SENATE—*Friday, April 24, 1998*

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Sovereign God, we claim Your promise through Jeremiah, "Call to me, and I will answer you, and show you great and mighty things, which you do not know."—Jeremiah 33:3. We need that assurance as we close this week of work.

Lord, we want to do our work today and end this workweek so that You will be able to say, "Well done, good and faithful servant." It is liberating to know that we have only You to please. You enable excellence in us that more than meets the expectations of others. Keep our eyes focused on You. Our ultimate goal is to glorify You and enjoy You forever. Add life to our years and years to our life. May our joy of serving You give us freedom. We cast all our burdens on You so that we may work without the tension of worry today. You are with us in all the ups and downs of life. There is no problem or circumstance beyond Your control. There is no panic in heaven and there is peace in our hearts when we trust You completely. Thank You for Your abiding love, through our Lord and Saviour. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you, Mr. President.

(Mr. SMITH of Oregon assumed the chair.)

SCHEDULE

Mr. LOTT. Mr. President, this morning the Senate will begin consideration of the conference report to accompany H.R. 1757, the State Department reorganization bill, under a 6-hour time agreement. Under the previous order, the vote on the conference report will occur on Tuesday, April 28 at 2:25 p.m.

On Monday, following morning business, the Senate will proceed to executive session to consider the NATO expansion treaty. It is hoped that Members who wish to offer amendments to the treaty will come to the floor on Monday to offer and debate those amendments.

We have had some discussion already on this NATO enlargement. I remember very well an outstanding speech given on the floor by the distinguished Senator from Oregon a month or so ago, a beautiful speech laced with history. It made an indelible impression upon my mind.

Senators have claimed that we have not enough time on NATO enlargement, or that the issue has been unfocused. But one of the problems has been that Senators have not been willing to come to the floor and offer their amendments.

Beginning Monday, the debate will be focused and uninterrupted on this very important issue of the NATO treaty alliance. We will spend all day on Monday and all day on Tuesday with the only interruption being the vote at 2:25 when we come back in from our policy luncheons. We will spend whatever time is necessary on Tuesday and Wednesday. I hope that we can complete it Wednesday after a thoughtful debate. Every Senator will have an opportunity to make a statement, if he or she wishes, or to offer amendments. But we must begin the process, and it includes having amendments in fact offered so we can bring it to a conclusion.

I remind our colleagues that we still have a lot of very important issues that we need to take up. Unfortunately, earlier in the year several committees had not acted. But committees are acting profusely, and good bills are beginning to line up now. I would like to begin to move bills. In fact, we probably are going to have a high-tech period where we take up as many as 10 bills from a variety of committees that are important to the high-tech area, all the way from antislamming in the telephone area to gambling on the Internet, and a lot of things in between and beyond those. We have other good bills that we want to try to consider.

In order to be able to do that and get to the IRS reform package the week after next, we are just going to have to have more cooperation. If Members continue to delay, then there will be more nights like last night where we were here at 8 or 8:30 or 9. I don't think our work is as good when we are working late into the night.

As a reminder to all Members, there will be a rollcall vote on Monday at 6 p.m. on an Executive Calendar matter to be determined today by the majority leader after consultation and with information, of course, being provided to the minority.

As previously announced, there will be no rollcall votes during today's session since we have 6 hours reserved for debate on the State Department reorganization.

The next vote will then occur at 6 p.m. on Monday.

THE EDUCATION BILL

Mr. LOTT. Mr. President, I wish to speak briefly on a couple of issues. I will not take long. But I want to again express my appreciation to a number of Senators and to the Senate as a whole for the passage of the education bill on Thursday night by a bipartisan vote of 56 to 43 with one Senator being absent. I think you have to acknowledge that Senator COVERDELL of Georgia was persistent. He was fair. This issue really has been considered in one form or another for over a month. But he stuck with it. There was a lot of give and take. I appreciate the involvement of Senator TORRICELLI of New Jersey and his support of the bill. But more important than that, I appreciated the tone of the debate. There are fundamental disagreements on how we begin to improve the quality of education in America, deal with violence in the schools, and drugs in the schools. That is understandable. But we don't have to be nasty in our disagreements. We weren't.

I thought the debate was of a high quality. While the disagreements are passionate, we covered a lot of subjects over the last week, a lot of amendments. We probably voted on 10 or 12 amendments on this bill. Others were accepted or agreed to in one way or another or set aside by agreements. It took cooperation to get it done even after most of the week was spent on that. I think we came up with a good bill. Education is important. This is the best debate I have seen on education in many years. Having been in Congress for 25 years, the debate on education over those 25 years has always been the same: more decisions from Washington, more programs from Washington, more strings from Washington, more money from Washington. And the test scores and the violence—the test scores have been going down and the violence and drugs have been going up. What we have been doing is not working. We need to try some different things.

This bill does that: More choice in elementary and secondary education, No. 1.

I emphasized in my remarks that in my own State, higher education in America is the best in the world. People want to come from all over the world and go to schools, from Stanford to Harvard to Ole Miss, to get degrees in science and engineering, business, or whatever.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

But our elementary and secondary education has been deteriorating, and we are way down on most lists. Why is that? What is the difference between higher education and elementary and secondary education? One difference is choice. When you finish high school you can go to a trade school, you can go to a community college, you can go to a denominational college, or you can go to a university. You have a choice. The second big difference is you have financial assistance to be able to do it.

For 2 years I worked in the placement and financial aid office at the University of Mississippi. I know the importance of grants, loans, scholarships, and work-study programs for any student in America. Any student in America can go to college. He or she has a choice. Not so in elementary and secondary. If you are poor, if you come from a blue-collar working family like I did, son of a shipyard worker and a mother that taught school to help make ends meet, they couldn't afford to send me to a different school. They couldn't afford today's market. They wouldn't have been able to afford tutors or computers. They just couldn't have done it. We don't have financial assistance. There needs to be some. How can you get it?

No. 1, allow the parents to keep more of their money and make choices about how to spend their money in helping their children. This is not an attack on public schools.

I am a product of public schools. My wife is a product of public schools. Both of my children went to public schools from the first grade through college. Now, a lot of people who are pontificating as great defenders of public education went to private schools and send their children to private schools. It makes it difficult to believe that you are as sincere as I am. I want to help public education, but I want to give parents a choice.

When I give this sort of speech to some of the traditional education groups, they say, "But the bad schools, the bad public schools may not make it." Right. That is the idea. It is called competition. It is called quality. Get right, improve the quality of your teachers, improve the quality of the administration, or go out of business; let somebody else do it that can do a better job.

This bill also included merit pay for teachers, teacher testing. I still don't understand why it is OK to test and test and test the students but, oh, you can't test the teachers. That is one of the problems we have all over this country. We don't always have good-quality teachers. Should we encourage it? Should we pay them better? Yes. Should they be paid by the Federal Government? No. That is a local decision, State decision.

Senator GORTON came up with a block grant approach, but it was an interesting approach. Again, it is a choice. He took programs, consolidated them into something over $10 billion, and he said, Well, now, States, if you want to continue with the traditional strings-attached, Washington-knows-best controls from the bureaucracy, you can do that. If Massachusetts wants its money to come through the Federal multiplicity of programs with directions of how it must be spent, Massachusetts can choose that. But if Texas wants to bring it through their State government and then to the local schools, they can choose that.

Or in my State of Mississippi, I hope we would choose to let it go direct to the schools. Why does it have to stop in Atlanta or Jackson and trickle down and trickle down and trickle down, with everybody taking a bite for administrative costs—5 percent, 10 percent, 15 percent? Why not let it go from Washington directly to the schools and let the administrators, the parents, the teachers, and the children decide where that $10 billion portion that they get would be spent? Hopefully, they would spend it for STAR teachers, merit pay for better teachers, teachers who work hard, do the extra thing. Maybe they would decide to spend it on construction. That is OK if they make the decision at the local level. That is their choice.

I think they are crying wolf. Those who want the status quo, those who want Washington to make the decisions, those who want controls and directions of how the money is going to be spent from Washington, they didn't like what we did this week and what we voted on last night. Those who say the status quo is not good enough when it comes to education should feel good about our effort last night. Now, they say, Well, the President is going to veto it. I don't know that he will. It is like laws; they are not unconstitutional until some court or the Supreme Court says they are unconstitutional. A bill is not vetoed until a President vetoes it. It will have to go through conference. Perhaps changes will be made. Perhaps the President will have a conversion and decide this is good legislation. But if he does veto it, the parents will know who has faith in them and the local education apparatus and those who believe Washington is the only place that can decide what is best for education in America.

So I slept better last night knowing that at least we were trying to make sure that my prospective grandson will have more opportunity and greater choices in education.

STATE DEPARTMENT REAUTHORIZATION

Mr. LOTT. Mr. President, on the legislation we are fixing to take up, the State Department reorganization bill, this is the result of literally years of work, give and take, by Senator HELMS, the chairman of the committee, and by the administration. I think credit has to go to Secretary of State Madeleine Albright. She worked with Senator HELMS on this State Department reorganization, which is so long overdue, which would allow us to do a better job in our foreign policy apparatus. Senator BIDEN has been a good partner, I believe, with Senator HELMS, as the ranking member on that committee that reported this legislation, in developing this State Department reorganization.

So this is very important legislation which has been a long time coming.

The second part of that bill does provide for the U.N. arrearages, something over $900 million, I believe. You can still argue about how much really the United States owes to the United Nations. You can still argue that the United Nations doesn't always make the right decision. You can argue back and forth. But it is an agreed-to compromise which will allow the United States to fulfill its commitment in a way that a majority of those directly involved, Republican and Democrat, conservative, moderate, and liberal, feel is a fair way to get this job done.

So that is an important part of this package, not only the reorganization of the State Department, which will be of tremendous benefit, I believe, in the next few months and years of this administration and of future administrations, but then you add to that that we are finally addressing this question of U.N. arrearage. That is very important.

There is also included in this bill language that maybe nobody is totally happy with but language dealing with the so-called Mexico City issue, which is language that would have some restraints on lobbying other governments and organizations with taxpayers' dollars to promote the changing of laws to provide for abortions or to deal with the abortion issue. It is an issue that we have been tangled with for years. I am not diminishing it by putting it that way, but it is just something that we have been trying to find a fix to. There is no easy answer. You have passionate people on both sides of the issue. And I have clearly been on one side of the issue forever. I don't think that taxpayers' dollars should be used to promote abortion. Does anybody want to question JESSE HELMS on this issue? Anybody? No.

Now, the others who are on the other side of the issue, such as Senator BIDEN, they argue very strongly. They have been consistent on the other side. This is a compromise. This is a part of the package. This is a way to deal with three very important issues in this package. It has been agreed to reluctantly, but now I think with understanding and vigor, by the Senators who are involved directly with this legislation.

So I urge my colleagues to think about it, recognize that you may not like one piece of the three or maybe two of the three, but what is the alternative? Are we never going to reorganize the State Department? Are we never going to deal with the U.N. arrearage issue? Is the abortion issue going to be involved with U.N. arrearage, State Department reorganization, IMF, appropriations bills? How long will this go on this year? This is the solution. So I urge my colleagues to support this legislation.

I caution the administration and urge them to stop lobbying against this legislation, their bill. I have expressed this to the Secretary of State, in which I said, "Madam Secretary, this is the last train out of Dodge on the U.N. arrearage." Now, I don't believe it will happen—if this bill doesn't pass the Senate and if this bill is not signed by the President, then the U.N. issue is probably dead for the year.

Am I advocating that? Am I defending it? No. I am just stating a fact. I don't see how you do it. Senator HELMS and Senator BIDEN have reluctantly agreed to this process, but it is the only process, I believe, that will allow us to deal with these three difficult, complicated, but important issues.

So I hope the Senate will have a good debate today and will think about it. I don't think anybody is going to be surprised by what is in here. We do not need a lot of pontificating on either side of the aisle. You are for or against State Department reauthorization. You are for or against the U.N. arrearage issue. And you may be for or against the abortion issue. But this is a reasonable solution, and I hope it will pass when we vote on it Tuesday at 2:25.

Mr. President, I yield the floor.

BILL PLACED ON THE CALENDAR—S. 1981

Mr. LOTT. Mr. President, before I yield the floor, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1981) to preserve the balance of rights between employers, employees and labor organizations which is fundamental to our system of collective bargaining while preserving the rights of workers to organize, or otherwise engage in concerted activities protected under the National Labor Relations Act.

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

The PRESIDING OFFICER. The bill will be placed on the calendar.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to consideration of a report of the committee of conference on the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, which the clerk will report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1757), have agreed to recommend and do recommend to their respective Houses this report, signed by majority of the conferees.

The Senate proceeded to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of March 10, 1998.)

The PRESIDING OFFICER. There will now be 6 hours of debate equally divided in the usual form. The Senator from North Carolina is recognized.

Mr. HELMS. I thank the distinguished occupant of the chair, who is a valued member of the Senate Foreign Relations Committee. I say good morning to him, and all the others who are here this morning.

Mr. President, back in the middle of the 20th century—and when I say that I sound like I'm talking about a long time ago—Congress created a number of temporary, independent federal agencies. I think it was a bad mistake. If I had been here, I would not have voted to do that, having the hindsight that I have. But, of course, members of Congress did not have the hindsight. They had just gone through, not too many years earlier, a horrible World War and were trying to get this Government stabilized, trying to help get the rest of the world stabilized. This seemed like a good idea, to create these specialized, independent Federal agencies.

Ronald Reagan, when he was President, had to deal with what these independent agencies had become—and they did grow mighty independent. He would say, "There is nothing so near eternal life as a temporary Federal agency."

I read the other day that the responsibilities of just one of these agencies is duplicated by about 42 other entities in the Federal Government. And of course the cost of running the U.S. bureaucracy has risen constantly. Furthermore, there is what has become an interesting psychology among those who not only run these agencies but are employed by them. The agencies have become the personal little fiefdoms of these bureaucrats, and they fight tenaciously at any attempt to do away with their turf or, as this conference report proposes to do, to mesh these agencies with the rest of the State Department foreign policy apparatus. In order to pass this legislation, we have gone through a great deal of difficulty, but turf protection is only one of the difficulties. Let me proceed, if I may, to give some further historical reference, with an assessment of the situation that now exists.

Of course, we have before us as the pending official business the Foreign Affairs Reform and Restructuring Act of 1998, which I believe, it is fair to say, is the most comprehensive and far-reaching foreign policy reform ever considered by the Congress of the United States regarding both the United Nations and the executive branch of this country. Now then, the distinguished Senator from Delaware and I, and many others, have spent not months but years working on this proposition. We made every proper and reasonable concession in arriving at the general draft of this legislation that is now before us in the form of a conference report issued by the House and the Senate.

So it has been the result of long and painstaking negotiations between the Congress and the administration. The sweeping and bipartisan reforms contained in this conference report are clearly designed to enhance America's post-cold war foreign-policy-making process and to force some fundamental reforms on the United Nations.

With the full support of the administration, this legislation shuts down two Federal agencies—the Arms Control and Disarmament Agency and the U.S. Information Agency. I say "now." That is a relative term, in terms of doing something in the Federal Government. It has to be done within the next 18 months.

The legislation also requires the Secretary of State to rein in the existing increasingly unwieldy U.S. foreign aid agency, the Agency for International Development, and it strengthens the independence of U.S. public diplomacy and international broadcasting programs.

The legislation also mandates a series of deep-seated reforms at the United Nations, which many Members of this Senate and of the House of Representatives have been demanding for years. I remember the distinguished Senator from Kansas, a gentlelady if there ever was one, Nancy Kassebaum, whose ire was raised when she found out what was going on in terms of irresponsibility in the operation of the United Nations.

How to get it under control? I am going to discuss that in some detail in just a minute. All you hear these days is talk about how wonderful the United Nations is—and that is not so, it is a bureaucratic nightmare—and how bad the United States and the American people are for not paying what is called "the arrearages." Hogwash. For more

than a year, I have worked with Senators BIDEN, GRAMS, GREGG, and others, to create a package of reform benchmarks—reforms that the State Department must certify that the United Nations has completed—before they are paid any of these so-called arrearages. In other words, it is a very clear put up or shut up.

For months, we negotiated these reforms with the State Department and the White House. In fact, we even shared our proposals with Kofi Annan, the distinguished Secretary-General of the United Nations, so that the international elite in New York and Geneva would not be blindsided by these requirements for reform of the United Nations.

Kofi Annan came down and visited me one day. We had a nice visit. We went to several places on Capitol Hill together. One by one—in S. 116, down on the first floor of this Capitol, which is one of the Senate Foreign Relations Committee hearing rooms—we went down the list, benchmark by benchmark by benchmark by benchmark, and he nodded, and he nodded, and he nodded.

This conference report contains the fruits of hundreds of hours of bipartisan negotiations. Maybe it could be done better, but I don't know anybody in this Senate who is going to take the time to do it better, because it is going to take hundreds upon hundreds more hours to change the kinds of things that we worked out.

You are going to have the lobbyists from the United Nations piling all over Senators, "Oh, you can't do this, we've got to have our money right now." You are going to have lobbyists for this agency and this independent agency and all the rest. They don't want to be folded into the foreign policy apparatus that exists and which costs billions upon billions of dollars of the taxpayers' money.

It is either now or never. The game playing is over, and the enactment of this legislation represented by this conference report between the House and the Senate is the last shot the President will have at enacting this legislation. If members want to go home and tell their constituents, "Well, I didn't like this aspect," or "I didn't like that aspect," I am going to be right behind you saying, "Yes, but 'what he didn't do' or 'what she didn't do' is vote to clean up a mess in Washington, DC."

This conference report, as I say, contains the fruits of hundreds upon hundreds of hours of labor. Once these U.N. reform benchmarks are implemented, only then will be made $819 million available for the United Nations and other international organizations. In addition, the President will be authorized to forgive an additional $107 million in debt that the United Nations owes the United States. Nobody ever mentions that. Of course, it is a lot bigger than that when you figure in the American people have paid for all of these police actions that the United Nations has been doing all around the world. But that is neither here nor there for the time being.

