foreign Ministry assessments are also upbeat about Egypt's ability to remain the leader of the Arab peace camp. "Even in the unlikely event of a different regime coming to power, it will still need Western money to fight poverty. And that means continuing the peace orientation," says a senior official on the Egyptian desk.

Meanwhile, Egyptian radicals are not having things all their own way, even among the poor, where their hold is strongest. Attacks on tourists have sparked something of a backlash—critical articles in the press, a greater effort by the Islamic establishment to distance itself from them. Shamir points out that 10 million Egyptians earn a living from tourism—which, before the radicals struck, had become the country's top foreign currency earner, head of the Suez Canal and oil.

But what most encourages Israel's Foreign Ministry is the spread of a new liberalism among Egypt's leading intellectuals. With the collapse of the Soviet empire, Marxist ideology, the main intellectual prop for Arab nationalism, increasingly has given way to the new ideology. And for Egyptians, this entails a pro-Western, pragmatic, free-market orientation—a package that includes peace and economic cooperation with Israel.

And the intellectuals, Dr. Said al-Nagar, Mustapha Fiqy, Ali Salem and Sa'ad Adin Ibrahim among them, have not stopped there. They have coined a new concept, "Middle Easternism," which they see as a substitute for Arab nationalism. In facing up honestly to the problematics of the region, they argue, non-Arab power brokers have to be taken into account—Iran, Turkey and Israel.

Although strongly supported by the liberals, the regime has never openly endorsed them. Indeed, according to Shamir, the Egyptian leadership is somewhat embarrassed by their support because of their outspoken secularism in what is still basically a religious society.

The regime has chosen rather to fight fundamentalism by delegitimizing it in Islamic terms. "The radicals have nothing in common with true Islam," Foreign Minister Moussa thundered in a recent interview. In line with this approach, theology professors from Al-Azhar university often appear on TV to lend their support to the government line. And whenever militants cross over to the other side, they are put on television to denounce radical practices.

Although the liberal intellectuals are a relatively small group, the pragmatism they

advocate is widespread. An April survey in the newspaper *Akhbar al-Yawm* showed an astounding 80 percent of Egyptians in favor of warmer ties with Israel—out of Egyptian self-interest.

The survey showed that although there is still a great deal of distrust where Israel is concerned, Egyptians today put economic self-interest before ideological feuding. There is even heated debate—in the press and the coffee shops—over fears that other Arab countries, particularly in the Gulf, may rush toward normalization of ties with Israel and leave the Egyptians, the pioneers, behind when the fruits of peace begin to ripen.

Senior Foreign Ministry officials in Jerusalem, believe the key to comprehensive peace in the Middle East—and to Israel's integration into the region—lies in Damascus. But once that peace is achieved, they say, the road to the new Middle East will almost certainly run through Cairo. •

#### GETTING RWANDA WRONG

• Mr. SIMON. Mr. President, Herman Cohen, the former Assistant Secretary of State for Africa in the Bush administration, recently had a column in the *Washington Post* on the Rwanda situation.

I described the response of this administration and the Bush administration to Bosnia as "anemic" and, I regret to say, the response to Rwanda has been the same.

The op-ed piece by Herman "Hank" Cohen outlines what a sensible policy should be.

I ask that the Herman Cohen article be entered into the RECORD. I also ask unanimous consent that the letter sent by Senator JAMES JEFFORDS and myself to President Clinton on Rwanda be inserted into the RECORD. We sent this letter after talking to the Canadian general in charge of the U.N. military operation in Rwanda.

One of the points that Herman Cohen makes in his column is that the United Nations has to be modified so that it can move quickly on the world emergencies.

I could not agree more.

I urge my colleagues, who may have been out of town when the Herman Cohen op-ed piece appeared in the *Washington Post*, to read it now.

The material follows:

[From the *Washington Post*, June 3, 1994]

#### GETTING RWANDA WRONG

(By Herman Cohen)

American policy on Rwanda is difficult to understand. Statements made by Madeleine Albright, the U.S. ambassador to the United Nations, indicate that Rwanda is viewed as a traditional peace-keeping problem, when it is really a "Call 911!" problem. Traditional peace-keeping calls for a negotiated cease-fire followed by the arrival of lightly armed multilateral forces who monitor and observe. Rwanda, on the other hand, is a case of planned, systematic murder of men, women and children who happen to belong to a particular group—the Tutsi.

Both the self-proclaimed government of Rwanda, which has armed the death squads who are doing the ethnic killing, and the rebel Rwanda Patriotic Front fighters, do

not want to stop fighting until they can finish the genocide or dominate militarily. Waiting to intervene until there is "progress toward a cease-fire," in Albright's words, is like a doctor telling a heart attack victim, "Take two aspirin, and call me in the morning." Giving one or both of the fighting groups in Rwanda a veto on international intervention is the height of folly. If anything is going to destroy the credibility of the international community in the area of conflict resolution, the American policy is going to do it.

The Rwandan crisis has all of the characteristics of a situation requiring urgent action:

Rwanda is inflicting emotional and financial pain on the world community. Let's face it, whatever we do in Rwanda, there will be a bill to pay one way or another.

Rwanda has become simultaneously a failed state and a delegitimized state. It has failed because the previous government has self-destructed into semi-anarchy. It is delegitimized because the new self-proclaimed government is by definition a pariah because of its determination to exterminate an entire ethnic group.

A significant population is at risk. Indeed, in areas controlled by the death squads, the Tutsi have essentially been wiped out. Genocide is qualitatively a lot worse than any of the normal human rights situations we worry about around the globe—China, for example.

For the above three reasons, the appropriateness of international intervention could not be more apparent. The fighting is clearly not susceptible to an early cease-fire, and even if a cease-fire could be arranged, the endangered populations would still be endangered wherever there are death squads still roaming the countryside.

In addition to the demand that a cease-fire be on hand before the dispatch of troops, the United States is making matters worse by insisting that any U.N. troops work from the outside to protect Rwandans fleeing the fighting in camps in the border areas. That tactic would only increase the number of refugees spilling over into neighboring countries, which cannot handle the ones already there. The only way what is left of the Tutsi population can be saved is for troops to work from the center so that death squads will be intimidated into melting into the general population.