What I am saying, Mr. President, is that there has been no disagreement about any of these provisions. So the substance of this bill, a complete overhaul of our Government's foreign policy apparatus, and the reform of the United Nations, which has to come before a dollar changes hands, remains virtually unchanged since the Senate passed this bill, by a vote of 90 to 5, on June 17, 1997.

Let me restate for the obvious an important point. This conference report remains virtually unchanged from the bill passed by the Senate by a vote of 90 to 5 last year. The Senate has overwhelmingly endorsed the reforms, and the Clinton administration has signed off on them. Let's see who reneges on this agreement. Will it be the administration? Will the administration veto this bill because of two or three lines that it happens not to like? We will find out, won't we?

All those Senators who say, "Well, I don't like this aspect of it, so I'm not going to vote for any of it," had better be prepared to explain what they, in effect, voted against. If they want to come and sit down and talk with JOE BIDEN and me, we will explain the purpose and the reason for everything in this bill.

And yet—and this is bothersome to me, I confess—we are now facing a razor-thin majority vote in the Senate. We might not even have a majority. Far from lobbying the Senate for passage of this legislation, the President has been standing over there in the wings and has indicated that he may veto the bill, the substance of which his administration had negotiated with us and agreed to with us.

Why is the President threatening to veto this bill? One small provision—a few words included by our House colleagues—section 1816 bars American organizations from using U.S. taxpayers' dollars to lobby foreign governments to change their abortion laws. I guarantee you, that is all there is to it, and the President sits down on Pennsylvania Avenue and says, "If you don't take that out, I'm going to veto it; I don't care whether you save billions of dollars or not."

Mr. President, as they do in grade school, this is show-and-tell day—put-up-or-shut-up.

I tell you one thing, I have tried to get along with the administration, but if the administration vetoes this bill because of those few lines, I am going to go do everything I can, go everywhere I can and explain exactly what the President did. I have dealt with him on this thing and he has been very accommodating, and so have his people, but if he wants trouble on this bill, just veto it, and I will give him some trouble.

That little provision for which he is threatening to veto this bill—let me repeat—it stops those who advocate abortion—that is the deliberate destruction of innocent and helpless human life—from using tax dollars paid by the American people to lobby foreign governments to change their policies on abortion.

I did not want to have the subject mentioned. I could have put it in this bill when it went through the Senate, but I thought we ought to address the real problem in this bill, and that is this foreign policy apparatus which has become so bloated and with so many other Federal entities running around duplicating each other's business.

I do not believe in my heart of hearts, or cannot believe, that Mr. Clinton and his Democratic allies in the Senate would be willing to sacrifice the payment of U.N. arrears—one of their top foreign policy priorities—just to preserve the ability of nongovernmental organizations to use American tax money to lobby foreign governments on the question of abortion. I refuse to believe that the President is going to "pick up his pen," as Ronald Reagan used to say, and veto it. If he does, some of us are going to react.

But that is exactly what a lot of people are proposing in the Senate: "Oh, I can't vote for it because of that abortion language." They don't care anything about all the millions of dollars this legislation is going to save, or about the elimination of the duplication of bureaucracy. Instead, two or three little lines involving, what I regard anyhow, an abuse of American taxpayers' money, are the grounds for voting against this bill.

Some on the other side have been heard going around calling section 1816 the "Mexico City" policy. It "ain't" the Mexico City policy, not a bit of it. I helped write the Mexico City policy way back when Ronald Reagan, by Executive order, made it part of this country's position. But don't take my word for it. I want every Senator to read the bill or the conference report, especially section 1816. And to help them look for it and find it, section 1816 is on page 102 of this conference report. If you can't find page 102 of the conference report, come right here, and I will find it and put it in your little hot hands. But let's not play games about it. Put-up-or-shut-up, show and tell.

What did Ronald Reagan's Mexico City policy do? It forbade any expenditure of U.S. taxpayer money going to any organizations that performed abortions abroad.

Ronald Reagan was a strong and sincere, genuine pro-life President. You do not see many of them coming along.

The provision in this conference report does not do what the Mexico City policy did.

As much as I wish it were otherwise, section 1816 will not cut off funding to organizations that perform abortions as required under President Reagan's original Mexico City policy. All section 1816 does is simply prohibit population control groups from using American taxpayers' money,—which they will receive under current law anyhow—to lobby foreign countries to overturn their laws pertaining to abortion. That is it, sum total. If anybody in the press or the media doubt it, come on down here; we will talk about it. No, they are not even here. There is one lonely soul sitting up there in the media gallery.

Initially, last year, the House did include or try to include President Reagan's full Mexico City language in this bill. When the House did that, the Clinton administration said, "No. The President will veto this bill." And there ensued a months-long standoff which lasted until the waning hours of the last session of Congress.

Now, then, Mr. President, despite my personal support—my personal support—for the Mexico City policy, I urged my House colleagues to remove that provision from the bill. I said, "We can fight that battle on another battleground. Let's not kill this one opportunity we are going to have to revamp and consolidate and shape up the foreign policy apparatus of this country." I did this because I knew that the President would never accept a full reversal of his administration's stand on the Mexico City policy which was totally at odds with those of the stand of Ronald Reagan.

Last November, in an effort to reach a compromise, the House of Representatives' leaders watered down the abortion language in the bill to the point that I have stated over and over this morning—simply to ban the use of U.S. dollars to lobby foreign governments to change their abortion laws. But despite an exceedingly reasonable offer from the House, this was still not good enough for the administration. The administration rejected this compromise as the session came to an end last year, citing nonbinding report language that they claim would have barred the U.S. groups from even attending international conferences aimed at changing abortion laws. This they said would amount—get this, Mr. President—this would amount to a "gag rule."

Come this spring, House leaders offered a second compromise. They agreed to remove the offending report language, softening it simply to prevent the use of U.S. tax dollars to sponsor such conferences. So it is all right to attend them, but do not use tax money to sponsor them. In fact, I have to say this about the House leadership. They have been so reasonable in their efforts to reach a compromise that today the abortion language before us in this legislation is so limited that its approval would be little more than a symbolic concession on the part of the Clinton administration.

But even that appears to be too much from what I hear because the lobbyists say all Democrats must vote against this bill. That is the word I am hearing floating around. And we will see when the roll is called on it. We will see.

At this point it is unreasonable, I think, to suggest that it is the House leaders who have been exhibiting intransigence. While the House has offered compromise after compromise, giving up 90 percent of their ground, the administration still, to this day, is demanding total and complete capitulation. What they are saying is: "Kill the conference report. Forget it. Don't do away with any of these irrelevant, unnecessary Federal agencies and the bureaucracies. Let's keep on keeping on." They do not seem to care what the costs are. I have not heard that mentioned one time—not one time—by the administration.

Mr. President, I am not going to take any more of the Senate's time discussing this issue, because I do not view it as central to the reforms contained in the conference report. I want to get back to that before I turn over the podium to my good, fine friend, Senator BIDEN.

Mr. President, not anybody—not the administration, not the Democrats, certainly not JESSE HELMS—got everything any of us wanted in this conference report. I acknowledge that. But we did work together in a remarkably novel way to cooperate, and to craft the legislation that is before the Senate today that forms the conference report. This legislation, save for one single provision on international abortion lobbying, is the result of strong bipartisan consensus. And that is a novelty around this place. And that is the reason it passed the Senate the first time around 90–5.

I think, Mr. President, it will be a terrible mistake for the Senate Democrats and the White House to kill these absolutely imperative, essential, necessary reforms in order to defend the bureaucratic status quo at the United Nations, not to mention within our own executive branch, to defend the bloated foreign policy apparatus.

So let me be candid. This legislation represents quite possibly the last chance to bring true, deep-seated change to the United Nations in return for U.S. arrearages payments. If Democrats succeed in voting down this conference report or if the President chooses to veto this legislation, then they together will decide what is going to happen in the future; they will bear sole responsibility, I think, for the unpaid dues to the United Nations. And nobody is going to tell Kofi Annan, if this conference report goes down in the Senate or if it is vetoed by the President, "The check's in the mail," because it is never going to be in the mail, certainly not if I have anything to do with it.

This Senator, for one, will delay crying, weeping, when the White House complains that funding has not been made available to the United Nations. Next time I see the President I am going to say, "Mr. President, you did it. You did it."

Mr. President, I yield the floor. Thank you very much.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, there is not much that my colleague from North Carolina, the chairman of the committee, has said that I take issue with. Sitting with my staff here, as I was waiting to speak, I said, "I have this long statement that is prepared that goes into detail about the bill. The truth of the matter is, the debate here is almost not about the bill, not about the conference report."

I can and I guess I will at some point do what I probably shouldn't do and that is second-guess what the rationale and motivation of the House leadership is and what the rationale and motivation of the President and administration is relative to the one thing that doesn't have a darn thing to do with what the Senator and I worked so hard to put together—and, I might add, the Presiding Officer, as well is a member of the committee. He will remember we spent a lot of time on this—a lot of time.

There has been talk, led by my friend from North Carolina, about reorganizing the State Department for the past several years. Nothing ever really happened. There was a lot of work, don't get me wrong, but in terms of producing something that would become law, nothing ever happened.

We have been debating and talking about U.N. arrearages. We have really been debating the U.N. arrearages, or whether or not it was a reasonable, functional, useful organization. That has been a raging debate probably since the mid-1980s. It has been around for a long time but, in terms of the political chemistry on this floor of the U.S. Senate, for the last probably 10 to 12 years in earnest. As a matter of fact, I think my friend from North Carolina would acknowledge with me that in both our political parties it has taken on, in the fringes of our parties, a status that far exceeds anything about what the United Nations does or doesn't do. On one end of my party it is the salvation of the world, and on the other end of the Senator's party it is the Devil incarnate. It has kind of replaced the fervor that involved the debate for and against communism. It is a new thing, a new political dynamic.

We worked very hard and we actually came up with a resolution. I respectfully suggest that what we did—and we made serious compromises—the Senator from North Carolina did not come to this conclusion gently, nor did the Senator from Delaware in terms of the compromise relative to what we did in the United Nations here. But the vast majority of the people who are informed on this issue, both in politics and in the foreign policy establishment and in the world community, acknowledge that what we did is a reasonable, straightforward and, I think, significant piece of work.

I don't want to get my friend from North Carolina in trouble. I think the most significant thing about it is the Senator from North Carolina signed on to this. That puts in perspective not only the arrearages but what he has wanted to do to get the United Nations to change its tune a little bit. Hopefully, we will not be arguing another decade about whether or not it is a salvation of the world or the Devil incarnate. We will have a pretty clear-eyed view of what we expect of the United Nations and what we think its value is. That is a very valuable contribution all by itself, in my opinion.

The third thing we did here, and I am sure my friend will not mind my saying this because we both said it publicly in different iterations over the last year or so—when I inherited this job from the distinguished Senator from Rhode Island, who retired, I went to see the chairman. We came here together, same year, same time. We have been friends; we have been ideological foes. We have been on the opposite sides on issues, and we have been together. We have been hanging out with each other for 25 years. I went to him and I said—which is, I guess, uncharacteristically blunt for me—"We can play this flat or we can play this round, Mr. Chairman; how do you want to do this?"

He came back and said, "JOE, what are your priorities? What is important to you? This is what is important to me. Let's agree with what we can, and fight it out where we cannot agree." He has kept his word in everything he said to me. I said, "It is important to me, with the end of the cold war, the Berlin wall down, that we do not cut back our foreign policy establishment." As we are cutting back our defense establishment I think as far as we should cut it back, cutting back our defense establishment, there is a need for us to extend our foreign policy reach and establishment, whether it means embassies or consulates or enough personnel or intense involvement in other countries. He said, "It is not my intention in reorganization to emasculate the foreign policy," the 150 function, as we call it in budget parlance.

So the third piece of this deal here is the State Department has been trying to get full funding for all its operations for years. And it is in here. Now there are reorganization provisions. The President agreed to the reorganization, and we put the structure of it into this bill. The Administration didn't like some of it. But the Senator and I agreed it was necessary. And in return we got a pretty balanced package here.

Now, so far, so good, as they say. The Senator, I think, is fond of telling the joke about the guy who jumps off the 100-story building and as he passes the 50th floor a group of people are standing at a window and yell out, "How is it going?" And the guy falling down says, "So far, so good." That is how I felt about this whole operation. I am feeling real good. We just haven't hit the ground yet. Everything we have done I am, quite frankly, proud of.

I think we have made what has to happen. In a democracy of 250 million people, we make compromises. But the end result is, I think this conference report strengthens the foreign policy and the ability to conduct foreign policy and the security of the United States of America.

Now, that is the so-far-so-good part. We both knew, the chairman and I, that the President wanted fast track, something he feels very strongly about. He probably could have saved fast track if he were willing to compromise on Mexico City, although that wasn't attached. I understand at the end of the day there were some in the House who said, if you attach this, we will go along with fast track. He didn't do it then. He didn't do it on other things.

By the way, I have to say for the record, because I want to be straight up about this, my colleagues know this, but so that everybody understands how I approach this, the abortion issue is not one that I live and die on. I think government should stay out of the business. I vote against funding of abortion and I vote against restrictions on a woman's right to an abortion, which makes everyone angry with me. The only person happy with me is me, in my conscience. But this for me is not on the list of the 10 most important issues facing America. It doesn't make that list for me. I must admit I do not have the passion for or against what is being debated in here to think it is warranted or worthy of being attached to what I consider to be a serious array of foreign policy considerations affecting this Nation.

On the other hand, the Senator from North Carolina does. It is a matter of great passion and commitment to him. His opposition to abortion from the day we arrived on this floor of the U.S. Senate and I first became acquainted with him to today has not waned a bit. I respect him for that. I disagree with his approach—at least most of it. I vote against funding, so that part we agree on, but I disagree with his approach. But I respect it, as I do people like my friend Senator BARBARA BOXER and others who vehemently feel the other way on both funding and access.

The reason I bother to tell you that, Mr. President, is this. It took nothing on my part, I had to make no compromise to say to our House friends and to our friends in the Senate, we want to keep Mexico City off of this; but it did take some real sacrifice on the part of my friend from North Carolina to say, as he did last year, look, keep this off. There are other vehicles. We can fight this out other places. Don't confuse it with this historic undertaking.

We have, I think, accomplished, in at least what we passed out of the Senate—I will be straight up with everybody. We hung tough on that. The truth of the matter was neither one of us were able to affect the House's attitude toward this. The one thing I think we share a lot in common, the one thing the chairman and I share in common is we are realists. We have been here for 25 years; we know how this place works. This is not something that—not because we are so smart, you would have to be an idiot to be here 25 years and not know how it works—speaking for myself. It is pretty clear that once we could not control what would happen in the House and what Representative SMITH—who, I might add, I suspect, although he knows a lot about the issue, knows a lot less about the issue than my friend from North Carolina. My friend from North Carolina was dealing with this issue before a lot of other people knew it existed. It became clear that we could not do much about it.

Although the chairman and I still disagree on a number of things, one thing we have established—and I am proud of it, and I think he is too—is that we are absolutely straight with each other. So he came to me and said, "Look, JOE, this is in. They are going to compromise on this, but it's going to be in. So my position now, JOE, is it's in, so let's pass the whole thing." I tried my best and kept my promise, I stuck with my commitment, but I told him, "If it's in, I am going to have a problem sticking with the deal—that is, pushing this through."

Let me tell you why. It has less to do with the merits of the argument relating to Mexico City than it does if we pass it here with this attached, even though the President will veto it. I am going to be completely blunt about this. If we pass this, my worry is that it will embolden the "Congressmen Smiths" and others to suggest that they can keep doing this on everything that comes over here. I want to tell my friend straight up, that is my rationale.

I am of the view—and this is like reading the entrails of goats and guessing like the soothsayers did 2,000 years ago what is going to motivate Members of the House or an administration to

act or not act. My feeling is, since the Senate has not passed this Mexico City language in the past, and there is a majority that votes against Mexico City language—and this is purely presumptuous on my part—if Speaker GINGRICH, keeping his commitment to his people, put it in, he realizes and is able to say, the Senate will not pass this, the President will not veto it, let's move on; we have a better chance of getting to the spot we want to get to—the Senator and I—which is to clear up the U.N. arrearages, reorganize the State Department, and fully fund the State Department.

So I guess what I am saying is, the only place we disagree is tactically what is the better thing to do to get what we both want, notwithstanding that we disagree on Mexico City. I vote against Mexico City restrictions; the Senator votes for them. But I don't think that is what is motivating either one of us here at this moment. To speak for myself, that is not what is motivating me at the moment. What motivates me at the moment is, what do I tell my colleagues on my side of the aisle, a fair number of whom listen to me on these issues—and that is presumptuous to say, but it is just because I am the ranking member. What do I tell them is the most likely route for us, at the end of the day, to be able to get the State Department reorganized, get the U.N. arrearages paid, and funding for the State Department through the supplemental?

The conclusion I have reached—and I would not bet college tuition on it for my daughter—is to stand firm, demonstrate there are not enough votes here to pass Mexico City, with the knowledge the President is going to veto it and the pressure is to get on with the business of foreign policy. I could be wrong about that.

One way or another, I think it is fair to say that at least the Senator and I know—from different perspectives—that isn't going to become law. The President is going to veto this with this language attached. I could—and I am inclined to, because I am proud of it—spend a great deal of time talking about the merits of each of the pieces of this conference report. I will refrain from that, because I would be preaching to the choir. I am preaching to the author here. It is not like I am going to say anything he doesn't know.

I can put in the RECORD the details of what constitutes what we have accomplished and what is in the conference report. In many respects, the conference reported back a better bill than we put out. In many ways, it has been a better bill. But time is our enemy. Time is our enemy.

I must again be completely blunt with my colleagues. At one point, I counseled that we not even debate this, let's vote, get it over with, and send it to the President and let it be vetoed. I believe the more time we take to deal with the U.N., the more difficult and intransigent the U.N. becomes, the harder it is for Ambassador Richardson to take what we have given him and get the results we want, the harder it is for us to unravel a State Department that needs unraveling, in terms of reorganization. Time is not our friend.

I read on the way down this morning on the train—I commute every day from my home State of Delaware. I have a little ritual, and my friend knows about this. I read my local paper because of its interest and out of self-defense, I read the New York Times, and I read the Wall Street Journal, and that gets me to Baltimore. From Baltimore on, I prepare whatever I am going to do that morning. So commuting 4 hours a day isn't all bad, because you have a lot of time to prepare.

On the way down, I read in the New York Times this morning's lead article about the IMF. It is pretty clearly unrelated to this issue but tangentially involved with the issue of Mexico City. But it looks like IMF isn't going to go anywhere. I will not put this in the RECORD. I don't often put in news articles. But this is on page 9 of the New York Times, entitled, "GOP Snubs White House on Billions for IMF."

Well, there are only three or four major foreign policy considerations on our plate right now. NATO is a big one, and the Senator and I will deal with this come Tuesday. Then there is IMF, the U.N., and reorganization of the State Department. It seems to me—and I do not in any way—and I give my friend my word on this—direct any of this at him or to anyone in particular. It seems a shame that three of those four major issues get tied up in what is in fact a divisive and, understandably, national debate relating to abortion.

Sometimes I wish we had the House rules, which say that whatever you do has to be germane. But then I am not so sure, because I realize they can get the Rules Committee to do anything they want. But it is too bad we can't say that we are going to debate foreign policy and settle it, that we are going to fight out abortion, and that we will fight out education, and so forth. I understand the practical reasons why that is not the case, but the truth is that it creates real problems.

The one and only place—and I will cease after this—where I disagree with my friend from North Carolina, the chairman of the full committee, is on this issue of whether or not there has in fact been a compromise that has been put forward by the House leadership on the issue of Mexico City. It has been stated—and this is the only place I disagree with my friend—that the House anti-abortion forces, led by SMITH of New Jersey and GINGRICH, the Speaker, compromised on 90 percent of what the Mexico City language is. In truth, I think that is illusory. I don't think there is any compromise.

Let me for the record, for those who are going to make difficult decisions here on how to vote—I am going to vote no on this bill. The reason I am going to vote no on this bill is because I am opposed to Mexico City. That is true. But that is not the main reason I am going to vote no. To be honest with you, were I President of the United States, I would have a harder time deciding whether to veto this or not because I care so much about the three provisions.

Arguably, someone could say why not swallow on another provision that you strongly disagree with, but in comparative weight, in terms of how it affects the national interest, arguably you should go ahead and not veto. But I am not President. I am a U.S. Senator. As a U.S. Senator, I am obliged to explain my rationale for why I am going to vote against this. I am reiterating what I said at the outset. I think if we vote no in this body, whether you are for or against Mexico City, we, quite frankly, take the House leadership off of a bit of a dilemma. I believe in my heart that much of the House leadership would rather this not have been in this bill. They know how important this is, even though I am not questioning their support for the Mexico City language.

It is a little bit like my saying I feel very, very strongly about tobacco companies being able to target advertising to children—very strongly. I think they have been outrageous in what they have done. Should I attach that tobacco language to this foreign policy bill? Would that be appropriate no matter how strongly I feel about it? Should I say I am not going to fund the United Nations arrearages, I am not going to reorganize the State Department, I am not going to fund the State Department, and, by the way, although it is not in this bill, I am not going to replenish the International Monetary Fund even though there is an economic crisis in Asia that could still spill over to the United States? And the single most significant thing we could do to stop that from happening is regenerate confidence to the degree that everyone knows there is enough money in the IMF to help these countries get back on their feet. Should I say because of my feeling about tobacco advertising that I am ready to scuttle all three of those? I think that is inappropriate.

I think the House leadership—I could be wrong, but I think the majority of the House thinks it is inappropriate. It does not matter. A minority in the House, as has occurred in the Senate, with Democrats as well as Republicans, on other issues, both of us have attacked it. I think the strongest message we could send is to stop it. The Senate is not going to accept it. The President clearly will not accept it, because then I think the leadership on the other side will say, "Look, minority within our minority. I know this is

important to you. I kept my commitment to you. We tried it. Now let's get down to the business of the Nation."

I could be wrong about that. But that is why JOE BIDEN is voting against the thing that he, at least 49 percent, was responsible for creating, this bill, along with the 51 percent of my friends, including the Senator from North Carolina. I cannot think of anything other than the crime bill that I put as much time into than this. This is a little bit like sacrificing your child. I put a lot of time and energy, and my staff put in hundreds of hours, as has the chairman's staff. I am proud of our product. But I know the President is going to veto this. What is going to embolden the CHRIS SMITHS of the world to continue to throw a monkey wrench into the foreign policy of this Nation?

My point to my colleagues on my side of the aisle is to vote no. That, coupled with the President being against it, maybe will allow us to get down to the regular business of the Senate again. But I could be wrong.

Again, this is a tactical judgment, from my standpoint, on how we get on with conducting the foreign policy of this Nation and taking on our responsibilities in the U.S. Senate to do that.

But having said that, let me make sure everybody understands what Mexico City is. You say to people out there, "Well, this is about Mexico City. Well, is it about smog? What do you mean Mexico City? What is this about? Corruption? Drugs? No. It is about Mexico City.

Mexico City is a consequence of a reference to a meeting which took place on population planning back in 1984 where a whole bunch of nations got together under the auspices of the United Nations. They were going to meet in Mexico City and decide how they should deal with the notion of population planning. The Reagan administration announced administratively a new policy on international population assistance, which was a change in what United States Government policy had been as it related to assisting organizations involved in population planning in other countries.

Let me make a very important distinction. Even I had to go back and read this. This is not about involving any restrictions on governmental agencies. Money we send to the Mexican Government, the Mexican Government can use in population planning funds—if we send them any—any way they want with one restriction, and it is the Helms law. Senator HELMS—and I supported it—argued that we should not be sending taxpayer dollars to other countries in the form of foreign aid if those other countries, or private organizations within those countries, are going to take our taxpayer dollars and perform abortions—in the case of China, coerced abortions, where the Chinese Government has coerced people into having abortions, forced abortions, to maintain this one-child policy, one child per family. So it became law. It is still law. Under the Helms amendment, taxpayer dollars collected and sent overseas, in what most people would refer to as foreign aid, cannot be used to perform or to coerce abortions. That is the law.

Mexico City is in addition to that. Mexico City says—I caution my staff to correct me if I make even any nuance mistake about this because it is important—Mexico City comes along and it does two things. It says when the United States, by whatever mechanism, sends American taxpayer dollars to nongovernmental organizations instead of to the comparable Department of Health and Social Services in Mexico—for example, they have a comparable agency in their Federal Government like we have in ours—sending funds to them, it gets treated one way. Sending funds to, say, Mexico City Planned Parenthood, not a U.S. corporation, not a U.S. entity, but a Mexican entity, or any other country, in Argentina, in China, in Vietnam, the Mexico City directive of President Reagan said not only can they not use their funds because the Helms amendment blocks use of any taxpayer dollars—OK? Not only the government, but to these private agencies. The add-on that President Reagan, through Executive order, laid out was the following. It said not only can they not use our funds, the money we send, say, to Planned Parenthood Mexico, they cannot use their funds—let me get this straight for everybody. Right now, if we sent, through a population control program, money to Planned Parenthood Mexico, Planned Parenthood Vietnam, Planned Parenthood—I don't know that they have one but assume they do—and we sent money to the Government of Vietnam, the Government of Mexico, the government of another country, as well for population control under our law, if we find out they, either the private agency, or the government, is using that money to perform abortions, then it is against Federal law. We stop doing it. It is the Helms amendment. It cannot be done.

OK. That is the law. That is not in question here. That is the law now, and it will stay the law. But this is a different deal. Former President Reagan said not only do we want to stop that; we want to stop these nongovernmental agencies from using their own money. So now Planned Parenthood in Mexico gets a dollar of U.S. taxpayers' money; they can't use that dollar to perform abortions. They can't use that dollar to go out there and be promoting those abortions. OK.

But now let's say they have a fundraiser in Mexico City, and all Mexican citizens show up and they contribute $2. So they have $3 to spend now, two of their own that they raised that has nothing to do with taxpayers' dollars and one that is the American taxpayers' dollar. Mexico City says they can't even use their own dollars, their own money to do either of two things: One, to perform abortions or, two, to lobby their own Government on anything relating to abortion.

Now, the irony here is if they were the Right to Life Committee in Mexico City, they also could not lobby with their own money their Government to end abortions. It is a gag rule. We are saying what we can't say to their Government—even Mr. SMITH and others have not tried to say—any money we send to the Mexican Government to control population can't be used to perform abortions, and if they take any of our money they can't use any of their own money to do anything relating to abortion. We don't say that. We know we can't tell another Government they can't use their own tax dollars, but we feel we can tell a nongovernment agency, these NGOs they talk about, nongovernment organizations, we think we can tell them what they can do not only with the money we send them but with their own money.

That is the objection this President has. By the way, we went through a similar debate here in the United States on the so-called gag rule. It would be unconstitutional. We could not say to local Planned Parenthood in Duluth, MN, "You are getting some Federal funding; you can't use the Federal money. . . ." We can say that. But we could not then say, "With your money, you can't even tell anybody who comes in to see you about the options that are available." We can't say to a local doctor in the United States of America, "Look, we can pass a law saying you cannot perform an abortion with taxpayer dollars"—we could do that, but under our first amendment we could not say to the doctor or clinic, using their own funds, you cannot counsel the patient, "By the way, there are four ways to deal with your problem. One of them is . . ." We can't do that.

That is what we call the gag rule. But we are going to gag the world. We are going to tell the world, if you are involved with us in any way, you not only in accepting our dollars cannot use our dollars, you can't use your own dollars. The President and a vast majority of my colleagues feel very strongly—I admit they feel more strongly than I do—about that as a matter of principle.

So what is this fight about? Where did the compromise come in? What did the House do to make this Mexico City language more palatable or reflect what is called a compromise by my friend from North Carolina? Well, the compromise contained in this report would put Mexico City into place, make it law—it is not law now, but it was an Executive order, by the way,

from President Bush and President Reagan, and eliminated by President Clinton. This would now put into legislation Mexico City language. But here is what the language said. It would permit the President to waive the restriction on U.S. funds to a group that used its own money to perform abortions. Hardly any of these groups do that. So it is really not giving up much, and it would require the President to say, you can use your own money to perform an abortion.

That is allegedly the compromise. But let's look at what it leaves in place. And by the way, there would be a small financial cost in doing so. Population funds would then be limited to $356 million in that year as opposed to $385 million if he exercised this waiver. That is the penalty the President would pay to waive. But there is no waiver authority on the provision which is referred to as the lobbying restriction. And this is the more important provision because (a) few of the organizations that receive population funds actually perform abortions, and (b) from the administration's viewpoint, the principle worth upholding is one embodied in the first amendment of our Constitution, and that is this provision restricts free debate.

In fact, the reason the restriction applies only to foreign organizations and not domestic organizations is that it wouldn't be permitted under our Constitution under the first amendment if we tried to apply this language to an American nongovernmental organization. It would be unconstitutional.

Now, the statement of the managers in the conference report elaborates on the definition of lobbying and makes it clear that the provision is in fact designed to restrict speech. What are we doing now? We are telling them they can't use their own money to speak to their own Government, not our Government, not our money, can't use their own money to speak to their own Government about the issue of procreation.

Let me read the managers' statement, fancy term for saying what is contained in the attachment to this legislation. This is relating to what constitutes lobbying. "Such practices include not only overt lobbying for such changes but also such other activities as sponsoring rather than merely attending conferences and workshops on the alleged defects of the abortion laws as well as drafting and distributing of materials or public statements calling attention to defects in the country's abortion laws."

That is pretty broad. That is the problem the administration has. This is so far-reaching in terms of what it does as it relates to speech that as a matter of principle they have made no bones about it; 3 days after they came into office they scrapped this language. It is now being forced down their throat if they want to be able to conduct the foreign policy of the United States of America.

So my disagreement with my friend from North Carolina relates only to whether or not this is really a compromise. None of the language is changed. Only the ability of the President to waive the first section, not the second section. And by my understanding the managers' definition of what constitutes lobbying is even broader than anyone reasonably would think lobbying is in our country.

Now, I think this is antidemocratic. It is a gag rule. It is inappropriate for us to do this. It interferes in ways we should not be interfering. And it will have no impact, in my view, on whether there are more or fewer or lesser abortions performed in the United States of America. As a matter of fact, I am of the view—and I am, as I think 99 percent of Americans are, opposed to abortion. No one likes abortion. Even among those who have had one and/or perform them, I don't know anybody who likes abortion. But I think, ironically, Mexico City could cause more abortions to be performed worldwide. If Mexico City's restrictions are reimposed, several population organizations, including the largest in the world, the International Planned Parenthood Federation, will not any longer take any U.S. population control money. They are going to say, "If the price for us taking your money is we have to not use any of our money ever again, then we don't want your money." Is that a good idea? What have we accomplished?

I think these restrictions could lead to significant cutbacks in family planning assistance in several countries. Such assistance increasing access—for example, assistance to increase access to contraceptive services, to information related to everything from the rhythm method to the use of condoms to the use of the pill, all those things which are critical in preventing unwanted pregnancies—I think that the lessening of the amount of money available for that, because you know these organizations are not going to accept U.S. money, I think it is going to increase the number of abortions.

I think this is especially so in Eastern Europe and the former Soviet Union, where abortion, under the Communist period, was often the method used for family planning. For example, in Kazakhstan, U.S. assistance to some two dozen clinics, Planned Parenthood-type clinics in Kazakhstan from 1993 to 1994, led to a 41 percent decline in the number of abortions performed in that country.

Did you hear what I just said? When we were engaged in pointing out to the people of Kazakhstan what alternatives they had to deal with unwanted pregnancies other than abortion, and that information was made available, the number of abortions declined by 41 percent. In Russia, contraceptive use increased from 19 percent to 24 percent in the years 1990 to 1994. During this period, from 1990 to 1994, the number of abortions dropped from 3.6 million performed in Russia to 2.8 million. If, like me, you want to stop abortions, you had over 800,000 fewer abortions in Russia because we were providing money to train and to make available information to Russian women and men about the use of contraceptives.

But what are these organizations going to do now, when they say, if we give them money, they know they can't even talk to their governments or attend conferences and talk about abortion? They are not going to take the money.

In Ukraine, the Ministry of Health reported an 8.6 percent decrease in abortions between January and June of 1996, which it directly attributes to the women's reproductive health program that began in 1995 with U.S. funding. For every 100 abortions performed in the 6 months before, there were 8 fewer performed in the next 6 months. Why? Because of population services.

Now, look, I don't mean to, I don't intend to, and I don't pretend to want to engage my friend in a debate on abortion. As I said when he was necessarily off the floor, the only place we disagree as it relates to this conference report is how much of a compromise the House really made. I would argue essentially they made no compromise and allowed the President to waive in one circumstance the Mexico City restriction which is hardly ever used anyway. I think—I know from the administration's perspective and the majority of my colleagues on this side and about 8 or 10 on your side, that it is a larger principle of whether or not we can impose internationally a gag rule that can't be imposed nationally because of our first amendment. Again, I am not arguing the merits of it, but I am arguing that is enough, I think, to doom this conference report.

And I will conclude by saying—and I thank my friend for his indulgence—but I conclude by saying the only other thing we probably disagree on, and only of late, is tactically what is the best way to get what we both want done. I think if the Senate rejects, as well as the President veto's threat exists, tactically that puts up more of a wall that says, Look, let's deal with foreign policy, not with Mexico City on this; pick another vehicle.

But I want to tell you—and I don't say this to be solicitous—I don't know anyone who is tactically smarter, in terms of Senate procedure, than my friend from North Carolina. We have both been here the same number of years, but I do not have his knowledge and experience relative to the rules. But I think I have almost as much of an instinct about what will motivate

or not motivate our colleagues in the House or the Senate.

So, again, we disagree on only two points: One, this is not much of a compromise on Mexico City; two, tactically I am urging my colleagues to vote "no" to make the point that this is not an easy access, to keep attaching this kind of language. Because it will allow, in my view, the leadership in the House to say, "Look, if we want to get something done, let's not attach it."

That is my rationale. We have no disagreement on the legislation. We both made real compromises on the core of this. I think we both, on both our parts—it is presumptuous of me to say this and self-serving for me to say this—but think we did a good job. I think we worked the way one of the major newspapers in America said the way the committee is supposed to work. We actually heard the facts, debated it, fought it out, resolved it, and did what was reasonable in the outcome.

So I say to my friend, I don't know where this will all lead except I am confident, either because of action on this floor or by the President, this conference report is not going to become law and we are going to have to go at this again. But I fear, as he does, time is awasting. It is harder each time to put Humpty-Dumpty back together again. Time is running out. We are moving into an election year. I do not in any way question his motivation. I do not in any way suggest that I know my tactical judgment is better than his. But I have reached this conclusion—and we talked about this—I have reached this conclusion for the reasons I have stated.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, do not be misled by the modesty of the distinguished Senator from Delaware. He knows as much about tactics as anybody I have ever seen. It is true that we came here the same day. I think we have learned at the feet of certain masters that we have known. Some have gone—departed. But, anyway, it has been great working with the Senator. I appreciate his kind comments, and we will have to see how it comes out.

Mr. President, how much time remains? I believe we had, at the outset, a total of 6 hours allocated. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. HELMS. How much time remains on each side?

The PRESIDING OFFICER. Senator HELMS has 2 hours 31 minutes; Senator BIDEN has—somewhat less than that.

Mr. HELMS. I thank the Chair, and I thank the Parliamentarian.

Mr. President, I ask unanimous consent—and I know the Senator from Delaware will agree—that any quorum call that occurs during this allotted time be charged equally.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HELMS. 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. LEAHY. 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. LEAHY. Mr. President, can the Chair advise the Senator from Vermont where we are on the time?

The PRESIDING OFFICER. The Senator from Delaware used 50 minutes of the 3 hours. In consequence, to his side, there are 2 hours 10 minutes remaining.

Mr. BIDEN. Will the Senator yield?

Mr. LEAHY. Yes.

Mr. BIDEN. Mr. President, is the time in control of the Senator from Delaware?

The PRESIDING OFFICER. It is.

Mr. BIDEN. Mr. President, I yield as much time as my friend from Vermont would like, and I ask unanimous consent that since I am going to be absent from the floor, that he have the authority to yield any time he wishes as well. I have 2 hours 10 minutes left. I yield up to 2 hours 5 minutes to my friend from Vermont.