By standing in the way of African troops intervening in Rwanda under "combat" terms of engagement, the United States is effectively imposing upon the Security Council the same rule that it applies to itself. That is to say, the administration sees no vital American interest engaged in Rwanda, and therefore does not want U.N. troops to have a muscular mandate even though African troops would be willing to take on such a difficult and dangerous assignment. Is the U.S. government worried that such an operation would constitute a slippery slope to eventual American troop involvement if the military situation gets worse rather than better? With such a "what if" policy, the United Nations is effectively paralyzed from doing anything except traditional peace-keeping, which is exactly where it was during the Cold War.

It may be too late to save the Tutsi of Rwanda. After three weeks of systematic killing that must be called "genocide," we can probably only learn some lessons from the "new world order," which seems to be eluding us.

First, we should remember that while five big powers in the Security Council can veto

action, they cannot force the Security Council to take action. That takes nine votes. When the Americans sought Security Council approval for military action against Iraq after it invaded Kuwait, a majority vote was not ensured. The non-aligned members of the council were dubious at first. Thanks to the hard work and support of Ethiopia and Zaire, the council voted to use force against Iraq. After the current wimpish approach to the genocide in Rwanda, will the three African Security Council votes be with us in the future when we need support for an action we consider to be in America's vital interest? It may not be a sure thing.

Second, Rwanda and Bosnia appear to be setting a new ugly pattern in post-Cold War politics. Small groups of determined fanatics are willing to ride a wave of hatred and ethnic fear in order to obtain power or remain in power regardless of the human cost. Former communists in Serbia are now ethnic nationalists. Hutu extremists in Rwanda saw democracy coming and decided that genocide was the price to pay for remaining in power. Where there is a history of ethnic animosity, it only takes a simple "Kill them before they kill us" to set off the powder keg. International inaction in Rwanda and insufficient action in Bosnia are sending a signal to nasty people everywhere: "You can get away with it now."

Finally, the United States and other important powers should start working to give the United Nations the ability to put out fires while they are still smoldering. The U.N. secretary general proposed such a rapid reaction capability in the "Agenda for Peace" proposal of July, 1992, which has so far received very little attention. If the Agenda for Peace cannot be implemented throughout the world, why not start it at least in Africa?

At the opening of the Holocaust Museum, President Clinton pledged that "we will never allow another Holocaust." Another Holocaust may have just slipped by, hardly noticed.

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
Washington, DC, May 13, 1994.  
President WILLIAM J. CLINTON,  
White House,  
Washington, DC.

DEAR MR. PRESIDENT: We are concerned about the continuing disaster in Rwanda, and the failure of the international community to halt or even diminish the slaughter taking place there.

We have been consulting with those who work with the refugee community including a Rwandan who barely escaped from the disaster; General Romeo Dallaire, the Canadian military leader in charge of the remnant of United Nations troops in the capital city of Kigali; and others.

We suggest the following action be considered immediately and acted upon swiftly:

1. The United States should send a signal to the present government, such as it is, and to those who rebel, that a government which does not strive to halt the civil war, eliminate the massacres, and assist in getting food to hungry people, regardless of ethnic background, will not receive assistance from the United States, and we will encourage the community of nations to follow a similar policy.

2. The United States should take steps to discourage the importation of arms into Rwanda.

3. The United States should press the United Nations Security Council to immediately

approve an increase in authorized UN force levels of the United Nations Assistance Mission to Rwanda (UNAMIR). General Dallaire, the UN forces commander in Rwanda, has indicated that a minimum of 5,000 troops would be necessary to ensure a credible UN presence. He believes a force of 8,000 would effectively achieve the desired results. The force should have the mandate to (a) stop the massacres; (b) protect civilians throughout the country; and (c) facilitate the delivery of humanitarian assistance. General Dallaire believes a force of that size could effectively achieve the desired result. Obviously there are risks, but an end to the slaughter is not possible without this action. These can be primarily African-nation troops, though some non-African troops should participate.

The United States should assist the United Nations with finances and provide some basic equipment to some of the less well equipped forces.

Delays, or simply doing nothing, are not acceptable substitutes for a foreign policy of leadership. Human life is at stake, and swift and sound decision-making is needed.

We request that you ask your top military and diplomatic personnel to immediately analyze the soundness of our proposals, and to report back to you quickly so that timely action can be taken.

Sincerely,

PAUL SIMON,  
U.S. Senator.  
JIM JEFFORDS,  
U.S. Senator.●

#### BEHIND THE PAULA JONES STORY

● Mr. SIMON. Mr. President, I am a journalist by background, and I confess I am concerned by the lack of proportion that seems to be too often typical of the coverage of events.

I read the accounts—and I have no way of knowing their accuracy—that the hitting of the knee of Nancy Kerrigan and all that followed received three times as much media attention as the fall of the Berlin Wall, and that the Whitewater matter has received three times as much coverage as health care reform. It would not surprise me if those figures are accurate. The Columbia Journalism Review said that the weekday coverage devoted to Whitewater by ABC, CBS, and NBC in the first quarter of 1993 amounted to 284 minutes, and the weekday coverage devoted to health care debate in the first quarter of 1993 by the same three networks was 90 minutes or less than one-third of the attention devoted to Whitewater.

Recently, I read an editorial column by Mortimer B. Zuckerman, editor-in-chief of U.S. News & World Report, commenting on the role of the media in our democracy.

He comments: "The sad fact is that the news cycle works in such a way that allegations alone, without proof, burst into the headlines. It is all very well to say the accused later went free without a stain on his character." Then he quotes from a character portrayed by Anthony Trollope, who was acquitted but was made to feel guilty whenever he went into the House of Commons:

He had been so hacked and hewed about, so exposed to the gaze of the vulgar, so mauled by the public, that he could never more be anything but the wretched being who had been tried for the murder of his enemy. He could never more enjoy that freedom from self-consciousness, that inner tranquility of spirit which [is] essential to public utility.

Mort Zuckerman, to his credit, says that the field of journalism needs a better perspective on things.

I agree.

I ask that his editorial be placed into the RECORD at this point.

The editorial follows:

[U.S. News & World Report, May 23, 1994]

#### BEHIND THE PAULA JONES STORY

(By Mortimer B. Zuckerman)

Every time you think politics and the media cannot get sleazier, there's a nasty surprise around the corner. The escalation of the depressing and disgusting charge of sexual harassment leveled at President Clinton epitomizes how much downscale tabloid values now pervade American discourse. No doubt the alleged scene will soon be on Court TV in some form with a motion picture to follow. The bandwagon everybody wants to jump onto is a garbage truck.

It does not pass the smell test. Paula Corbin Jones, then a state employee, says that when Bill Clinton was governor of Arkansas he used a state trooper to invite her to a hotel room in Little Rock during a state-sponsored conference and put pressure on her to engage in a sexual act. Why didn't she yell foul the next day? Why did she fail to make the charge during the six months required under law for such charges? Why did she keep silent during the presidential campaign when Clinton's relations with women were a hot issue? Why now? What we have is the moral and legal equivalent of a late hit in football.

The odor intensifies with the information about attempts to profit from the alleged incident. According to an affidavit signed by a Little Rock businessman, one of Jones's lawyers tried to send word to Clinton that he should reach a settlement with Jones or be publicly embarrassed and that "it would help if President Clinton would get Paula a job out in California," where the president has Hollywood friends. (The lawyer claims he was misunderstood.) Only when Clinton refused was the suit filed.

Can anybody doubt that this suit would not have been filed if Paula Jones was not counting on the press being right outside the door, salivating to cover the case and offer her money? The down-and-dirty tabloids and that new affliction, tabloid TV, have no qualms about such a story. Digging up dirt, or manufacturing it, is their business. That is not new. What is new is the alacrity with which the mainstream press and television seem to feel obliged to regurgitate the bile.

Cliff Jackson, the perennial Clinton hater, understood this well. He saw how Clinton's enemies could seize the suit as a political weapon. He recognized that this is a feminist era: The general presumption is that a woman would not claim sexual harassment unless it were true. Otherwise, why would she expose herself to the publicity? Wendy Kaminer has analyzed it in the *Atlantic Monthly*. "Sexual violence," she writes, "is a unifying focal point for women. . . . It is heresy, in general, to question the testimony of self-proclaimed victims of date rape or harassment. . . . All claims of suffering are sacred and presumed to be absolutely true."

That sexual harassment exists is unquestionable, but that many minor acts of sexual misconduct are overdramatized is also true. To avoid trivializing those who suffer the real thing, we must reject the idea that any unwanted advance or remark constitutes harassment. There is a difference between an unwanted encounter, which may upset a woman, and pressure applied—such as threatening a woman's job security—or ongoing demeaning treatment. Those wrongly accused have their own kind of ordeal trying to prove a negative.

The sad fact is that the news cycle works in such a way that allegations alone, without proof, burst into the headlines. It is all very well to say the accused later went free without a stain on his character. The reality was more accurately portrayed by Anthony Trollope in his account of Phineas Finn, who was acquitted but could never go into the House of Commons without being made to feel guilty: "He had been so hacked and hewed about, so exposed to the gaze of the vulgar, so mauled by the public, that he could never more be anything but the wretched being who had been tried for the murder of his enemy. He could never more enjoy that freedom from self-consciousness, that inner tranquility of spirit which [is] essential to public utility."

That is the cost to the public in the degradation of standards we are witnessing today. We can do more than regret this. We can take a public stance against the abuse of the courts for political and personal purposes. Let us oblige the plaintiffs to pay all or part of the legal costs of both sides if their claims are found wanting. And it is high time the media forbore to give such claimants a victory in the court of public opinion before they are heard in a court of law.●

#### WANT TO REALLY HONOR INDIANS? DROP THE NICKNAMES

● Mr. SIMON. Mr. President, one of the ways we continue to overtly show racism in our country is to continue to use American Indian nicknames for our athletic teams.

I have offended a great many people in Illinois by being opposed to the use of Chief Illiniwek for the University of Illinois, and I'm pleased that gradually the movement is away from that stereotyping.

To equate American Indians with animals, as we do when we use a term like the Washington Redskins along with the Los Angeles Rams and the Chicago Bears, is grossly insensitive.

What reminded me of this again is an excellent column in the Chicago Tribune written by Barry Temkin, which deals with this subject.

I ask that the Barry Temkin article be inserted into the RECORD at this point.

The article follows:

[From the Chicago Tribune, May 8, 1994]

#### WANT TO REALLY HONOR INDIANS? DROP THE NICKNAMES

(By Barry Temkin)

One of the more baffling aspects of American sport is how strongly people defend their schools' use of Indian nicknames.

You would think schools would be lining up to dump names that were born of stereotypes and that insult an entire people, but

suggest jettisoning them and educators, students and alumni react as though you had advocated boarding up the gym.

So while some schools have changed their nicknames, progress is slow. College and high school directories (including Illinois') still feature plenty of Indians, Redskins, Braves, Chiefs and Warriors, all of which keeps the nickname debate in the news.

Just in the last month, the University of Iowa Athletic Board voted to ban from the school's athletic events mascots depicting American Indians, and Wisconsin's superintendent of public instruction asked more than 60 districts to consider dropping Indian nicknames and mascots.

John Teller watches all this activity with interest and irritation. He is a Menominee Indian, a sophomore at Menominee Indian High School in Keshena, Wis., about 40 miles northwest of Green Bay.

Teller plays on the school's basketball and baseball teams, and he has competed against Chiefs and Indians. He has heard the rationalizations used to justify those and other Indian nicknames, and he doesn't buy any of them.

The main justification white people give for using Indians as mascots is that it somehow honors Native Americans. Teller would like to decline the honor.

"White people, when they run around doing the tomahawk chop and dressed up as a toy Indian, they think that brings pride to Indians, but it doesn't," said Teller, whose parents teach at his high school. "I consider those acts very demeaning to our ancestral culture."

Teller understands that most white people mean no disrespect toward American Indians in their use of nicknames, but he also understands that's not the point. Insults are as much a matter of perception as intent. If Indians perceive these nicknames as insulting, then they are.