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

Mr. LEAHY. Thank you, Mr. President. I assure my friend from Delaware, I will not utilize all that time. I yield myself such time as I require within those constraints.

Mr. President, when the Senate passed its version of the State authorization bill last year, it contained no reference at all to international family planning or the Mexico City policy, which, as we know, restricts U.S. Government funds to private family planning organizations. The reason for that was obvious. Family planning has nothing to do with the State authorization bill.

This bill is about how many Assistant Secretaries of State there will be, the bureaus, how they are set up, and so on. It is not about running Planned Parenthood.

The House saw things differently. Unfortunately, a minority in the House saw yet another opportunity to hold hostage important foreign policy legislation, and they did, like funding for the United Nations and the reorganization of the State Department. In doing so, they sought to force the President to embrace a discredited family planning policy he has repeatedly and publicly rejected.

For some reason, the House seems to think that sending it down to the White House to get a certain veto represents some kind of victory, when all it does is guarantee that we will revisit this issue again and again and again.

When I came to the Senate, we had members of both parties who tried to represent the United States in the best way possible. They would join in a bipartisan agreement on foreign policy, to act in ways that would make the United States as strong as possible.

Somehow, in the past few years, we have some who seek to make political points or fill out forms on fundraising letters, or whatever, and they distort the foreign policy of the United States for their own short-term political gain. It is almost as though, with their ego, they feel that whatever their issue is all that matters, and the foreign policy of the United States can be thrown overboard. They are going to make their point, they are going to send out their fundraising letters, they are going to recruit their supporters based on how they might distort the foreign policy of the United States, and they could care less of the consequences. I will give you an example.

An agreement was reached last year with the Republican leadership and the Democratic leadership of the House and the Senate and the President of the United States that we would pay the dues that we owe under law and under treaty and under agreement to the United Nations. It is money we agreed to pay, are legally obligated to pay, and have not paid.

Then, on the very day that the United States was asking the Security Council of the United Nations to stand solidly with us on the question of sanctions on Iraq, on the very day that the United States was asking a disparate group in the Security Council to agree with us against Saddam Hussein and his refusal to comply with his obligations under the Security Council resolutions, on that same day the Republican leadership of the House of Representatives broke its word—broke its word to the President, broke its word to the United Nations, broke its word to the American people, broke its word to the Congress—and killed the bill to pay our dues to the United Nations.

And why? Because a handful of people in the House of Representatives wanted to include the so-called Mexico City language that did not have the support of even a majority of the Senate not to mention enough votes to override a veto, and which the President had made unequivocally clear he would veto.

The U.S. Congress should have the honesty and the maturity to put the interests of the country ahead of the individual political interests of Members. We are asked to do this often as we should be. There has to be some reason for serving here other than sending out fundraising letters or making political points. Maybe it seems novel to

some, but I come from the old school and we Vermonters feel that the country comes first.

Mr. President, it would be one thing if the only problem with the Mexico City policy were that it is totally nongermane to this bill, which it is, but it is a lot worse than that. It is anti-family planning, anti-free speech, anti-women, anti-children, and flies in the face of the very democratic principles we are encouraging other countries to adopt. It is among the most illogical and misguided approaches to an issue I have seen in my time here.

What the House has done is send us a conference report that we have no opportunity to amend, which contains a controversial provision that was not in the Senate version, that was never voted on by the Senate, that is certain to be vetoed and which, despite repeated attempts, has not won a majority of votes in the Senate for over a decade.

Mr. President, we could simply voice vote this conference report and let the President veto it, but that would resolve nothing since the proponents of the Mexico City policy would simply play the same game with the IMF supplemental, and if that failed, with the other appropriations bills. I am waiting for them to put it on a bill dealing with highways or national forests or agricultural research or some other thing. The rules are irrelevant to them. Logic is irrelevant to them. Good sense is irrelevant to them. And the interests of the country are apparently irrelevant.

The only way we are going to put a stop to these antics is for the Senate to reject the Mexico City policy altogether, for the Senate to stand up and say, "We will not play these games." We will be the Nation's conscience.

I am among those who believe we should pay our debts to the United Nations. If the United States gives its word that it is going to do something, then we should do it. We bring our children up that way. We tell them if they give their word, they ought to keep their word. Well, we are the ones who are the keepers of the word of the United States. When the United States gives its word, we ought to be honest enough to back it up.

The United Nations is helping solve global problems that we could not possibly solve by ourselves, even though they are problems that affect the United States of America. Unfortunately, the amount authorized here falls far short of what we owe, and it is encumbered with too many restrictions.

Others, including the distinguished chairman of the Foreign Relations Committee, want to reorganize the State Department. But if we pass this conference report with the Mexico City language, there will be no State reorganization because it will be vetoed and it will be held hostage by the House indefinitely.

So the Senator from Vermont believes there is only one option: Defeat it, and send it back to the House. There are no guarantees, but that is our best hope of getting the Mexico City policy stricken from this bill so the President can sign it.

Before I discuss what this version of the Mexico City policy would do, let me remind all Senators what should be common knowledge. United States law explicitly prohibits the use of U.S. Government funds to pay for abortion or to lobby for abortion. That has been the law for years. You wouldn't know it to hear some of the proponents of the Mexico City policy talk. But that is the law. We have passed it time and time again. We have all voted for that. In fact, the last time I believe was about 6 months ago.

We will have our next opportunity to vote to reaffirm that prohibition on the Foreign Operations bill in a couple of months. No one needs to worry about where they stand on that.

So when the proponents of the House Mexico City language say it is needed to ensure that taxpayer funds are not used for abortion, they conveniently forget to mention that our law already prohibits that. I remember the "Saturday Night Live" character Dana Carvey, who would say, "Isn't that convenient." Well, for them it is convenient.

Because what they really want to do is prohibit funding for private organizations that use their own funds for abortion even where abortion is legal. In fact, the version that is in this conference report goes even further. It would prohibit those private organizations from even speaking about abortion.

Now, can't you imagine how we would all react if the Parliament or the Congress or ruling committee of any other country passed a law, and standing up they would say, "In this law, no private organization in the United States can speak on a particular issue." Lord love us all, Mr. President, there would be such a flood of Senators and House Members to come down and say, "How dare they, how dare they, in that"—and fill in the blank of whatever country it is—"How dare they tell the United States what to say or people in the United States what they can say."

Yet that is what the House would have us do. We would laugh them out of the Chamber because it would so obviously violate our first amendment. But we have some in the other body who do not believe that private organizations, even American organizations, have the right of free speech outside our country.

I was going to say that they should reread our history, but it is apparent that I presume too much. They should simply read it. Do we really want to go down this road? This isn't a Democratic issue or a Republican issue; it is a free speech issue. It is about the right of people to voice their opinions as representatives of private organizations where it is legal to do so. It is shameful for the U.S. Congress, which the world looks to as a beacon of free speech and democracy, to even think of curtailing that right. And yet the House would have us do that in countries that are struggling to become more democratic and more free.

What kind of an example is that? How can the same people stand up and say, we stand for the principles of America, except in those instances where they conflict with whatever our political agenda is and then we are willing to trample on them?

What is described innocently as a lobby ban is in fact a gag rule that flies in the face of efforts to reduce unsafe abortion worldwide. Private organizations receiving U.S. funds would be prohibited from even calling attention to defects in legal abortion laws. They would be prohibited from trying to make abortion safer and reduce the number of women worldwide—hundreds of thousands of women—who die from unsafe abortions. Why on Earth would we want to do that?

Members of the House argue they have made a difficult concession by allowing the President to waive one of the restrictions. Either they are joking or they assume we do not bother to read what we are voting on. They fail to mention that if the President exercises the waiver, which they fully expect him to do, scarce family planning funds would be cut an additional $44 million in this year alone, meaning a $224 million cut from the 1995 level.

What would be the consequence? Millions of women who might otherwise receive access to family planning would become pregnant, and there would be millions of abortions that otherwise would have been prevented. The evidence that voluntary family planning reduces unwarranted pregnancies and abortions is beyond dispute. It can be seen in every country in the world. The irony is that the provisions sent to us by the other body would result in more abortions, not fewer, because it would sharply cut funding for family planning.

Now, let us be honest. They say they don't want abortions. That is fine. I respect that. Who wants abortions? I wish there would never be another one. But you don't accomplish that by cutting money for family planning. It is so logical. If you have good family planning the number of unwanted pregnancies goes down and the number of abortions goes down. You can't say, "We don't want you to have abortions but we also don't want you to have contraceptives." Be honest. That is what it comes down to.

Studies done in the United States show that the use of family planning

reduces the probability of a woman having an abortion by a staggering 85 percent. In Russia, the average woman had seven abortions in her life, but since AID began providing modern contraceptives to Russia the number of abortions has gone way down and continues to go down.

In Kazakhstan, AID support for family planning clinics led to a 59 percent increase in contraceptive use and a 41 percent decrease in abortion among women served by the clinics. There have been similar declines of abortions when contraceptives were made available from Latin America to eastern Europe. In one of the poorest countries, Bangladesh, where abortion is prohibited, education about contraceptives and alternatives to abortion has contributed to a significant reduction in fertility rates over the past 10 years. Even in Bangladesh, where abortion is illegal, 50,000 women are hospitalized each year because of complications from illegal, unsafe abortions. Family planning funding will help reduce those numbers. These are women's lives that are saved. Why do the people who support the Mexico City language not care about them? Is it because they live in a different country?

Another argument they make is that although U.S. funds are not spent on abortion they free up other funds that are spent on abortion. The old "money is fungible" argument. Do they really want to go down that road? Do they really want to say we cannot send aid to countries because they might use some of that aid on abortion because abortion is legal there? Does that mean that because abortion is legal in Israel—we give aid to Israel, it is deposited in the Israeli Treasury—that we should shut off U.S. aid to Israel because other Israeli Government funds are used for abortion? Whoops, not going to do that, and I am not suggesting we should. Obviously, we are not going to cut aid to Israel because the Israeli Government supports abortion. But why should the rules be different for private citizens? If anything, they should have more protection to speak freely. They are not a government. They ought to be able to speak freely.

Should we stop funding nuclear safety programs in Russia because abortion is legal there and abortions are provided at government hospitals? Should we say that we will put at risk the lives of Americans for a nuclear accident and cut off funds for nuclear safety programs in Russia because they won't make abortion illegal? Maybe we should cut off aid to any State in the United States because abortion is legal. That would be all 50 States.

Of all things, family planning is something we should support. Unlike nuclear safety, it does help reduce the number of abortions. Yet the Mexico City policy would prevent us from supporting private family planning organizations. Crazy, absolutely crazy.

Mr. President, whether you are pro-choice or pro-life, you should oppose the Mexico City policy. One of my best friends in the U.S. Senate, a man I admire greatly, a man who was a mentor to me when I first came to the Senate, served as chairman of our Senate Appropriations Committee, is now retired, the former distinguished senior Senator from Oregon, Senator Hatfield. He is strongly pro-life. I greatly respected Senator Mark Hatfield for that. I greatly respected him for a lot of things because I felt he was a man who always followed his conscience. He opposed the Mexico City policy not because he is pro-abortion, he was adamantly the other way, but because he said if you have family planning, especially with the U.S. prohibition against using it for abortion—if you have family planning the number of abortions will go down. He knew from the hearings we had in the Appropriations.

Voting for the Mexico City policy may make for a good press release, but it would cut funding for family planning. It would increase the number of abortions. We should reject this attempt to push this misguided policy down our throats. We should send the bill back to the House.

Mr. President, before I yield the floor I want to say a final word about the tactics used here. These are vitally important foreign policy programs, but this is the second time in 6 months that the House has used this type of blackmail. This is the second time in 6 months a small group in the House has pushed their political agenda no matter how much damage it might do to the integrity and the word of the United States worldwide—last year, it was the IMF and U.N. funding; this year it is the U.N. funding and they are threatening again to block funding for the IMF. If that fails, it would be funding for disaster relief in Vermont or California or Minnesota, Oregon, or anywhere else.

And all because they do not have the votes to override a veto of the Mexico City policy. Whatever happened to democracy, to the legislative process? Instead, we have a handful who prefer gridlock and blackmail. They shut down the Government first and now this. If it were up to them they would hold hostage billions of dollars for these economic and security programs indefinitely. No wonder the Congress is seen by so many Americans as an embarrassment.

Mr. President, I have been proud to serve in the U.S. Senate for almost 24 years. I am proud that the people of Vermont have sent me to this body. In our over 200-year history, I am the only member of my party to ever serve in the U.S. Senate. But the other party sent great, great leaders that I revere and admire, people I try to emulate. The Senators from Vermont have always felt that the integrity of the United States must be protected, that the United States, when it gives its word, must stand by it. The first Ambassador to the United Nations was a Vermonter who gave up his seat in the U.S. Senate to be appointed to that post, to again stand up and say that when the United States gives its word, it keeps it.

I hope that some—mostly in the other body, and maybe some in this body—will step back and say, let us worry less about our own political lives and our own political future, for whatever short moment that may be, and think in the long term for our country. None of us owns a seat in the U.S. Senate; I don't, the distinguished Presiding Officer doesn't, none of us do. It is the same in the other body. We are privileged and honored to represent our States for the time that we are here. Most of us do it with a great deal of care and in the interest of our State and our country. I know my friends who are on the floor here at this moment are all people who fall into that category.

But there are always times when we have to say that the political interests we may have individually are greatly outweighed by the interests of the United States of America, because we will come and go, the country will remain, and the country can either be weakened or strengthened by what we do. This is a time when we ought to stand up and fulfill the obligations of the United States, fulfill our high standards, and keep our word. So in this case, I hope that this conference report is defeated.

Mr. President, I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Minnesota is recognized.

Mr. GRAMS. Mr. President, the pending business before the Senate is the Conference Report on H.R. 1757, the Foreign Affairs Reform and Restructuring Act. I take the other side of this issue. I strongly encourage my colleagues on both sides of the aisle to support passage of this important foreign policy initiative.

As Chairman of the Subcommittee on International Organizations of the Foreign Relations Committee, I spent many hours along with my colleagues on the Committee and with the Clinton Administration crafting legislation which will strengthen America's leadership role in the international arena.

This Conference Report is a true "reform" bill. H.R. 1757 abolishes two federal agencies and reorganizes their essential functions into the Department of State. It brings long overdue reform to the United Nations. It prioritizes our international affairs expenditures and authorizes important foreign policy initiatives. In fact, the core reforms contained in this legislation

were originally approved by the Senate by a vote of 90–5 on June 17, 1997.

I think it is fair to say that this is one of the most far-reaching and comprehensive foreign affairs bills undertaken by the Congress. This reflects Congressional acknowledgment of the need to create a more effective foreign affairs apparatus, both at home and at the U.N., in order to confront the post-Cold War challenges to U.S. peace and security.

The pending legislation is the result of a good-faith effort to accommodate conflicting perspectives on how we, as a nation, should allocate our resources. There were tough, lengthy negotiations on this package. We had to reconcile competing interests, and as a result, no one can claim that the final product contains everything that they would wish. I will be the first to say that this bill does not contain all of the reforms I originally sought. I would have preferred much more in the way of reforms and budget discipline. But this is a good agreement; and in this case, we must not let the perfect be the enemy of the good.

Now, let me say that I understand some on the other side of the aisle may vote against this bill, and the President has indicated his intention to veto it, because of a provision that contains a part of the so-called "Mexico City" language. Specifically, section 1816 of this bill would prohibit organizations that receive U.S. taxpayer dollars from lobbying to change abortion laws—either for or against—overseas.

Now, let me make clear some of the important initiatives that would not be enacted if this Conference Report is defeated.

The President and the Secretary of State have indicated that payment of U.S. arrears to the United Nations is a top priority. This bill would authorize a three-year payment plan of $819 million, and an additional $107 million in debt reduction, to the United Nations and other international organizations in return for comprehensive management and fiscal reform of the United Nations. Rejection of this conference report would eliminate this funding and kill the management and fiscal reform measures.

The President and the Secretary of State have agreed that a fundamental restructuring of U.S. foreign affairs agencies is long overdue. This bill eliminates the Arms Control and Disarmament Agency, and the U.S. Information Agency and folds their functions into the State Department, while still maintaining firewalls between the State Department and the essential broadcasting activities and public diplomacy of USIA. It also consolidates certain functions of the Agency for International Development into the State Department and grants the Secretary of State greater authority over foreign aid spending. Without the pending legislation, this reorganization cannot go forward.

The Drug Czar, General McCaffrey, has agreed that keeping our children free from drugs is a top priority. This bill requires the State Department to develop and implement a comprehensive counternarcotics strategy. Without this bill, this important initiative will not go forward.

The Secretary has been a tireless advocate for investment in the U.S. diplomatic infrastructure, citing examples of deplorable conditions of U.S. missions overseas, including ambassadors washing dishes in bathtubs, and outdated computer systems. This bill fully funds the capital investment fund and provides urgently needed resources for embassy construction in Berlin and Beijing.

Containment of Saddam Hussein and support for a democratic movement in Iraq are essential to advancing democracy in the Gulf. This bill authorizes programs to assist a democratic Iraqi resistance, to create a Radio Free Iraq broadcast, and to reconstruct communities not under the control of Saddam Hussein. None of these programs will be authorized if this legislation is not enacted.

Mr. President, this Conference Report lays out comprehensive and achievable reforms, both here at home in the nation's foreign affairs bureaucracy and in the United Nations. My visits to the U.N. as the U.S. Congressional Delegate to the U.N. General Assembly served to reinforce my commitment to salvage this organization. In this age, any organization burdened with a bloated bureaucracy and no mechanisms to control spending, will collapse under the weight of its own inefficiency. If we do not take a leadership role in reforming the U.N. now, a powerful, entrenched U.N. bureaucracy looking after its own short-term interests may condemn the U.N. to irrelevance as we move into the 21st Century.

When Secretary of State Albright was serving as Ambassador to the U.N., she warned that "poor management" could be the U.N.'s "Achilles' heel" saying, "I cannot justify to the taxpayers of my country some of the personnel arrangements, the sweetheart pension deals, the lack of accountability, the waste of resources, the duplication of effort and the lack of attention to the bottom line we often see around here."

Well, Congress cannot justify these excesses to the American taxpayers either. That is why we have stepped forward with a bipartisan reform plan that will compel the United Nations to address these concerns. As I stated previously, the pending legislation provides a three-year payment of $819 million in arrears to the United Nations and $107 million in debt reduction that the U.N. owes that U.S. in conjunction with the achievement of specific benchmarks that will help enhance the vitality of the U.N.

Mr. President, this bill also takes steps to address another concern of mine, and that is the move to ensure that survivors of torture will be treated with the compassion which they deserve. One provision that I authored prohibits the involuntary return of any person to a country in which there are substantial grounds for believing that he or she would be in danger of being subjected to torture. Another provision authorizes the U.S. to contribute $3 million in fiscal 1998 and another $3 million in fiscal year 1999 to the United Nations Voluntary Fund for Victims of Torture, ensuring that treatment centers in more than 50 countries will continue to receive support.

The United States should take a leading role in encouraging the establishment of additional programs, both at home and abroad, for the treatment of torture survivors. My home state of Minnesota is fortunate to have the first comprehensive treatment center in the United States for survivors of torture. The Center for Victims of Torture has treated over 500 patients since it was established in 1985, and has enabled them to become productive members of our communities by overcoming the atrocities suffered in their countries of origin. We must continue to support treatment centers, like the one in Minnesota, which help those who cannot help themselves—survivors of torture. Dedicating more of our U.N. voluntary funds for this purpose will help provide this important service to more needy survivors.

I strongly believe the U.N. is an important forum for debate between member states and a vehicle for joint action when warranted. It is not a world government. However, the U.N. must endorse reforms that provide transparency and accountability so it is embraced as an important world forum for discussion and for coordinating action to promote international peace and security, not as a world government. I firmly believe that this package will improve the U.N. and assist it in winning back public support in the United States.

I urge my colleagues to support this important legislation. I commend the Chairman of the Foreign Relations Committee for his diligence and perseverance in achieving this comprehensive reform plan.

Little has changed since the Senate approved this legislation last November by voice vote, and last July by a vote of 90–5. It certainly would be disappointing, and I believe short-sighted, now to reject reorganization, payment of U.N. arrears, and other key foreign policy initiatives because the President has decided that single-issue politics is more important than U.S. foreign policy interests. My colleagues

should heed the warning of the Secretary of State that failure to pay the U.N. arrears would result in a "shutdown for our national security policy." If this is the case, then it would be irresponsible to reject these funds because of opposition to the prohibition on U.S. aid recipients against lobbying foreign governments to change their abortion laws. Mr. President, this legislation advances key American foreign policy interests, and I hope that all of my colleagues will support its passage.

Mr. KERRY. Mr. President, there are several provisions in this conference report which trouble me greatly. For example, the bill abolishes the Arms Control and Disarmament Agency (ACDA) and merges its functions into the Department of State. As one who has always believed that there are sensible ways to reorganize our foreign affairs agencies, I do not oppose this merger. However, I am concerned that the bill fails to augment the State Department's budget in fiscal year 1999 to ensure that the vital activities for which ACDA is now responsible will continue. The bill also perpetuates and increases funding for international broadcasting activities—an approach which, in my view, is not the most effective use of scarce resources at a time when there are so many other sources of information available globally. However, the main reason why I am going to vote against this conference report is that it imposes unacceptable conditions on funding for international family planning organizations.

Section 1816 of the bill was offered by Congressman CHRIS SMITH in a sham conference process in which no Democrat from the Senate or the House was invited to participate. It has been billed by its author as a so-called "compromise" to bridge the gap between the House, which has voted to reinstate the Mexico City policy of the Reagan and Bush administrations, and the Senate, which has repeatedly supported the Clinton Administration's decision to abandon it. The Mexico City policy ended assistance to private family planning organizations overseas if the organization was involved in voluntary abortion activities even if U.S. funds were not used for such activities. Of course, since 1973 U.S. funding for abortions overseas has been banned by law and international family planning organizations have been prohibited from using U.S. funds to pay for abortions. Even abortion opponents agree that there is no direct U.S. funding of abortions abroad.

Make no mistake about it. The Smith provision is no compromise. First, it tries to dictate how foreign family planning organizations use their own funds by mandating that no U.S. population assistance may be given to any foreign organization unless the organization certifies that it will not use its own funds to counsel or perform abortions. If the President exercises the waiver of this provision, funding for family planning activities will be cut by $44 million.

Far worse, however, is the expanded ban on lobbying which amounts to a gag rule on organizations receiving US population funding. The Smith provision prohibits funding for any foreign organization that "engages in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated or prohibited." The statement of managers makes it clear that the phrase "alter the laws or governmental policies" is broadened well beyond traditional lobbying to include "sponsoring conferences, and workshops on the alleged defects of the abortion laws, as well as the drafting and distribution of materials or public statements calling attention to such alleged defects." In other words, under this prohibition, which is not waivable, any foreign organization which dares to enter a legitimate public policy debate on the abortion issue in its own country would be denied U.S. family planning assistance.

The lobby ban in the Smith amendment is anti-democratic in every sense of the word. As Secretary of State Albright has said, it is "basically a gag rule that would punish organizations for engaging in the democratic process in foreign countries and for engaging in legal activities that would be protected by the First Amendment if carried out in the United States." It sacrifices free speech, a right we Americans hold dear, for ideological purposes on the abortion issue.

This gag rule harkens back to the old days of American imperialism by telling others in foreign countries what they can and cannot say and do. It runs counter to our long held belief in pluralism, open political processes and democratic participation, and it undermines a central tenet of our foreign policy: encouraging democratic political practices abroad and participation by non governmental organizations in those processes.

The Mexico City provision in this conference report, with its gag rule, will not reduce the number of abortions but rather increase it. The effect of this provision, if enacted, would be to cut funding for family planning programs, thereby decreasing access to the most effective means of reducing abortion.

Finally, Mr. President, I think it is a travesty that the reorganization of our foreign affairs agencies—an issue on which the Administration and the Congress have finally found common ground after much disagreement—and our efforts to pay our debts at the United Nations and promote much-needed reform in that body are being held hostage to a domestic issue which is irrelevant to the substance and goals of this bill. This is not the proper place or the proper time to engage yet again in a debate over Mexico City. For this reason alone, I urge my colleagues to vote against this conference report.

Mr. President, I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I ask unanimous consent that I be allowed to proceed as if in morning business.

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

Mr. LIEBERMAN. I thank the Chair.

(The remarks of Mr. LIEBERMAN pertaining to the submission of S. Res. 216 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. LIEBERMAN. I thank the Chair, and I yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I also ask unanimous consent that I be able to speak as in morning business for up to 10 minutes.

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

(The remarks of Mr. GRAMS pertaining to the introduction of S. 1982 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The distinguished Senator from West Virginia.

Mr. BYRD. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The pending business is the conference report to accompany H.R. 1757, the Foreign Affairs Reform and Restructuring Act.

Mr. BYRD. I thank the Chair.

Mr. President, has the Pastore rule run its course for the day?

The PRESIDING OFFICER. That will not expire until 1:20 today.

Mr. BYRD. Mr. President, I therefore ask unanimous consent that I may speak out of order for such time as I may consume.

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

ISTEA

Mr. BYRD. Mr. President, on Wednesday evening, the committee of conference on the reauthorization of the Intermodal Surface Transportation Efficiency Act, or ISTEA, had its first opportunity to sit down in full conference and discuss the differences between H.R. 2400 and S. 1173, respectively, the House- and Senate-passed highway bills. As a Senator who is not a member of the conference committee but as

a Senator who is, nevertheless, deeply committed to increasing substantially the size of our national investment in transportation infrastructure, I rise to urge the conferees to complete expeditiously their deliberations on the highway reauthorization bill. The conferees and all Senators are fully cognizant of the imminent—the imminent—arrival of May 1, the date beyond which all States will be prohibited by law from obligating any Federal-aid highway funds.

Senators will recall that, during the months of February and March, I and a number of other supporters of the Byrd/Gramm/Baucus/Warner amendment, spoke on the Senate floor on a daily basis to discuss the critical need for the Senate to turn immediately to the ISTEA, or the highway, reauthorization bill. I thought it was extremely important that all 100 Senators, all 50 Governors, and the thousands of State legislators and mayors and transportation agencies throughout our Nation were fully aware that the Surface Transportation Extension Act—the short-term ISTEA extension bill passed at the end of last year—includes a deadline on the authorization of our federal aid highway and transit programs. That short-term bill, P.L. 105–130, the Surface Transportation Extension Act of 1997, includes the following passage, and I quote from the law of the land.

The Magna Carta of 1215, which the English barons forced King John to sign at Runnymede on the meadow near the Thames River, had a phrase within it, "the law of the land." That was the phrase, "the law of the land." And our own American Constitution later used the phrase "due process." "Due process." We speak of the due process law. Due process is an evolution from the law of the land in the Magna Carta.

So I want to read this following passage from the law of the land:

> A State shall not obligate any funds for any federal aid highway program project after May 1, 1998.

There is no equivocation. There are no ifs, ands, or buts. Let me read it again. This passage is from the law of the land, the statute that Congress passed last November:

> A State shall not obligate any funds——

That is pretty absolute, pretty final. There are no doubts that arise from reading that language.

> A State shall not obligate any funds for any Federal aid highway program project after May 1, 1998.

The short-term bill also includes other provisions which, in effect, limit our States to obligating no more than $9.8 billion through May 1 on our Federal-aid highways. Even though the Transportation Appropriations Act for the current fiscal year provided a total obligation limitation of $21.5 billion, a historic 16 percent increase above the prior year's level, the short-term authorization bill effectively capped that amount at $9.8 billion, roughly 45 percent of the allowable appropriation. It will be necessary for a new highway bill to be enacted into law in order for the States to spend the remaining $11.7 billion allowed under the appropriations act.

I recently contacted the Federal Highway Administration to find out how States are progressing in the obligation of this $9.8 billion and how their obligations compare to amounts they have obligated in prior years by this time. As of Wednesday evening, the States had obligated roughly $8.5 billion, or 86 percent, of the total $9.8 billion permitted under the short-term extension law. The Federal Highway Administration expects, however, that almost all of the $9.8 billion will be obligated by the time the clock strikes—by the time that clock just above the Presiding Officer's Chair strikes midnight one week from today. Indeed, this rate of obligations is consistent with the amounts the States customarily obligate by this point in the year.

We now find ourselves in a situation where the Federal spigot will be shut off without even a dribble of funding going to States to continue the annual construction process beyond the end of next week. States will not be allowed to enter into any new obligations. It will be anything but business as usual in our Nation's highway construction enterprise. Roughly $11.7 billion in potential highway construction funds will be frozen at the Treasury until a new highway bill is signed into law. And if that highway bill is not signed into law soon, the States will be required to lay off highway workers and bring their planning and engineering activities to a halt. The longer it takes to get a new highway bill enacted, the greater the likelihood that a good part of the spring and summer construction season will be lost.

I remind my colleagues that the Federal Highway Administration estimates that every billion dollars in federal highway spending generates 42,000 jobs throughout our economy. This $11.7 billion in construction funds that will be withheld from our States after May 1, pending the enactment of a new highway bill, thus, represents almost 500,000 jobs. Put another way, Mr. President, our failure to enact a highway bill in the near term could result in layoffs approaching half a million workers over the long term.

I do not believe that any Senator or any Member of the other body wants to see half a million highway workers thrown off the job. The sooner the Congress sends a highway bill to the President and the sooner the President signs that bill, the sooner we will ensure that this does not happen.

Mr. President, I am hopeful that the conferees on the highway bill will complete their work promptly. Through the intervention of the bipartisan leadership of both the House and the Senate, each body has now passed a comprehensive surface transportation bill with substantially increased resources. This accomplishment was long overdue and I commend the leadership of the House and the Senate, as well as the leadership of the Senate Environment and Public Works Committee, and the House Transportation and Infrastructure Committee, in passing bills that will finally authorize the obligation of all new revenues to the highway trust fund.

I do not mean to belittle the task that is before the conferees in the development of the final conference agreement on the ISTEA reauthorization bill. There are significant differences in approach and policy between the two bills. I am confident, however, that under the leadership of Chairman SHUSTER and Chairman CHAFEE and their Democratic counterparts, Congressman OBERSTAR and Senator BAUCUS, these differences can be resolved so that we can adopt a conference report as close to the May 1 deadline as possible. So I implore all conferees to work diligently, as they always do, to ensure that our States, and our local communities, see no interruption in the flow of critically needed highway investment dollars.

(Mr. HAGEL assumed the Chair.)

SENATOR KENNEDY AND THE EDUCATION BILL

Mr. BYRD. Now, Mr. President, on another matter, I desire to compliment Senator TED KENNEDY on his stalwart, unstinting, and unyielding support of public education. I, on yesterday and on previous days, voted in opposition to Senator KENNEDY's position on amendment after amendment to the education bill that was before the Senate, the bill which passed the Senate last evening. But Senator KENNEDY never falters—never falters. I did not agree with him, and that is why I voted differently on some of the amendments and on the passage of the bill.

But I, nevertheless, never hesitate to admire his supreme dedication to the education of our children and to the support of the public school system. He has done a magnificent job over the years. When I was majority leader, he was just as magnificent, just as unyielding in his support of public education, always a superb committee chairman and today a superb ranking member of the committee.

He is undaunted always. He is always constant. You know where he stands.

> How hard it is——

As we read from Caesar:

> How hard it is for women to keep counsel!
> But I am constant as the northern star,
> Of whose true-fix'd and resting quality
> There is no fellow in the firmament.

That is pretty constant, isn't it? Let us go over it again.

How hard it is for women to keep counsel!

Now that is not a part of my thinking in this instance, but that is part of the quotation.

Now I am thinking of Senator KENNEDY.

But I am constant as the northern star,
Of whose true-fix'd and resting quality
There is no fellow in the firmament.

So even though I differ in my position, especially with respect to this bill that was passed yesterday, differ in some respects from my colleague, Senator KENNEDY, I admire him and commend him and salute him for his constancy in standing for what he thinks is the best for our young people.

And, of course, in differing with Senator KENNEDY, I, too, stood for what I thought was best for our children. I deplore some of the things that are being said in an attempt to equate highways with schools or with education. The country needs both. The country is in dire need of investment in infrastructure in this country. Both highways and education, the education of our young people, both constitute infrastructure.

And I think it is unwise to attempt to equate one with the other and say, "Oh, we are spending billions of dollars on highways. Why should we not spend like amounts on education?" I am for both. But why equate education with highways or highways with education? We cannot have one without the other. We have to have both. And so I hope the administration will get off that tack of trying to equate highway funding with education funding. We can be for both roads and schools and be for our children in being for both, without speaking disparagingly of either.

My concerns, as I stated yesterday, grew out of the deplorable state of elementary and secondary education as we view it today and as we view its results. And as I cited on yesterday, certain reports indicate that we are not doing very well in the education of our young people. And while some people seem to be saying just spend more and more money, we cannot continue to just throw money at the problem and expect to resolve it.

I have been voting for more money for elementary and secondary education now for 33 years, since the legislation was first passed in 1965. For decades I have always been found at the gate protecting and supporting Federal funds for public schools and for our education programs.

But when one goes the last mile of the way and concludes from what he sees, from what he hears, and from what he reads, concludes from analytical reports about public education that we are not doing well, that there is something wrong, then it seems to me that, in the interest of the public school system, we may have to try a little different approach, else the confidence of the American people in that system and the support of the American people for that system are going to erode. We see that happening.

One of the things that I am greatly concerned about is the kind of textbooks that our children are being given in the schools—books that are almost devoid of history, according to one of the reports yesterday. Many teachers are putting textbooks aside, not using them, and depending upon materials that they—the teachers—develop for themselves. That is a sad commentary. One of the reports indicated that in many States the subject of history is no longer being taught. That is a tragedy. How are we going to be able to judge current events if we have no knowledge of what happened yesterday or in yesteryear or a decade ago or a century ago? These are guideposts, and history will help us to determine, with some amount of knowledge and wisdom, the solutions that are needed concerning events and problems of today.

Byron, in speaking of history, said, "History, with all her volumes vast, hath but one page." "History, with all her volumes vast, hath but one page." Now, what did Byron mean by that? He meant that history does really, essentially, repeat itself. And I think it does. Why? Because human nature has never changed.

When God created the world and the solar system and all of this universe and other universes—and he is still creating the universes, still creating stars, God created man, and gave him a will. If we read Milton's "Paradise Lost," we read much about man's having been given the faculty of reasoning and having been given the power of the will. He may exercise his will.

He has been given a memory. History is a compilation, in many ways, a compilation of memories. And if we don't have any sense of history, then we will find ourselves lacking.

Cicero said with respect to history, "To be ignorant of what occurred before you were born is to remain always a child."

I recall that Herodotus, the father of history, who lived circa 484–424 B.C., wrote about Cyrus the Great of Persia. He wrote about Cyrus and Darius and Xerxes. Writing of Cyrus, he told the story of how Cyrus had been very successful as a ruler of Persia. Cyrus ruled in Persia, ruled as the king of Anshan, from 559 B.C. to 550 and then as the king of Cyrus, all the Persians and the Medes, from 550 to 529 B.C. As Cyrus was nearing the end of his reign, he desired to enlarge upon his provinces and he conceived the idea of going into the area of the world northeast of the Black Sea and the Caspian Sea, which was the land of the Scythians. The ruler of the Massagetae was a woman. Her name was Tomyris.

Cyrus came to a great river. He called about him his wise men, his seers, his soothsayers and top generals, and asked them for their opinions as to whether or not he should cross the river and pursue his dreams of adding to his mighty provinces by defeating the Scythians. His advisors urged him to cross over the river. Some years earlier, Cyrus had defeated Croesus at the battle of Thymbra, in 546 B.C. Croesus was at that time the ruler of Lydia—Croesus, the richest man in the world, I suppose. But Cyrus didn't execute Croesus as one whom he had defeated, but he took Croesus into his court and used him as an advisor.

On this occasion, Cyrus got one piece of advice from his generals, and he then asked Croesus what his opinion was. Croesus said this: "There is a wheel on which the affairs of men revolve but its movement forbids the same man to be always fortunate."