People who deny that ignore the fact that most of these nicknames stem from a century-old stereotype of Indians as warlike savages. It may be convenient for them to forget history, but Indians don't have that luxury.

Reminders, after all, are as close as Oct. 2, when the Cowboys will battle the Redskins in the NFL.

Teller says it's no coincidence that Indians and animals provide so many of our athletic nicknames.

"It's not a problem when you make fun of a bird or an animal," Teller said, "but when you make fun of a proud people, it dehumanizes them. You're putting Indians in the same category as animals, and we're not animals."

White people, Teller says, believe they understand the complexities of American Indian culture when they don't. Menominee Indian High School's nickname, for example, is Eagles, but the school's mascot is raccoon.

"The eagle is sacred to us," Teller said, "so using one as a mascot would be demeaning. In our culture, the raccoon is a trickster, a joker. At our games, the raccoon mascot does somersaults and spins and makes everyone laugh."

Lately, defenders of Indian nicknames have tried to trivialize the debate by labeling their critics as advocates of political correctness.

The fight against these nicknames, however, predates the so-called PC movement. It isn't just some knee-jerk reaction to a minor item of propriety, but rather a response to a remnant of a sad chapter in U.S. history.

People become fiercely attached to their schools' nicknames and are loath to give

them up. Not wanting to lose their athletic heritage, they unintentionally thumb their noses at the Indians' heritage instead and continue our tradition of believing we're doing Indians a favor when we're actually doing anything but that.

Defenders of Indian nicknames point out that not all Native Americans mind them. Many, however, do, and when an honor-roll student such as John Teller admits it bothers him to play against teams with Indian nicknames and to watch them on TV, it's time for all you Indians and Redskins out there to pay attention.

Some of you say you get misty-eyed watching your schools' mascots dance up and down the sidelines. In reality, it's a crying shame.●

#### ORDER OF PROCEDURE

Mr. FORD. Mr. President, I ask unanimous consent that upon the conclusion of the remarks by the distinguished Senator from West Virginia [Mr. ROCKEFELLER], that the Senate stand in recess as previously ordered.

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

Mr. FORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that I might be allowed to proceed for several minutes as in morning business.

The PRESIDING OFFICER. The Chair notes that the Senate is in morning business.

The Senator is recognized.

#### HEALTH CARE REFORM

Mr. ROCKEFELLER. Mr. President, as we are being reminded every minute of every day now, we are at a critical juncture of health care reform. As the clock ticks, the Congress still has to make the key decisions that will shape the final bill. Will Congress enact reform that guarantees universal coverage and that guarantees strong cost containment, or will we not? That is still a question, Mr. President.

I am here to tell how one particular family, a West Virginia family, hopes and prays that we in the U.S. Senate answer that question positively. Last week, I visited a young family in Martinsburg, in what we call the eastern panhandle of West Virginia. I was reminded in the clearest terms possible just why we must stay focused here in the Senate, why we must succeed here in the Senate, and why we must keep our promise of real health care reform.

Leslie and Michael Saunders, Mr. President, are an all-too-typical American family. They are working hard;

they are playing by the rules; they are raising their young children. Yet, they are still getting crushed by their health care needs. Michael is an associate church pastor and suffers from Crohn's disease. Leslie had both her gall bladder and her appendix removed in the last year—something that can happen to any one of us at any time. On top of all that, they are still dealing with the cost of the births of their two children, Bethany and Seth, neither of whom have particularly good health. These medical needs are not extraordinary when you have something called health insurance. But these medical needs turn into absolute nightmares when health insurance is not there, when it disappears at the wrong time, for whatever reason.

About 6 years ago, when Leslie, the mother, was pregnant with Bethany, the church that employed Michael felt that it had to switch health plans. The Saunders were assured that even with their preexisting condition—his Crohn's disease, that is, and as outrageous as it sounds, her pregnancy, which is considered a preexisting condition—and most times in this country, if you do not have health insurance and you become pregnant, you cannot buy health insurance because your pregnancy is considered a preexisting condition, and that was the case with Leslie. So they had been assured that, even with the Crohn's disease and her pregnancy, they would be covered by health insurance. That sounded like everything would be OK. But that insurance company then went bankrupt.

Just a few months later, the Saunders found themselves where millions of other Americans fall every day: Working, working hard, playing by the rules, but with no health care insurance.

For Michael and Leslie, the result was especially costly because she had just had a baby. Because they lost their health insurance, Mr. President, just when they needed it, the Saunders family is swimming in debt; they owe many thousands. I know this because I went and visited and talked with them in their home, as I do every day I am in West Virginia; I go and visit some family that has a health insurance crisis, or feels that it is going to have a health insurance crisis, so that I can see health care through the eyes of the people that I serve and that I represent see that they cannot afford to buy health insurance, Mr. President. Each month they try to do the best they can. Out of his earnings they pay \$25 to the hospital each month—that is all they can do, but they do it regularly—\$25 to make good on their huge medical debts.

They put off other medical needs, like their children's allergies because they cannot afford the \$400 for treatment. And they pray for the good health of each family member.

Mr. President, we talk around here often about families not having enough of this or that so they have to trade between health insurance and food. This family does. This family has to give their two small children less food and poor quality food because they cannot afford to do otherwise. And because they do not have health insurance, and they are paying this amount of money a month, they are on the edge all the time.

In the next weeks, as Congress ponders the key issues in health care reform, everybody should stop and think about families like the Saunders family. I will be thinking about them all the time. They define what real health care reform is about, guaranteed coverage for all Americans, for working families like the Saunders, families who were doing everything right; playing by the rules, paying their taxes, and trying to pay off their medical bills. Affordable coverage, so the employees like the tiny Tri-State Church in Charles Town, WV, can do their share in covering the people who work for them like Michael Saunders does.

The idea that pregnancy can be considered as a preexisting condition would be a joke, Mr. President, if it were not so true and so wrong. The idea that a hardworking family, a church pastor cannot find health insurance in a country called America is an outrage; and the idea that young parents have to cut corners on health care, have to cut corners on food for their children is nothing short of tragic.

Mike Saunders put the debate over health care reform into pretty clear terms as far as this Senator is concerned when he sat in his living room and he said: "In Washington health care is about politics, but remember we are out here with our real lives."