What was Croesus telling Cyrus? He was saying that history repeats itself. And in my own life, in my perception of things, I have seen men successful for a while, but it doesn't always last. Croesus gave to Cyrus this good advice, which, indeed, was a warning.

Let me just say briefly that Cyrus disregarded the advice of Croesus and crossed the river. And Tomyris, the ruling queen of the Massagetae, sent word to Cyrus, urging him to go back into his country, telling him that he had been a successful king; but promising him that, if he continued in his efforts to subjugate, to conquer, the Massagetae, he would get his fill of blood.

Cyrus disregarded the words of Tomyris and there was a great battle. Cyrus lost the battle.

Herodotus tells us that after the battle, Tomyris sent her men around the field to find Cyrus. They found his body. Tomyris prepared a large bag of skins and filled that bag with blood. When the body of Cyrus was brought to her, she had the head severed from the body. She thrust Cyrus' head into the bag that was filled with blood, and said, "I promised you that, if you persisted in attacking my people, you would get your fill of blood. I have kept my pledge."

Now, Mr. President, I believe that history is exceedingly important for people who wish to become statesmen, for people who wish to become teachers, lawyers, ministers, doctors. Why would we want in our country to put history aside and to substitute social studies? One of the reports that I referred to on yesterday indicated that history had become a "curricular swamp" and indicated also that in many States among the 50, history is not even being taught as a study.

What is happening to America? No wonder our children are going to grow into men and women without any idea as to what happened before they were born. Cicero would not have thought very well of that. There are people who

think that we ought to get away from memorizing things. Well, how could I ever instantly come up with the answer to the question, "How much is eight times nine?" or "How much is six times seven?" if I hadn't memorized my multiplication tables?

History, as I said yesterday, is a matter of dates and heroes. That was my own way of putting it.

As a boy, I walked the red clay roads of Mercer County in southern West Virginia and attended a little two-room schoolhouse and studied Muzzey and his history of the American people. I studied Muzzey by the light of an old kerosene lamp—I memorized my history lessons. My first heroes were men like Daniel Webster, Henry Clay, John C. Calhoun, Thomas Benton, Nathanael Greene. I studied about the Revolutionary War. We read about Francis Marion, the swamp fox, and Daniel Morgan. We read the story of Nathan Hale, who said, "I only regret that I have but one life to lose for my country." Those were our heroes.

Are we reaching a point in American history when young people no longer have heroes, except what they see on TV? Is that going to be the history that they will remember?

As the story in the Washington Post had related, to which I referred on yesterday, textbooks are being written in ways that seek to avoid offending this little interest group or that little interest group or some other little interest group, as a result of which the pages are becoming so bland and meaningless that they end up offending everybody.

If we want to really improve the public school system and the education received in the public school system, then we ought to demand textbooks that are meaningful and not just filled with pictures. "A picture is worth a thousand words," but not a whole book of pictures. There has to be some substance that goes with the dessert—some beans, potatoes, cabbage, and corn bread to go along with the dessert, some substance that teaches high morals and teaches the basics, teaches our children to read and to write and to spell, and teaches them about arithmetic, science, history, and geography.

We used to have our little spelling matches on Friday afternoons back in that little two-room schoolhouse. I always looked forward to Friday afternoon. I looked forward to those occasions when I would be able to stand up with other boys and girls and see who was the last to be left standing. He or she was the champ. And then we would have contests in addition and multiplication, with a piece of chalk on the blackboard. Who was the best math student?

Those teachers were dedicated when I was a boy. They loved us and we loved them. They inspired us and we, each of us, wanted to get that pat on the back, that pat on the shoulders from the teacher, saying, "You did well." We were inspired by those teachers. They weren't paid much. I can remember that, during the Great Depression, teachers had to give up a certain percent of their paychecks in order to get them cashed. They were dedicated teachers. That was their life. We had great teachers. We had good textbooks. We had discipline in the schoolroom.

My foster dad was not my natural father, but he raised me. He always told me that if I got a whipping at school, I would get another whipping when I came home. You will find most people of my age who received the same warnings from their parents. "If you get a whipping at school, we are not going to the schoolhouse and beat up on the teacher. We are going to see you in the back room." We knew they meant business. The parents supported the teachers. They supported discipline in the school. How can children learn and how can teachers teach unless we have discipline in the schools? They can't do it. There has to be discipline in the schoolrooms.

There is something more than just money that the public school system in America needs today. And the public school system had better get its act together. Here I am, after 33 years of giving solid support to the public school system in America, saying if there is another approach that will work. Let's try it. We are not doing too well, as it is, plowing this same old furrow. We have to make some changes. I think we need to start with the textbooks. Teachers ought to be paid well. Not all teachers are good teachers. Not all Senators are good Senators. People will take care of that sooner or later, hopefully. But not all teachers are good teachers. Yet, there are a lot of good teachers and there are a lot of good students.

In speaking of good students, let me brag about my grandsons and granddaughters. I have a grandson named Darius, who has a doctorate in physics, a pretty tough subject, I would say. I doubt that his grandfather could do that well. Darius has a degree, a Ph.D. in physics. He was married recently. He married a young lady who is working on her Ph.D. in physics at the University of Virginia. I have another grandson who will receive his Ph.D. in physics just within a few weeks, before the summer is over. I also have a son-in-law who is a Ph.D. in physics. I could speak at great length about my sons-in-law and daughters and grandsons and granddaughters. I will not do that today. But I have made my point. Those grandsons who have received Ph.D.s in physics didn't get those Ph.D.s in physics watching television. They didn't get those Ph.D.s reading trash. They read good books. They were taught by good teachers.

We have a lot of young people in this country who want to learn. I have tried to encourage young people. My wife and I sent a young Chinese orphan through college some years ago. We paid her tuition and for her books because her mother had died of cancer. My wife and I knew that the mother, who had discovered that she had terminal cancer, was very concerned about her daughter. They were no relation to us. We happened to get acquainted with them because we visited in those days, a lot of restaurants in the area. At one point we had visited over 100 restaurants in Northern Virginia and Maryland and the District of Columbia. We came to know this Chinese couple. When they were faced with this tragedy, my wife and I said to the woman, "We are going to see that your child has a college education. If she continues to make good grades in school and graduates with good character, and if she will go to American University, we will see that she has her tuition and her books paid for."

I chose American University because I had graduated from there with a law degree at the age of 45. I never intended to practice law. Nobody told me to do it. I wanted the experience of being in a classroom with other law students. I went to law school for 10 years at night while serving in the House of Representatives and in the Senate. In fact, I just received my baccalaureate in political science from Marshall University in Huntington, West Virginia, in 1994.

It never gets too late to learn. Solon, that great lawgiver who was one of the seven wise men of Greece, said, "I grow old in the pursuit of learning." One never gets too old to learn, and it is one of the best ways to stay young—continue to study, to learn.

As I was saying yesterday, in 1969 I decided I wanted to establish a little recognition for the high school valedictorians in West Virginia. I came up with the idea of having a "Robert C. Byrd Scholastic Recognition Fund." At that time I bought, out of my own pocket, a $25 savings bond for each high school valedictorian. It only cost $18.75, I believe. But if and when it matured it would be worth $25. It wasn't a great amount of money. Nobody gave me a bond when I graduated from high school. But I wanted to give a little recognition to the exceptional students in the high schools of West Virginia. I remember in one high school there were seven students, I believe, who tied with a 4.0 average. I gave seven $25 bonds to the students in that school. A little recognition like that is what our young people need. In recent years, I have established a trust fund, and the bond is a $50 bond.

I often talk with the pages here. I try to take a little time out of my day once in a while to tell them some good stories written by Tolstoy or by other great authors, like Chaucer. We talk about wholesome, good works by great

authors; a little encouragement along that line. We never know when we toss a pebble in the water where the ripples will end. They go on and on. We don't know where a little word of encouragement to these young people might take them.

Then a few years ago, I devised legislation that would provide for a national scholarship of $1,500 to be awarded to the same number of students in each State as there are representatives from each State in the House of Representatives and the Senate. The criteria require that those children excel in scholastic studies. What they do as athletes doesn't count. Neither do extracurricular activities.

There is a rightful place for sports. But the country's values are made to stand on their heads when people revere a little too much the athletes while not recognizing the young people who are working in the laboratories and in the libraries and in the schoolrooms poring over textbooks day and night.

So what I am saying is, we ought to readjust our values. Let each have its proper place. But no ball game ever changed the course of history. I do not say that disparagingly about ball games. We all like to watch them. But it is the young people who study science, math, algebra, history, physics, these other disciplines; they are the people who keep this country with its finely honed cutting edge in technology; they are the people who put an American on the Moon.

Let's get back to basics. Let's recognize our young people and encourage them to study, to read good books, get away from the trash that is on TV. It might be a good thing for some adults, too. Get off that couch and quit watching so much of that junk. It is junk, most of it. I have seen some good movies on television. Alistair Cooke used to have some great movies. But for the most part, TV programming is lousy. I am not sure, if my daughters were growing up today, that I would even have a television set in my house. It is a great medium for good, but it is very destructive, the kind of programming of which we see all too much today.

I have taken some time this afternoon because I wanted to compliment TED KENNEDY. I also wish to compliment Senator COVERDELL and all those who worked hard for the bill yesterday as well as those who opposed the bill. They all have at heart the welfare of the children of this country. I thought a little bit of my own homespun philosophy thrown in while no other Senator seeks the floor this afternoon, wouldn't hurt either.

A Builder builded a temple,
He wrought it with grace and skill;
Pillars and groins and arches
All fashioned to work his will.
Men said, as they saw its beauty,
"It shall never know decay;
Great is thy skill, O Builder,
Thy fame will endure for aye."

A Teacher builded a temple
With loving and infinite care,
Planning each arch with patience,
Laying each stone with prayer.
None praised her unceasing efforts,
None knew of her wondrous plan,
For the temple the Teacher builded
Was unseen by the eyes of man.

Gone is the Builder's temple,
Crumbled into the dust;
Low lies each stately pillar,
Food for consuming rust.
But the temple the Teacher builded
Will last while the ages roll,
For that beautiful unseen temple
Was a child's immortal soul.

Mr. President, I yield the floor. 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.

THE ELWHA RIVER ECOSYSTEM AND FISHERIES RESTORATION ACT OF 1998

Mr. GORTON. Mr. President, earlier this month, I came to the floor to announce that I was introducing legislation that would authorize the removal of one of two dams on the Elwha River on the Olympic Peninsula in my state. I have always been skeptical about claims that dam removal will have significant enough impact on my state's depleted salmon runs to justify their social and economic costs. I am willing to go along with this limited experiment, however, provided that the removal or significant alteration of any dam on the Columbia-Snake River System will not take place without Congressional approval.

As I mentioned in my statement, removing the lower Elwha Dam, a relatively small, poorly maintained project, is a small price to pay for the protection of the larger, more productive Columbia-Snake dams that are the lifeblood of our Northwest economy and that in recent years have come under attack by the Clinton-Gore Administration. I hoped that allowing the experiment of dam removal to move forward on the Elwha River would be enough to satisfy the wishes of environmental extremists within this Administration. I should have known that when it comes to environmental issues nothing is ever enough for this Administration.

I was astounded by the criticism my bill has received. Big City newspapers in Seattle and Portland have attacked the bill. The Sierra Club and other radical groups have attacked the bill. The Administration has attacked the bill, as has my Democratic colleague from Washington state. Needless to say, this criticism is unfounded and shortsighted.

Let me remind my colleagues and anyone else who has an interest in this subject what my bill does and does not do. It authorizes many millions of dollars to remove the lower Elwha River Dam. It also protects the local water supply in Port Angeles, and protects jobs at a local paper mill. As I have said repeatedly, I am skeptical that dam removal will result in a significant increase in Elwha River salmon runs because: (1) many rivers on the Olympic Peninsula that have never been dammed are not teeming with salmon; (2) the salmon crisis challenge our coastal rivers as well and yet none of those rivers have dams on them; and (3) Puget Sound is now home to endangered salmon runs, and, of course, there are no major dams on Puget Sound. Yet, despite these reservations, I am still willing to go forward with this experiment—it's worth the money to see the results on the ground.

But rural communities of Eastern Washington are so concerned about how this legislation impacts their livelihood—many in Eastern Washington believe removal of the Elwha River dams is a precursor to destroying dams on the Columbia and Snake Rivers. So my bill contains protections for these communities by requiring congressional approval for any destruction, or significant modification, of dams on the Columbia and Snake Rivers.

I should point out that for several years federal agencies have taken unprecedented and unauthorized actions to alter significantly and limit the effectiveness of these projects without any input from Congress. For the most part, my bill allows these agencies to continue implementing the present series of unauthorized actions. It simply prevents the executive branch from taking additional unilateral actions to modify these projects without Congressional approval. Why it should be so controversial when Elwha dam removal will have been the subject of two bills in Congress, I fail to understand. Columbia and Snake River dam removal almost certainly requires Congressional approval now, under present law—my bill just provides reassurances for eastern Washington.

I think this is also an appropriate time to remind all of those who are interested in this legislation—the Port Angeles community, Eastern Washington, environmentalists, the Administration, and Northwest congressional officeholders—what I am for, and what I am not for in regards to management of our region's environment, and the Columbia/Snake Rivers system. Here are the things that I am for:

Salmon: On this one, everyone has the same goal—more salmon. We just have different approaches for accomplishing this goal. I want more salmon in our rivers, and I want solutions to our Northwest salmon crisis that result in more salmon and less conflict among the region's various interests.

Clear, Scientific Conclusions: We need clear, scientific conclusions that

guide the region toward responsible salmon recovery measures.

Hydropower Production: Hydro is the cleanest and most cost-effective way to produce large amounts of electricity. Our hydropower asset is the backbone of our Northwest economy. I don't want to lose that "leg up" that we have on other regions, nor do I want to resort to less environmentally friendly sources of power production to replace power lost because of dam removal.

Irrigation: Eastern Washington is America's pantry and refrigerator. Our farmlands produce dozens of different crops that feed the nation and the world. Before the dams, Central Washington had few farms, and was mostly a dustbowl. Irrigated farmland has turned this part of the nation into some of the world's most productive farmland.

River Traffic: We get a large share of those crops to market by barging them down the river. Studies show that it would take 700,000 more trucks each year to get farm products to market if dam removal eliminated barge traffic.

Recreation: I want people to have access to the river for boating, fishing and other recreation activities.

Protecting our Communities from Severe Floods: Without question, the dams on the Columbia and Snake Rivers were the single biggest reason why Portland and other Columbia River communities did not incur untold millions of dollars in additional damages from the record winter rains our area has seen over the past three years.

A Clean Washington State: This is my most important goal—I want our State to have clean water, clean air, and a healthy environment for all of our citizens. My desire for a clean Washington state is why I have backed the following environmental initiatives: Washington Wilderness Bill; Double-hulled oil tankers in Puget Sound; Higher emission standards for automobiles; and Spending taxpayer dollars on recreation such as the Mountains to Sound Greenway, the Cape Horn Trail, Alpine Lakes, and other nature projects.

Given all the confusion and mischaracterizations of my bill, I think it is also important to talk about what I cannot support. Here is what I am not for:

Removing Dams on the Columbia-Snake: Why would anyone want to remove the jewels of our Northwest economy? I will never support such efforts to cripple the world's most productive hydro system.

The Status Quo: During the past six years, we have spent $3 billion on salmon recovery for the Pacific Northwest, most of it directed by the Clinton Administration, and the crisis is even greater than it was when the Administration's efforts started.

Wasteful Spending of Taxpayer Dollars: Even now, our government spends $500 million on Columbia/Snake River salmon recovery, and most of that money is spent in ways that have not proven to be successful. Until I passed legislation that ended an outrageous conflict of interest by which those who approved the spending of salmon recovery funds awarded most of the money to themselves, the money was misspent. Now, at least the money goes to those whom objective scientists feel will use it most effectively.

Solutions Dictated to the region from Washington, D.C.: Recently, the Administration's top environmental staffer in Washington, D.C., Katie McGinty, was in Oregon to discuss the government's salmon recovery plans for the Northwest. That is exactly the wrong way to approach this problem. Why would our region put decisions about our economy, our communities, our future in the hands of someone 3,000 miles away? I believe we need to make these decisions, not Administration officials in Washington, D.C.

Rather than continuing the mindless attacks on my efforts to bring some balance to this debate, I make the following offer to those who criticize the Eastern Washington part of my Elwha package. If you are not for dam removal and want to keep the dams intact, offer up better legislative language that helps accomplish the goal of protecting our region's economic future. My legislation may need improvement. I am anxious to listen to how others would reach my goal. If there is a better idea of how we can ease the concerns of Eastern Washington with regard to dam removal, I challenge the Administration, Senator MURRAY, and the Sierra Club, and other opponents of this legislation, to offer a better alternative. I am interested in all proposals from those who want to make a statement in favor of protecting the dams on the Columbia and Snake Rivers.

If you favor removing dams, however, and that is what is really driving your opposition to my legislation, I think it is time for you to be honest with the Northwest and state your position clearly. The Clinton Administration, and major environmental groups have sent mixed signals on this issue. Many of them advocate extreme, unrealistic and unscientific salmon recovery measures; some do not. I think it is time for these people to make their positions clear—do they want the dams removed or effectively destroyed, or what? And if they continue to temporize on this issue, I ask them to address the goals that I discussed earlier—salmon, irrigation, river traffic, hydropower production, recreation, and flood control—and tell me how they are committed to those traditional objectives, or if the possibility of attaining some salmon recovery goals is worth destroying most or all of these other uses.

I want my Elwha Dam removal legislation fully discussed in committee and have requested hearings. In the past few weeks, the opponents of my anti-dam removal legislation have called me divisive, extremist, and a salmon-hater. I am none of those things. I hope that my opponents, and particularly the Administration and my Democratic colleagues from the Northwest, will work together with me to craft legislation that removes the lower Elwha River dam and protects Eastern Washington from those who want to remove dams, stop irrigation, eliminate barge traffic, reduce hydropower, raise electric rates for families, restrict recreation and push for dubious salmon solutions.