That is what he said. That is something that we cannot and dare not lose sight of. We have to enact a health care plan in response to the real worries and the real needs that are part of real life that the Saunders are living with every day; that is about making sure that every American has guaranteed private insurance that can never be lost or can never be taken away; that those Saunders kids will be able to eat what they ought to be eating and they will never have to worry about health insurance; that nobody—nobody—can intervene in their life and take their health insurance away.

There are some who say that universal coverage, health insurance for all Americans is not necessary; that if we set our sights lower, to goals like aiming to cover 90 percent of Americans, that that is still real reform, that is still acceptable and we should finish the year with that declaring success.

Mr. President, Leslie and Michael Saunders respectfully disagree. If we give up on universal coverage, here is what happens: Wealthy Americans will

keep their health care. All of us, of course, in Congress will keep our health care and still have little to worry about when they need a doctor. That will be for the wealthy and those of us who serve in Congress. We will do well. Poor Americans will get free health insurance because they belong to something called Medicaid and they will get a decent benefits package and it will be entirely free.

For the rich, fine; us, fine; the poor, fine. But working class Americans will still have to fear being left out in the cold. Any day, any week, they will have that fear, and so will young families, and so will people when they switch jobs.

I suggest that millions of families just like Michael and Leslie Saunders will be unable to get or to afford health insurance. They will have to continue cutting corners, postpone seeing a doctor, and walk into a hospital emergency room when they are seriously ill to get treatment, too late for treatment, where the cost of their care will be shifted right onto the bills of insured patients.

So, Mr. President, as we continue to debate and discuss health care reform—as we caucus and meet in our committees and start putting together bills—I ask my colleagues, I beg of my colleagues, to think about the families in their own States who are just like Michael and Leslie Saunders of West Virginia.

I suggest we do our final work on health care reform with young, hardworking, hopeful families as our moral compass. Because, if we fail to pass real reform with universal coverage, we will doom those families and many, many more young families, to sleepless nights worrying that a daughter's cough might require a visit to the doctor, which they cannot afford and do not have insurance for; and to afternoons watching, for example, a son's Little League game in fear that a bad hop on a ground ball might mean a couple of stitches, and you have to pay for stitches; and to anguish over what should be a joyous pregnancy. For Heaven's sake, pregnancy, a preexisting condition.

You are a young woman in the United States and you do not have health insurance because you think you are going to live forever. You get married. You get pregnant. You do not have health insurance. You apply for health insurance. You cannot get it because you were pregnant, because that is something called a preexisting condition.

That is what we are offering people in the United States of America today, Mr. President.

No other industrial country, no other civilized country—I used to say that only the United States and the Union of South Africa treated people the way we do in health care. Now I am not so

sure, because I think Nelson Mandela is promising universal health insurance to his people. So it may be us alone if we do not do our work correctly as Republicans and Democrats here in the U.S. Congress and particularly here in the U.S. Senate.

Remember what Michael Saunders told me. Health care reform is not about politics, it is about people.

Visit with the Saunders families of the various States that my colleagues come from, and universal coverage is no political buzzword. Universal coverage is not just a phrase that can be defined the way it is easiest for Congress to achieve. It is the heart of health reform. It is the way to promise security to all Americans so they can work, raise their children, have a baby, and contribute to their community and to the strength of the country that they love and work for.

I thank the Chair and I yield the floor.

Mr. DOMENICI addressed the Chair. The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, Mr. President. What is the pending business?

Mr. ROCKEFELLER. Will the Senator yield? I was just handed something.

Mr. DOMENICI. I yield.

Mr. ROCKEFELLER. I thank the Senator from New Mexico.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 321, Everett M. Ehrlich, to be Under Secretary of Commerce for Economic Affairs.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. Mr. President, I will not object. But when that is finished, would I have a chance to propound a unanimous consent that I might speak as if in morning business?

The PRESIDING OFFICER. The Senator will be recognized.

Mr. DOMENICI. I have no objection. Mr. ROCKEFELLER. I thank the Senator.

I further ask unanimous consent that the nominee be confirmed, that any statement appear in the RECORD as if read, that upon confirmation, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nomination considered and confirmed is as follows:

#### DEPARTMENT OF COMMERCE

Everett M. Ehrlich, of Pennsylvania, to be Under Secretary of Commerce for Economic Affairs.

STATEMENT ON THE NOMINATION OF EVERETT  
MICHAEL EHRLICH

Mr. HOLLINGS. Mr. President, I rise to support the nomination of Everett Ehrlich to be Under Secretary for Economic Affairs at the Department of Commerce. If confirmed, Dr. Ehrlich will advise Secretary of Commerce Brown on the economic status of the country and will supervise the statistical and economic analysis activities within the Department. In his capacity as Under Secretary for Economic Affairs, he will oversee both the Bureau of the Census and the Bureau of Economic Analysis.

Hopes for economic recovery will be short lived unless the U.S. Government develops an economic strategy that will preserve our manufacturing base, protect it from predatory trade practices, assist it in developing new technologies, and foster a spirit of cooperation between business and government. In these endeavors, it is important that U.S. policy be founded on accurate, useful, and timely economic data.

As the Under Secretary for Economic Affairs, Dr. Ehrlich would bring qualifications and experience to this task. For 5 years, he served as vice president for economic and financial planning at Unisys Corp. in Blue Bell, PA, a Fortune 50 company and the third largest computer systems manufacturer in the country. At Unisys, Dr. Ehrlich was the executive responsible for corporate transactions involving assets valued in excess of \$1 billion. He also was a key player in developing corporate strategy, with particular responsibility for expanding the civilian business of its defense subsidiary. During his tenure with the Unisys management team, the company generated \$1 billion in cash flow as part of the company's financial recovery.

Prior to his employment with Unisys, Dr. Ehrlich worked for the Congressional Budget Office [CBO] from 1977 to 1988, where he was promoted to the position of Assistant Director for the Natural Resources and Commerce Division. Dr. Ehrlich will be able to draw on his experience in government and in the private sector to ensure that the Department's economic analyses are responsive to the needs of both policymakers and American business.

Dr. Ehrlich said at his confirmation hearing and in his written responses to the committee's questions that, if confirmed, his top priority would be to plan for the 2000 decennial census. We all know that there were major problems with the 1990 decennial census. In addition, Dr. Ehrlich has indicated that he would work to make the Bureau of the Census and the Bureau of Economic Analysis models of innovative efficient, and effective information collection and dissemination while preserving their integrity and adherence to the missions specified for them by

the Congress. This is the kind of good government we need at the Census Bureau.

Dr. Ehrlich was nominated on May 24, 1993, and a hearing was held on his nomination by the Commerce Committee on June 23, 1993. His nomination was favorably reported by the committee on August 3, 1993. Dr. Ehrlich has responded to both pre-hearing and post-hearing questions by the committee. Dr. Ehrlich has been waiting since August 3—over 10 months—for his nomination to be considered and voted on by the full Senate. It is high time that we consider this nomination.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

## A GENUINE HERO

Mr. MOYNIHAN. Mr. President, I rise today to recognize the passing of a beloved New Yorker, Alberto Alonzo Tubbs. I ask that the memorial, written by Mr. Tubbs's family, be included in the RECORD.

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

## A GENUINE HERO

Our Hero passed away at 3:30 p.m. today June 5, 1994. He was a quite man, asking very little always giving all he could. A coal miner to the age of 43, foreseeing that oil would replace coal as our energy source, he mastered a new job, auto worker for GM until retirement at age 63. He took early retirement, so as to create one job (the most he could give) to the younger generation. Baseball being his favorite sport, as a pitcher he had a wicked fastball that dropped straight down right in front of home plate. Pneumonia during his late teens prevented him from trying out for the major leagues.

Leta and Sonny being already with you God, they already know and we have to ask: Why did you pick today to call him home? It being a beautiful Sunday afternoon, the day before the 50th anniversary of D-day. Was it because he always felt guilty of being too old (33) and having the responsibility of a wife and 5 children to serve. Maybe it was to show how proud he was of the three boys and one daughter who served during the Korean conflict, his baby girl being too young to serve. Could it be because he was a strong believer in unions and as president of the Bloomington local of the UMWA he was forced to strike during WW II. When the Government took over the coal mines he unhesitatingly led the workers back to work as they raised the flag over every coal mine in the United States. Or was it simply sending the message to the world that you wanted peace not war among your family of nations. Maybe you wanted the world to remember that the individual family is the real backbone of your Kingdom and the secret to peace is asking for very little while giving as much as you can.

This genuine hero is our father Albert Alonzo Tubbs.

The surviving immediate family are Gary, Billy Boy, Patty, and his baby girl Becky.

## STOP THE GENOCIDE IN RWANDA

Mr. MOYNIHAN. Mr. President, I rise today to address a matter of the utmost gravity, namely the genocide being committed even as we speak in Rwanda. This weekend, Roger Winter, director of the U.S. Committee for Refugees, published a chilling account of the slaughter in the Washington Post entitled "Journey Into Genocide: A Rwanda Diary." He writes:

Go deep inside Rwanda today and you will not find gas chambers or massive crematoria. But you will find genocide. And if you linger amid the bodies and stench at Rwanda's human slaughter sites long enough, you will gain—as I did—a horrified sense that in some ways this frenzied attempt to annihilate an entire population contains scenes eerily reminiscent of the "Final Solution" attempted 50 years ago.

This is not a comparison I make for cheap shock value. After 15 years of reporting on the violence that produces refugees around the world, I am familiar with the carnage of war, the smell of dead bodies and the butchery of innocent civilians. What I saw in Rwanda two weeks ago was different from anything I have ever seen before.

This was not a conventional bloodletting. What happened in Rwanda—and still is happening—is qualitatively different.

I am not aware of anyone who actually disputes the conclusion that this is, in fact, genocide. Not just horrible violence to which some have attached the label "genocide" without any real understanding of the meaning of the term. But genocide in fact. The calculated, methodical effort to destroy a people in whole or in part.

There being no reasonable grounds to debate whether this is genocide, there is no need to debate the appropriate response. The Senate had that debate several years ago. It had that debate when it chose to ratify the U.N. Convention on the Prevention and Punishment of the Crime of Genocide. Not the tragedy of genocide; the crime of genocide. The United States—with the advice and consent of the U.S. Senate—voluntarily accepted the obligation under article I of the convention to prevent and to punish the crime of genocide.

The slaughter in Rwanda is continuing because the murderers have no fear of international retribution. So far, their contempt for world opinion has been most sadly justified. The distinguished journalist and commentator Roger Rosenblatt has written a gripping article entitled "Rwanda Therapy" in the New Republic. In that article he recounts a conversation among journalists concerning the gross atrocities they have witnessed during their careers. He recounts this story told by Els Detemman, a television journalist from Belgium:

She told of something she had seen only a few days before in northern Rwanda. She was traveling with her TV crew when their truck was stopped by Hutu militia. Ahead of them, in the middle of the road, some twenty-five Tutsi men, women and children had been

herded into a circle. Then the militia waded in with machetes, hacking at the people until they all were dead and many lay in pieces \* \* \*.

"Why didn't the militia kill you and your crew?"

"They were entirely indifferent to what the world would think," she said. "When they finished, they signaled us to move ahead and we drove on through the blood."

To repeat: "They were entirely indifferent to what the world would think."

Mr. President, we must act with great vigor to support the efforts of the United Nations and Rwanda's neighbors to halt this slaughter. And to prevent the further disaster awaiting the hundreds of thousands who have fled. There is a definite mission in Rwanda. It is set forth in the Convention on Genocide: To prevent and punish those who are even now committing this crime.

I cannot close without adding two comments. First, the world has known far too much of genocide in this century. And we cannot afford to continue to shrink from the obligation we have undertaken to stop it. When the controlling factor of the cold war was removed, there was waiting, in the superb phrase of the eminent scientist Edwin O. Wilson, "a coiled and ready ethnicity . . ." We must act so that those who would undertake genocide in Rwanda, to commit ethnic cleansing in Bosnia, to use systematic rape as a weapon of war anywhere do have a concern for the opinion of the world. How the world responds to genocide in Rwanda will perforce be a precedent, for good or for ill. To date, the precedent is deeply discouraging.