I welcome the opportunity for a full and reasoned debate on this subject. It's time to put the rhetoric aside, the tired adjectives aside, and the political smokescreens aside. It's time for everyone to come clean, and make clear where they stand on this important issue. This bill provides such an opportunity, and I look forward to receiving proposals from people throughout the region on how to improve my bill.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from Maine is recognized.

Ms. SNOWE. Thank you, Mr. President.

FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT—CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

Ms. SNOWE. Mr. President, I ask unanimous consent that all time be yielded back on the pending conference report.

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

MORNING BUSINESS

Ms. SNOWE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there an objection? Without objection, it is so ordered.

Ms. SNOWE. Mr. President, I ask unanimous consent that following my statement, the order of speakers be Senator COLLINS from Maine and Senator CHAFEE from Rhode Island.

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

Ms. SNOWE. I further ask unanimous consent that Senator DEWINE be recognized for up to 60 minutes following our statements.

The PRESIDING OFFICER. Is there an objection? Without objection, it is so ordered.

EFFORTS OF SENATOR GEORGE MITCHELL IN ACHIEVING THE NORTHERN IRELAND PEACE AGREEMENT

Ms. SNOWE. Mr. President, I am pleased today to join with my colleagues, Senator COLLINS from Maine and Senator CHAFEE from Rhode Island, in the wake of yesterday's 97 to 0 vote by the Senate to pass Senate Concurrent Resolution 90 acknowledging the historic Northern Ireland peace agreement reached just 2 weeks ago.

The agreement was produced through the hard work and patience and goodwill of representatives of Northern Ireland's political parties, the Prime Ministers of both Britain and Ireland, President Clinton, and a man well known in this Chamber, the former Senator from Maine and former majority leader, George Mitchell.

Senator Mitchell's skill, patience, and determination were largely responsible for bringing opposing parties to the point where they were able to broker a historic agreement that offers the people of Northern Ireland the opportunity to put an end to the longstanding fear and suffering they have endured and to achieve a future that will be as bright as the spirit and potential of her extraordinary people.

In describing Senator Mitchell's pivotal role, one of the participants in the talks said, "Here the United States sent one of its most able, skilled, talented, humble politicians, a supreme diplomat, and frankly we didn't deserve him."

Well of course, the people of Northern Ireland deserved his leadership that has provided, as we now know, the very best opportunity for these talks to succeed.

After his retirement from the Senate, President Clinton invited Senator Mitchell to serve as a special economic adviser to Northern Ireland. However, before he finished his efforts to attract business investment to Northern Ireland, Senator Mitchell was selected by both the British and Irish governments to join a panel that recommended the decommissioning of arms by the paramilitary factions in Northern Ireland. He assumed responsibility for taking over the peace talks in June of 1996.

Senator Mitchell faced tremendous obstacles in attempting to win the trust of the parties involved in seeking an agreement. After all, previous efforts resulted in failure. However, his patience, diligence and sincerity won them over. I know that Senator Mitchell's long experience in the Senate helped prepare him for this unique challenge. As one who served with him for more than 14 years in the Maine Congressional Delegation, I know he has an excellent ability to understand the concerns of whomever he is talking with—whether it is a constituent from Bangor, or Augusta or Protestants and Catholics in Northern Ireland.

Being an effective majority leader in the Senate, as we know, requires one to be a good listener, to know when to compromise, to know when to coax and cajole, to know when to be patient and to know when to be firm. All these qualities served George Mitchell well in this body and served him well in his most recent role which consumed 22 long, hard months of negotiations.

This was by no means an easy task and often it must have seemed a hopeless one. However, the toll of the continuing violence in which over 3,200 people have died since 1969 led in the end to a deep yearning for peace. Individuals who grew up accustomed to violence were tired of going to funerals and watching their friends and family members die. Senator Mitchell led an effort that promised a way out—a path toward a future of peace and hope. In 1996 he proposed the decommissioning of weapons be addressed during the talks and that participants make a commitment to nonviolence. That was the same year that bombings took place in London and Manchester. Yet none of that deterred Senator Mitchell. When the agreement was concluded, he commented that "no one wants to go back to the bitterness of the past."

In his understated way, Senator Mitchell commented that "This agreement is a reason to celebrate. But by itself, it guarantees nothing." I fervently hope that the agreement does indeed turn out to be the harbinger of a new era in Northern Ireland. Ultimately it is the Irish people, voting on May 22nd, who will determine whether or not this agreement will succeed. I am optimistic that it will.

The agreement is a landmark achievement. There will be a 108 seat assembly in which Protestants and Catholics share responsibility and powers. It will be elected this June, and I hope those who are chosen in that election will share the dream that Senator Mitchell cited when he talked about the babies who were born in Northern Ireland on the same day his new son Andrew was born 6 months ago.

Senator Mitchell said, "I believe that they are entitled to the same chance in life that I want for my son. Peace, political stability and reconciliation are not too much to ask for. They are the minimum that a decent civilized society provides."

Eloquent words that I am sure touched the hearts of mothers and fathers on both sides of the historic divide that has scarred Northern Ireland.

In the agreement Senator Mitchell helped to forge, in addition to the aforementioned assembly, there will be a North/South Ministerial Council which will provide an opportunity for ministers from the Republic of Ireland to promote joint policymaking with the Northern Ireland Assembly. This council will have the opportunity to implement policies for the entire island of Ireland but only with the approval of the Northern Ireland Assembly and the Irish Parliament in Dublin. This remarkable opportunity will allow the benefits of peace to be provided and to be shared by all the Irish people.

At the conclusion of the talks, Senator Mitchell said, "It doesn't take courage to shoot a policeman in the back of the head, or to murder an unarmed taxi driver." But he knows it does take courage to finally face down the horrors of sectarian violence, that it does take courage to realize that sometimes you have to make compromises for a future of peace.

When he first visited Belfast and saw a 30-foot wall dividing neighborhoods, I am sure he was reminded of the most famous wall of all, the Berlin Wall, which came down in 1989 when communism crumbled. Just 2 years before a new millennium, the wall in Belfast still divides people. But this agreement may bring us one day closer to the day it, too, crumbles.

Senator George Mitchell has helped broker an agreement that will, I hope, be the spark for an era of peace and prosperity for Northern Ireland and bring to a close one of this century's most tragic and stubborn conflicts. This agreement is one that should be celebrated for all it can bring to Northern Ireland. It should also be celebrated as proof of how one remarkable individual can make a difference for his fellow human beings. It is my fervent hope that the people of Northern Ireland will long remember and celebrate the contributions of this one man, George Mitchell, toward providing them the key to a lasting peace.

Mr. President, I yield the floor.

Ms. COLLINS addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Maine is recognized.

Ms. COLLINS. Thank you, Mr. President.

Mr. President, I am very pleased to join the senior Senator from Maine and our distinguished colleague from Rhode Island in paying tribute to the extraordinary accomplishments of a former Maine Senator, George Mitchell, in bringing a new sense of hope, peace, and security to Northern Ireland.

Mr. President, it was Samuel Johnson who said in 1777 that knowledge that you will be hanged in a fortnight does wonders to concentrate your mind. In 1998, former Senate majority leader, George Mitchell, proved the truth of this aphorism by giving the Northern Ireland peace talks a Good Friday deadline, placing upon these negotiations the equivalent, if you will, of a sunset provision that left the parties with no alternative but finally to come up with a real solution.

This deadline accomplished its purpose wonderfully. It concentrated their minds wonderfully and led directly to the historic agreement. Some years

ago, it scarcely seemed possible to imagine a Northern Ireland in which children could grow up without fear of violence and bloodshed. Today, however, due to the extraordinary efforts of former Senator George Mitchell, this brighter future is not only imaginable—it is very nearly here.

That Senator Mitchell should possess such statesmanship and skill is, of course, no surprise to the people in my home State of Maine. Senator Mitchell is greatly admired in this country for his work on behalf of the citizens of Maine and indeed of all Americans. Today, however, the people of Northern Ireland and the Republic of Ireland—and peace-loving people everywhere—also owe Senator Mitchell a great debt for helping to steer these talks to their successful conclusion. I do not believe that we would be celebrating this agreement without his heroic efforts.

It is my great hope that with his statesmanship and steady hand, Senator Mitchell has now made it possible to achieve a real reconciliation in Northern Ireland—and for the Irish people to go about building their future together, in cooperation rather than in conflict.

I am very pleased that the Senate has passed overwhelmingly a resolution expressing our support for the Irish peace process and the brighter future represented by this truly historic agreement.

Thank you, Mr. President.

I yield the floor.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Rhode Island is recognized.

Mr. CHAFEE. Mr. President, I join the two distinguished Senators from Maine in paying tribute to the remarkable job that Senator George Mitchell did in Ireland.

Senator Mitchell would be the first to say that success is not assured and that this is but the first step in a long, difficult process. But because of what Senator Mitchell did, the chances for peace have been greatly improved. And it truly was an extraordinary job, as the two Senators from Maine have outlined.

What patience George Mitchell showed, and what skills as a negotiator he displayed.

I join in the sentiment that has been expressed that his success there comes as no great surprise to those of us who knew him well. I served in this Senate for the entire time that George Mitchell was here as Senator from Maine. I had the privilege of serving in not one but two committees, the Finance Committee and the Environment Committee, with George Mitchell.

Indeed, as soon as he came to the Senate, he went on the Environment Committee, and there I saw the tremendous abilities that he had. I can remember particularly the Clean Air Act, that George Mitchell was the one most responsible for the reauthorization of that act, which occurred when George Mitchell was majority leader. Because of the guidance that he gave to all of us, that extraordinary reauthorization took place.

I personally have deep ties to the State of Maine. My father was born in Maine. I have spent childhood summers there and adult summers likewise. So I am very familiar with that State. I might point out that although Maine is large in size, it has a relatively small population, about 1 million people. It is true that Maine is a very large State; it is as large as the rest of New England put together; but, as I said, it has a relatively small population.

Yet from that relatively small population of 1 million people have come a series of extraordinary Senators. I look back, Mr. President, just in the ones I have had the privilege of knowing—Margaret Chase Smith, for example, who stands out as a beacon, particularly in connection with the impeachment hearings and leading up to that of President Nixon. We remember clearly Ed Muskie, with whom I had the privilege of serving on the floor of the Senate. He was active, ran for Vice President, and gave one of the finest television speeches it has been my privilege to hear. And George Mitchell, whom we have just had the privilege of extolling, and rightfully so. And Bill Cohen, who is now our Secretary of Defense. And that great tradition of those outstanding Senators is carried on now by the two Senators from Maine, Senator OLYMPIA SNOWE and Senator SUSAN COLLINS.

It seems to me that the people of the State of Maine have great reason to be extremely proud not only of the Senators who have been before—and I listed some of them—but of their current Senators, Senators SNOWE and COLLINS. It is a tradition that they are carrying on. It is a remarkable one, Mr. President. As I thought about these remarks today and thought of the Senators I have known, I don't think you could name a State that is as small in population as the State of Maine and has produced such outstanding Senators as those I just listed.

Mr. President, in making this salute to George Mitchell, it seems to me we are saluting the people of the State of Maine, who have had such good judgment. These are not all Republicans, and they are not all Democrats. They are Republicans and they are Democrats, both. It has been a remarkable flow of outstanding servants, not just for the State of Maine but for the United States of America. I think all of us can be very proud of those who have gone before and those who are now serving in the U.S. Senate from the State of Maine.

I thank the Chair, and 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. DEWINE. 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. DEWINE. I ask that I be allowed to proceed under the previous order for 60 minutes.

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

NATIONAL ORGAN DONOR WEEK

Mr. DEWINE. Mr. President, we are concluding National Organ Donor Week. I think as we conclude our week here in the U.S. Senate, it will be appropriate to pause for a moment and discuss the importance of this week. This is one of the few times when the mere talking about an issue actually will, in fact, make a difference.

Why do we celebrate or why do we call attention to National Organ Donor Week? We do it because of a tragedy. The tragedy is that 7, 8, 9, in some weeks 10, of our fellow citizens die, die every week, because there aren't enough organs available. They don't die because medical science can't save them—medical science can save them. They die waiting on a list, waiting for an organ to become available, and seven, eight, or nine of them every week die.

What can be done about this? What we can do is talk about this issue. As we talk about it, we can encourage people and their families around the kitchen table to talk about it. Talking about it does make a difference. Too many families, when faced with life's most horrible tragedy, which is the unexpected, usually sudden, loss of a loved one—a daughter, son, mother, father, wife, husband—when they are asked by the medical personnel at the hospital, "Can we use your loved one's organs to help save someone else?" they don't know what to say. They are faced with horrible trauma, something they have not expected. Too many of our fellow citizens say no, not because they don't want to help people, but they say no because they never thought of it.

I am convinced if people talk about this issue, if they talk among the members of their family, that we will increase the number of people, when they are faced with that horrible tragedy, to in fact say yes, and we will save lives. That is why we set aside a week as National Organ Donor Week.

The ribbon I am wearing symbolizes that. One of our great pages who was out in the hallway a moment ago asked me, "Senator DEWINE, what does that stand for?" And I was able to tell her what this stands for. I think it is something that we want to share with all our fellow Americans.

The Postmaster General and his committee will issue a postage stamp next August to remind us all as we put postage on our letters, as we receive letters, of how important it is to encourage people to become organ donors. I appreciate, Mr. President and Members of the Senate, having an opportunity to talk about this issue this afternoon.

STARR INVESTIGATION

Mr. DEWINE. Mr. President, I have, with few exceptions, been very careful not to comment about the ongoing investigation, the Starr investigation, the independent investigation—however you want to characterize it. I have refrained from doing that for many reasons.

I want to speak this afternoon about a very limited aspect of that investigation. I speak as a former county prosecuting attorney. I bring, I guess, to the Senate floor today that particular perspective. This past week, there have been news stories—and again I emphasize "news stories;" we don't know whether it is true or not true—news stories about the possible subpoena into the grand jury here in Washington of Secret Service agents. That has been the report.

Before I go any further, let me say I don't know what the facts are. I don't know whether that is true or not true; nor do I know what the facts are underlying this investigation; nor do I know what Mr. Starr and his prosecutors have uncovered so far; nor, obviously, do I know what has occurred inside the grand jury. So my comments have to be qualified, and that fact has to be taken into consideration. My comments must be understood in that light, and they are given in that light.

Former President Bush was quoted in the Washington Post in what was described as a private letter—it was in the Washington Post of Thursday, April 23, yesterday. This was a letter that apparently was privately sent to, directly to, the Secret Service Director, Lewis C. Merletti. And the Washington Post quotes the letter from former President Bush as saying, in part, the following: "'I can tell you, sir, that I am deeply troubled by the allegations swirling around there in Washington and what all this might do to the office I was so proud to hold," Bush wrote Merletti.

Continuing the quote: "Regardless of all that, I feel very strongly that the United States Secret Service agent should not be made to appear in court to discuss that which they might or might not have seen or heard."

Mr. President, I hope that this issue about the potential subpoenaing of Secret Service agents into a grand jury, if it's true, to testify about things they observed involving the President of the United States would be resolved not in the courts and not by legislation. As a former prosecutor, I hope that this matter will be resolved by the sound, good judgment of the special prosecutor in this case. It should be resolved by the proper use, the measured use, the reasoned use of what we refer to as "prosecutorial discretion."

Mr. President, the prosecutor in our system has a unique role. I don't know of any other country where the prosecutor has quite this distinctive a role. The prosecutor, really, in many respects, is the most important player in the criminal justice system. It is because of prosecutorial discretion the prosecutor must decide whether the evidence that has been gathered is sufficient to even summon a grand jury, to even present a case to a grand jury. A prosecutor carries a very, very heavy burden. It is a burden that is not carried by the defense attorney, whose job it is to present the defense. It is a burden that is really not even carried by the judge, who is not the principal acting force because, under our system, nothing really happens until a prosecutor says it happens. Nothing goes into play, so to speak. The game doesn't start until the prosecutor makes that decision. So the burden on the prosecutor of summoning people to a grand jury, of asking a grand jury to indict someone is an awesome, awesome responsibility.

Let me talk for a moment—and again, I am talking in the abstract without all of the information. At least from this Senator's perspective, I can express my point of view as to how I hope and expect that prosecutorial discretion to be exercised in a very unique situation when we are dealing with the Secret Service that is sworn to protect the lives of the President of the United States and his family and when we are dealing with the President of the United States. Frankly, I am not concerned about an individual President; I am concerned about the office, and I am concerned about what precedent we may or may not be in the process of setting.

It seems to me that some reasonable standards would be as follows:

If the prosecutor has reasonable belief and reasonable evidence to indicate that a Secret Service agent has seen a direct violation of criminal law, then I think it is clearly correct that that Secret Service agent should be questioned, and it's clearly correct that that Secret Service agent should be brought into the grand jury. If a Secret Service agent, it is alleged, is credible enough that the prosecutor believes that person should be called in and that he or she, as an agent, has seen in the course of duties, or outside of the course of duties, a direct violation of criminal law, I would find it very difficult to make any kind of case that that person should not be brought in and questioned and should not be compelled to testify in front of a grand jury.

However, short of that set of facts, I believe there must be a compelling reason to subpoena a Secret Service agent into a grand jury on facts less than that. I think the reason for this, Mr. President, and the reason for my statement and the reason for this rationale is very obvious. Again, we are not so concerned, really, about one President. What we ought to be concerned about, however, is the precedent. We should not worry about what is in the best interest of a particular President, but we should be very much concerned about what is in the best interest of our country. We look to the Secret Service to protect the President of the United States. It is not just in the President's interest that the President be protected; it is obviously in our national interest that the best security precautions be taken to protect our President and his family.

If the President has to be concerned about the Secret Service being called in to a grand jury for less than compelling reasons, I think the consequences are not good. I think you could make a very legitimate argument that that would, in fact, intrude on the very special relationship that we expect the Secret Service agents to have with the President of the United States. Again, I do not know the facts of this case, but I think it is important, and I felt compelled, frankly, to outline on the floor today at least what this Member of the Senate, as a former prosecutor, thinks the proper use of prosecutorial discretion would indicate. It is a very high standard. It is a very awesome responsibility. It is a sacred trust. Whether it be in Greene County, OH, where I prosecuted cases, or whether he be the independent counsel appointed to look into allegations about the President of the United States, we expect the same standard, we expect the same discretion, and we expect the same responsibility.