Finally, let me say that the Congress must be prepared to provide the funds that are required to participate effectively. I have served as the U.S. permanent representative to the United Nations. I have been the President of the Security Council. No one knows better than I of the need to bring fiscal discipline to the United Nations. And we should pursue reform with tenacity. But we have chosen to attempt to enforce fiscal discipline at the United Nations by undermining our own moral authority there. That is the ironic result of flaunting our voluntarily assumed legal obligation to pay our dues to the United Nations. For some years now we have been the leading deadbeat at the United Nations, in the company of some of the worst pariah states in the world. How we can be a leader at the United Nations and simultaneously the leading deadbeat is a mystery. When our representatives at the United Nations urge the Security Council to create a war crimes tribunal for Bosnia or to intervene in Rwanda they must be able to do so with clean hands, with the confidence that the United States will live up to its commitments. Yes, the United Nations must learn to live within its budget and its mandate. But there are areas where it should—in-

deed, must—act, and it needs the resources to do so.

Mr. President, action taken today will be too late for hundreds of thousands. The mind can hardly comprehend the scope of this crime. But vigorous, multilateral action taken today with strong U.S. support will not be too late for many hundreds of thousands more. They await our action.

#### IRRESPONSIBLE CONGRESS? HERE'S TODAY'S BOXSCORE

Mr. HELMS. Mr. President, as of the close of business on Thursday, June 9, the Federal debt stood at \$4,601,856,248,523.77. This means that on a per capita basis, every man, woman, and child in America owes \$17,651.18 as his or her share of that debt.

#### ORDER OF PROCEDURE.

Mr. ROCKEFELLER. Mr. President, I further ask unanimous consent that Senator DOMENICI be recognized to address the Senate and that at the conclusion of his remarks the Senate stand in recess, as previously ordered.

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

The Senator from New Mexico is recognized.

The PRESIDING OFFICER. The Senator from New Mexico.

#### PRODUCTIVITY LEADS GROWTH

Mr. DOMENICI. Mr. President, last Friday, with the release of May's employment statistics, this administration attempted, as I viewed it, to take complete credit for the current economic recovery. The President's economic policy adviser, Robert Rubin, and the economic council head, Laura Tyson, linked the good employment news with the administration's budget plan that passed last August. But nothing could be further from the truth.

As we have learned from recent excerpts from the book named "The Agenda," by Bob Woodward, the administration's strategy for selling their budget, a budget described by the President himself as "a turkey," has been to just shout, "it's the best," over and over again. I cannot let the political-economic spin masters get away with this. Saying it, does not make it so. So let me begin with a little history of facts and observations by those who know more than most of us about the American economy and the budget.

First, the economy of the United States is so gigantic, so enormous, so big that it does not respond quickly to decisions made here on the Hill. And it did not, last fall, despite claims that the budget plan passed just last August, created all these wonderful economic results.

Second, low inflation, low interest rates, and high productivity—very sig-

nificantly higher productivity growth than in past recoveries—took root under the past administrations, and were pushed in a positive manner by a responsible Federal Reserve Board. These are factors that have shifted the economy into a quickening pace. Let me repeat them: Low inflation, low interest rates, and high productivity growth which took root over the last 12 years, and a responsible Federal Reserve Board are the true contributors to this economic recovery. They are part of it. They made it happen.

Third, the factors motivating business today began in the 1980's, when the Government revamped policy to foster a low-cost, low-overhead, low-inflation business environment where Government gets out of the way.

It is most interesting to note, for those who frequent Europe these days, the papers are full of new politicians asking why is the European economy stagnant? Why is it not producing any new jobs—literally? Why is unemployment so high? The average is 10 percent around Europe, including the better economies like the German economy. And the conclusion they are all coming up with is it is the enormous regulatory burdens on business and the enormously high costs imposed upon labor—that is, businesses have to pay an inordinate amount as fringe benefits and indirect costs of labor, and they are all busy trying to change this situation so they can compete again.

So the low-overhead, low-inflation business environment started shortly after Ronald Reagan took office, and the days of enormously high inflation which preceded his coming to office are gone now, and that is probably the most significant positive effect on the American economy, on the confidence of business, and on jobs in the United States.

So while this administration attempts to lay claim to the successes created by low inflation and high productivity growth, the facts show that they are really reaping the benefits of seeds sown in prior years.

Moreover, while administration officials embrace current growth, they advance policies that would interject Government further into the business sector.

Incidentally, I might add, some of the health care bills that are winding around the Halls of the Congress and committees would have a tax on American business as high as 10 percent of payroll. I submit, it is precisely that kind of cost that is causing the European economies to stagnate, to create no jobs, and to have their people throwing governments out of office on the basis that inflation is coming back, there are no new jobs and what is happening to our future.

In fact, if we are not careful, we may unwittingly and unknowingly be promoting what is currently being called

Eurosclerosis—European sclerosis—and they put it into one word and call it Eurosclerosis. It is kind of loosely defined as the rigid, overburdened business environment that has been debilitating Europe for a number of years now and is reaching its peak in the situation I just described a few moments ago.

Just this week, an OECD study recommended cutting costs and increasing European labor market flexibility. Europe's finance ministers gathered and agreed to use deregulation instead of public spending to counter their employment crisis. We should take heed.

Part two of what I want to discuss for a moment is what are the keys to this expansion and what are the keys to continuing it so that Americans will, once again, have real confidence that there will be jobs in the United States and that their future and their children's future are not as bleak as many millions think today.

What is clear is that the keys to this recovery are, No. 1, low interest rates—the result of the Federal Reserve policy and low inflation—and, No. 2, high productivity. I will discuss why this is true.

I addressed the importance of the Federal Reserve's action 3 weeks ago on this floor, and I complimented them on their efforts to create a neutral monetary policy for this country, neither stimulative nor restraining, because it will keep this recovery growing and going much longer than previous ones.

Between the mid-1990's and the end of 1992, the Federal Reserve reduced interest rates from 8.3 percent to 3 percent, a 64 percent decline, the biggest prolonged percentage drop in recent U.S. history. And all of that reduction occurred prior to the end of 1992, not in 1993, and not immediately after the President's so-called deficit reduction budget package which essentially, as you look at it in terms of this year and next year, is nothing more than a tax package in terms of deficit reduction. Interest rates were reduced way before the package. They were reduced continuously and consistently for 2½ years by the Federal Reserve Board.

These lower interest rates set up conditions for the sustained recovery we are experiencing. But a second shoe needed to drop. The economic environment needed to change to make the best use of these lower interest rates. That second shoe generating today's recovery, I believe, was the resurgence of U.S. productivity; that is, our ability to produce more efficiently and competitively.

Our productivity successes have been impressive. During 1992, Mr. President, nonfarm productivity—the best measure of economy-wide worker efficiency—rose 3.6 percent, the biggest 1-year increase since early in the 1970's. The President's budget package was

not even in existence when this phenomenon was occurring. That increase, that dramatic increase, occurred in 1992. Moreover, during this recovery, productivity gains have accounted for 90 percent of the gross domestic product, far outstripping average contributions of the past.

What I am saying is that the most significant component of the increase in growth in the United States and the increase in pay and the increase in material produced and sold and services delivered, the biggest increase occurred because our productivity increased. In fact, 90 percent of the increase was attributable to productivity increases. In past recoveries and positive business cycles, only 50 to 55 percent of the growth was attributable to productivity increases.

Increases in productivity are the result of long-term sustained policies or activities, and essentially they imply lower costs of production. For example, manufacturing production costs have declined 9.3 percent in real terms since the expansion began in 1991. You produce the same or more but it costs less because productivity is up.

The best news of all, business cost efficiencies are translating into higher incomes. After declining during the recession, real incomes climbed \$632 per person during 1992, the largest 1-year increase in 8 years. More income coupled with lower interest rates already in place led to increased purchases and production. Starting in mid-1992, auto and home purchases took off and businesses invested in new capital equipment at a torrid pace. Now jobs are picking up to meet that increased production demand.

Third, let me discuss for a few moments how productivity has led to this growth. I have only one chart today, and it is a rather simple one. This chart shows the chain of events very clearly. First came the productivity gains. Then came the income gains, the second line—after dipping, they are starting up. And now the creation of new jobs is starting to be moved upward, albeit rather slowly.

This chart also shows clearly that the gains are not the result of last August's budget plan. They instead reflect the inertia of successes with inflation, interest rates, productivity, and income.

Now, let me spend just a few moments discussing the effect of low inflation on productivity, lifestyles, and job growth. In testimony before the Banking Committee 2 weeks ago, Chairman Alan Greenspan made a very important point pertinent to this. Referring to the reasons for evolving a balanced economy, he stated:

There is a quite robust relationship between the rate of inflation and the rate of growth of productivity. We are increasingly persuaded that it is the low rate of inflation which is inducing a higher rate of growth in productivity.

If that is true, and I believe it is, again you do not have these two qualities occurring because a bill or budget is passed. Rather, because of an American policy sustained over a period of time in this country, led by a low-inflation policy that started when Ronald Reagan took office in 1980. And believe you me, to get that inflation down we suffered a giant recession, and he sat in office for almost 2 years with a dreadful recession to get the inflation out of the economy—inflation that was generated over the previous 4 years.

There is no mystery about all this. We learned the lesson in the late 1970's when inflation reached double-digit levels. Negotiating favorable price increases to beat the next round of inflation became an all-encompassing focus of businesses. The low inflation environment established over the last 10 years has spurred business to return to cutting costs, raising productivity, and increasing the quality of their products. With this focus on cost and efficiency, instead of price increases, America began to regain its competitive position as the world's largest exporter.

It is significant that we have succeeded while the European countries have not. During the 1980's, our private sector created 16½ million new jobs. Between 1980 and 1988, the European Community produced no—none, zero—net new jobs in their private sector. All new jobs were in their public sector.

Also, a leader in productivity research, the McKinsey Group, finds that the European nations lag behind the United States in their entrepreneurial efforts across the board. In their recent international productivity report, they concluded that the difference in productivity among the major trading partners are "ultimately caused by differences in economic policy and regulation."

So to repeat, the important lessons are clear: First, despite claims to the contrary by this administration, the budget plan passed last August did not create this recovery. The momentum was created well before this administration came to office, and clearly is made up of the subjects I have discussed here today. Low inflation, low interest rates, and high productivity growth fostered over a number of years under Republican administrations are the factors that shifted the economy into a quickening pace. And it is now paying off in more jobs, higher paying jobs, and sustained gross domestic product growth.

Taking credit for the current recovery without an acknowledgment of how past policies got us to this place may well be leading this administration to make wrong economic policies today.

That is really why I made this speech today. I will say more about it. We should not associate the wrong policies for the current success in the American

economy, or we are apt, unwittingly, to impose on it a policy that will restrain its growth because we will be acting under the false premise as to why we got to where we are.

I yield the floor. I thank the Chair.

ORDER FOR RECESS FROM 12:30 P.M. TO 2:30 P.M. ON TUESDAY, JUNE 14, 1994

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that on Tuesday, June 14, the Senate stand in recess from 12:30 p.m. to 2:30 p.m. in order to accommodate the respective party conferences.

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

ORDERS FOR TUESDAY, JUNE 14, 1994

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unani-

mous consent that when the Senate completes its business today it stand in recess until 10 a.m., Tuesday, June 14; that, following the prayer, the Journal of proceedings be deemed approved to date, and the time for the two leaders reserved for their use later in the day; that, immediately following the announcement of the Chair, the Senate vote on the motion to instruct the Sergeant at Arms.

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

Mr. FORD. Mr. President, I ask unanimous consent that it be in order to request the yeas and nays on the motion.

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

Mr. FORD. Mr. President, I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

RECESS UNTIL TUESDAY, JUNE 14, 1994, AT 10 A.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 10 a.m. on Tuesday, June 14, 1994.

Thereupon, the Senate, at 1:29 p.m., recessed until Tuesday, June 14, 1994, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 10, 1994:

DEPARTMENT OF COMMERCE

EVERETT M. EHRLICH, OF PENNSYLVANIA, TO BE UNDER SECRETARY OF COMMERCE FOR ECONOMIC AFFAIRS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.