In summary, in my opinion, if there has been evidence, substantial allegations, credible allegations that the Secret Service has seen something criminal, I have no problem; in fact, they should be brought into a grand jury to help in the investigation. Short of that, there should be a compelling reason for that person to be subpoenaed by the prosecutor. It is difficult to write legislation to deal with this. It is difficult for the courts to make decisions in regard to this. Frankly, the best person to make that decision is the independent counsel. We should expect a great deal of discretion, a great deal of good, common sense and judgment to be exercised by the independent counsel before he or she exercises the awesome responsibility of subpoenaing someone into the grand jury, particularly when we might be dealing with a Secret Service agent who would be testifying about what he or she overheard in connection with the President of the United States.

THE NATIONAL DUI STANDARD

Mr. DEWINE. Mr. President, I will turn to another issue I have spoken about on the floor a number of times. It is a question, in my opinion, of life or death. It is legislation that was approved by this body with an overwhelming—virtually a 2-to-1—vote. It is a matter presently subject to the conference committee between the Senate and the House. That issue, of course, is the issue of the .08 national DUI standard.

Members of the conference committee are working on this, or preparing to work on this matter, so I think my comments are timely and I think it is important to emphasize what this whole question is all about. I believe that one of the most important provisions of the Senate version of this service transportation bill was a provision that we approved by an overwhelming majority of 62 in favor and 32 opposed. That division, if this Senate approved it, would move our country forward to a national .08 blood alcohol standard.

As my colleagues know, the House Rules Committee voted, I think very unfortunately, to stop the House from even considering this matter on the House floor.

Mr. President, the facts are that if this does not become law, there will be lives that will be lost that would have been saved if we would have enacted this very reasonable national standard. The need for this legislation will not go away, it will only increase.

How did such a clearly valuable measure, a life-saving measure, end up being blocked in the House and remain in such legislative peril today? I think one major reason is an effort outside this Congress, a well financed campaign of what I believe are half-truths.

There was a full-page ad that appeared in the Washington Times before the Rules Committee voted. It said that reducing the blood alcohol limit to .08 would transform the average American into a lawbreaker. Here is what it said. I quote.

> Reducing the limit to .08 would increase the number of law violators by about 60 percent.

Mr. President, that is simply not true. That is wrong. It is not true. That is not what our bill does. Our amendment's purpose is not to get more people arrested for driving under the influence of alcohol but, rather, to get more people to change their behavior so that fewer of them drive under the influence. One might be asked: How do we know that would happen if our legislation passed? How do we know the results will be fewer people actually arrested? The answer comes from our largest State, the State of California.

In 1989, the last year California had a .10 blood alcohol content limit, the highway patrol in California made 138,000 DUI arrests. In the first year after the law was changed, the first year of the new .08 limit, that number did jump almost 14 percent, to 158,000—138,000, 158,000. But every year since then, Mr. President, that number has declined, all the way down to the last available figures, which were 1997, and that figure was 91,014. Every year, it went down. That is the lowest level of DUI arrests in California since 1971. The efforts from our largest State could not be more clear.

A .08 standard does not turn Americans into lawbreakers. It does not turn the average American into lawbreakers. That is simply not true. It takes impaired drivers off our streets.

Because precious lives depend on keeping impaired drivers off the road, I promise that we will fight to keep this legislation in the final transportation bill. We will work to pass the legislation, because the facts are on our side. The facts tell a very disturbing story.

During the recent break, when Members of the House and the Senate had a chance to be in their home States, on April 13 the Washington Post had an important, I think, revealing article laying out the facts.

Fact: According to a Boston University study, passing this legislation would save, at a minimum, 500 lives a year. In fact, the majority says it is no more than between 500 and 1,000. But even to take a minimum of this Boston University study, it would be 500 families that would not be destroyed—500 families that would not have to bury a son, or a daughter, or a loved one. That is the fact. The only debate on this fact is, Is 500 lives a lot or a little? Is it worth doing something "just to save" 500 lives? I happen to think it is. This is an easy question, I think, to answer. If by making a minor adjustment in the law—this is a minor adjustment—we can save at least 500 lives across this country, I think it is very, very important and very significant, and I think we ought to do it. This legislation clearly would save at least 500 lives.

The second fact, again, as contained in this what I think is a very well balanced argument: The blood streams of .08 drivers "carry enough alcohol to measurably impair the symphony of neurological responses necessary to drive a car well." This is the conclusion of the Washington Post article based on the current state of research and based on their interviews with numerous experts, scientific experts, and medical experts in the field.

The third fact, again from this article: "There is no question that nearly everything you can think of in terms of driving impairment is evident by a .08." That is a quote from UCLA Professor Herbert Moskowitz, the president of the Southern California Research Institute.

Science tells us that at .08, drivers have a lot of trouble dividing their attention between different visual stimuli. They also have trouble processing new information as fast as driving requires. Mr. President, these are absolutely critical driving skills, crucial skills, when you are driving a car. At .08, a person's ability to do both of these things is seriously impaired. That is a fact.

I had a chance to talk to an old friend of mine, "KO" Martin, who used to be a highway patrolman. In fact, "KO" and I prosecuted a number of cases together. He brought a number of cases to me while I was a county prosecutor. He was a highway state trooper for many, many years. He told this story. Once he pulled over a motorist who was so impaired that "KO" had to literally carry him to the patrol car. He literally couldn't get him there, he was so impaired. That particular motorist tested at .05 blood alcohol level. Apparently, this man had received a promotion at work. They had just thrown a party for him. He wasn't used to drinking. He was clearly unable to drive a car after the drinks he had. He tested .05. Clearly, he should not have been behind the wheel. Someone who is so under the influence that he can't even walk is not going to be able to react fast enough to drive a car safely. That is the simple fact.

My fourth fact: According to a study published in the Journal of Studies on Alcohol, "Drivers with readings between .08 and .05 had 1.4 times the risk of dying compared to people who had no alcohol in their blood. For people between .05 and .09, that risk was 11 times higher."

Again, Mr. President, that is a fact, a tragic fact that costs human lives.

Another fact: There is evidence that a .08 standard will have a deterrent effect on the whole range of impaired drivers. Allen F. Williams of the Insurance Institute for Highway Safety says, "There seems to be a deterrent effect all across the whole range of blood alcohol concentrations, including the very high levels," the very high ones all the way across on all drivers.

Mr. President, let me mention in this regard that this last fact doesn't surprise me at all.

In fact, in 1982, as a member of the Ohio State Senate, I wrote a law toughening Ohio's standard on impaired driving. That law went into effect March 17 of 1983. In the first year after our bill became law, we saw an across-the-board change in public attitude towards driving under the influence. The biggest impact our bill had was not who was being arrested but, rather, in the public perception of drunken driving, the public perception of driving under the influence. It happened all across Ohio. We saw auto fatalities from drinking and driving going down. We sent a very strong message. That message could be sent across this country in all 50 States by

this Congress by approving what the Senate approved by a 2 to 1 margin, and that is to go to a very reasonable standard of a .08 national blood alcohol standard.

No matter where someone was driving, whether they were driving in your great State of Kansas or my great State of Ohio, or Indiana or Kentucky or Maine or California, they would have some assurance that the law would be uniform; that when they put their child in a car, got behind the wheel, that whatever State they were in, the standard would be at .08.

America needs this legislation, and I will make sure we keep returning to this issue until we get the job done. I urge the transportation bill conferees to consider these basic facts and to include what the Senate did, and that is the .08 legislation in the final transportation bill.

(The remarks of Mr. DEWINE pertaining to the introduction of S. 1987 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

ELECTION OF LARRY DOBY INTO THE BASEBALL HALL OF FAME

Mr. DEWINE. Mr. President, I rise today to pay tribute to what I believe is a truly excellent decision by the baseball Hall of Fame's Veterans Committee. On the 3rd of March, one of the true greats of baseball history, Larry Doby, was elected to the baseball Hall of Fame. I think we all know the story, at least the outline of the story. On July 5, 1947, Larry Doby became the first African American to play in the American League—just 3 months after Jackie Robinson had broken baseball's color barrier in the other league, the National League.

The legendary Bill Veeck was at that time, of course, the owner and had control of the Cleveland Indians. Veeck saw that Larry Doby was leading the Negro National League with a .458 batting average and had at that time 13 home runs. He and Doby, Veeck and Doby, made the historic and courageous decision to break the color barrier in the American League.

It is sometimes difficult for us to remember what the situation was back in 1947 or to really truly understand it. The Jackie Robinson decision was still highly controversial. It was really at this point by no means self-evident that support for integrated baseball would take hold. Larry Doby and Bill Veeck made an act of faith in America's future and in the American people.

In his autobiography, Bill Veeck wrote that he "received 20,000 letters, most of them in violent, sometimes obscene protest." But then he went on to say, "When Doby hit a tremendous home run to put us ahead in the fourth game of the Series, it could be observed that none of the people who were on their feet cheering seemed at all concerned or even conscious of Larry Doby's color."

Mr. President, it took courage for Larry Doby to get up to the plate, but once he got there his record of accomplishment silenced his critics. In 1948, his first full season, he led the Indians to victory in the World Series batting .318 and hitting a game-winning home run. He was named to the All-Star Team every single year from 1949 to 1955. In 1952, he led the American League in home runs and runs scored. Two years later, in 1954, he led the league in home runs and RBIs.

He left the Indians in 1956 to play for the Chicago White Sox, and later the Detroit Tigers. He retired in 1959, but returned to baseball in 1978 to manage the White Sox—becoming only the second African-American manager in the history of the major leagues. The first, I might add, was the great Frank Robinson—who managed the Indians from 1975 to 1977, and who played as a player, of course, for the Cincinnati Reds and then for the Baltimore Orioles.

Mr. President, I join all Ohioans—and indeed all lovers of baseball nationwide—in congratulating Larry Doby on this well-deserved recognition of a truly outstanding career.

(Mr. SMITH of New Hampshire assumed the Chair.)

JOSELIN HERNANDEZ

Mr. DEWINE. Mr. President, we observe, this month, National Child Abuse Prevention Month. On this occasion, I would like to give the Senate an update about the fate of a little girl about whom I testified previously before the Senate Finance Committee.

In my testimony on October 8, 1997, I told the story of a little 2-year-old girl from Ventura County, CA, a little girl by the name of Joselin Hernandez. This poor little girl was beaten, bitten and slowly tortured to death by her parents. She first was taken into foster care when she was 6 weeks old, hospitalized with six fractured ribs, broken legs and burns to her hands and feet. She was also malnourished and dehydrated. The little girl, little Joselin, was placed at that time with her grandmother. But when her grandmother died, Joselin was returned to her parents, and 3 months later, as I testified before, she was dead.

Now, after a 6-week trial, Joselin's father has been convicted of first-degree murder and torture, and her mother of second-degree murder. The judge sentenced Joselin's father to life in prison. He will be eligible for parole in 42 years. The judge sentenced her mother to 15 years to life, and she will be eligible for parole in 13 years. The judge, after listening to the evidence, after listening to this horrible story, this horrible tragedy, told Joselin's father:

> I have been in court with literally scores of people—some brutal, sadistic killers, but none of them were treated by society as Joselin was treated by her father.

Joselin's mother's attorney asked the judge to take into consideration the mother has lost two children—Joselin and a 3-year-old son who was placed in foster care. The judge replied, I think correctly:

> She hasn't lost two children. She killed one and lost the other. And it seems the reason she did it was not a pretty one. She was getting what she needed, so it was acceptable. It was not unacceptable enough for her to lift a hand to make it end.

These killers have been brought to justice. We, as Americans, I don't think, can truly believe that justice has been done when any child has been left to the mercy of people like this. The bill that we passed—my colleague in the chair helped pass last year—to reform the foster care system in this country to help liberate children from abusive parents, is just the beginning, just the beginning of a strong struggle to reduce the number of lives lost in this kind of senseless tragedy.

We need to move children into safe, stable, loving and permanent homes. Just about a year ago, on April 30, 1997, I told the Senate about another little girl, and her story has a happier ending. This is a little Ohio girl. She was less than 4 months old when she was hospitalized in critical condition, suffering from shaken-baby syndrome. When she was released from the hospital she went to her first foster home. By the time this little girl was 4, she had been shuttled through eight separate foster homes in 4 short years of life.

By the time she finally got out of foster care, she became hysterical whenever she saw a full black garbage bag. Why? That's because that was the luggage that was used whenever she had to be moved from one foster home to another. They always put her belongings in a plastic garbage bag. She knew when she saw that that she was going to be moved again.

Last week this little Ohio girl finally got permanent adoptive parents. That is what she and every child in this country needs and deserves. I'm sure all my colleagues join me in wishing her well in her new home and her healing process. I'm sure all of my colleagues also join me in pledging that we will redouble our common efforts to help all of America's children find safe, stable, loving and permanent homes.

In short, and in conclusion, the bill that we passed last year is doing some good. It will continue to do good. But it is only the first step. As long as there are half a million children in this country, as there still are today, who are in foster care at any one given moment, as long as children are in some abusive homes, as long as we continue to lose children every week who are killed by their caregivers, this Senate

and legislative bodies across this country must remain vigilant. We must continue to examine this issue. We must do all that we can to make sure that every child has what we all want for our own children, and that is a permanent and loving home.

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 105-92, appoints John David Davenport, of Oklahoma, as a participant in the 1998 National Summit on Retirement Income Savings, to fill the existing vacancy thereon.

Mr. DEWINE. 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.

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

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

Ms. COLLINS. Mr. President, I ask unanimous consent that I be recognized for 10 minutes to speak as in morning business for a period not to exceed 15 minutes.

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

Ms. COLLINS. I thank the Chair.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 1988 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. 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.

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

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

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, April 23, 1998, the federal debt stood at $5,501,159,283,287.65 (Five trillion, five hundred and one billion, one hundred fifty-nine million, two hundred eighty-three thousand, two hundred eighty-seven dollars and sixty-five cents).

One year ago, April 23, 1997, the federal debt stood at $5,345,089,000,000 (Five trillion, three hundred forty-five billion, eighty-nine million).

Five years ago, April 23, 1993, the federal debt stood at $4,230,203,000,000 (Four trillion, two hundred thirty billion, two hundred three million).

Twenty-five years ago, April 23, 1973, the federal debt stood at $454,924,000,000 (Four hundred fifty-four billion, nine hundred twenty-four million) which reflects a debt increase of more than $5 trillion—$ (Five trillion, forty-six billion, two hundred thirty-five million, two hundred eighty-three thousand, two hundred eighty-seven dollars and sixty-five cents) during the past 25 years.

U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING APRIL 17TH

Mr. HELMS. Mr. President, the American Petroleum Institute's report for the week ending April 17, that the U.S. imported 9,503,000 barrels of oil each day, 1,519,000 more barrels than the 6,424,000 imported each day during the same week a year ago.

Americans relied on foreign oil for 59.6 percent of their needs last week, and there are no signs that the upward spiral will abate. Before the Persian Gulf War, the United States obtained approximately 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970s, foreign oil accounted for only 35 percent of America's oil supply.

Politicians had better ponder the economic calamity sure to occur in America if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the U.S.—now 9,503,000 barrels a day.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on April 24, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1252. An act to modify the procedures of the Federal courts in certain matters, and for other purposes.

The message also announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; and appoints as additional conferees from the Committee on Science, for consideration of section 312(d) and title VI of the House bill and sections 1119, 1206, and title II of the Senate amendment and modifications committed to conference: Mr. SENSENBRENNER, Mrs. MORELLA, and Mr. BROWN of California.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H.R. 3130) to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, to amend the Immigration and National Act to make certain aliens determined to be delinquent in the payment of child support inadmissible and ineligible for naturalization, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House:

From the Committee on Ways and Means, for consideration of the House bill and the Senate amendments, and modifications committed to conference: Mr. ARCHER, Mr. SHAW, Mr. CAMP, Mr. RANGEL, and Mr. LEVIN.

As additional conferees from the Committee on Education and the Workforce, for consideration of section 401 of the Senate amendment and modifications committed to conference: Mr. GOODLING, Mr. FAWELL, and Mr. PAYNE.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 3579) making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. LIVINGSTON, Mr. MCDADE, Mr. YOUNG of Florida, Mr. REGULA, Mr. LEWIS of California, Mr. PORTER, Mr. ROGERS, Mr. SKEEN, Mr. WOLF, Mr. KOLBE, Mr. PACKARD, Mr. CALLAHAN, Mr. WALSH, Mr. OBEY, Mr. YATES, Mr. STOKES, Mr. MURTHA, Mr. SABO, Mr. FAZIO, Mr. HOYER, Ms. KAPTUR, and Ms. PELOSI, as the managers of the conference on the part of the House.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 1252. An act to modify the procedures of the Federal courts in certain matters, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time and placed on the calendar:

S. 1981. A bill to preserve the balance of rights between employers, employees, and labor organizations which is fundamental to our system of collective bargaining while preserving the rights of workers to organize, or otherwise engage in concerted activities protected under the National Labor Relations Act.

The following bills were read twice and ordered placed on the calendar:

H.R. 3565. An act to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968

S. 1985. An act to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

S. 1873. A bill to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack (Rept. No. 105–175).

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. GRAMS:

S. 1982. A bill to equalize the minimum adjustments to prices for fluid milk under milk marketing orders; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SMITH of New Hampshire (for himself, Mr. HELMS, and Mr. FAIRCLOTH):

S. 1983. A bill to amend section 991(a) of title 28, United States Code, to require certain members of the United States Sentencing Commission to be selected from among individuals who are victims of a crime of violence; to the Committee on the Judiciary.

By Mr. LAUTENBERG:

S. 1984. A bill to prohibit the transfer of a handgun by a licensed dealer unless the transferee states that the transferee is not the subject of a restraining order with respect to an intimate partner of the transferee, a child of the transferee, or a child of an intimate partner of the transferee; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. BIDEN, Mr. LEAHY, Mr. DEWINE, and Mr. SESSIONS):

S. 1985. A bill to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968; read twice and placed on the calendar.

By Mr. D'AMATO (for himself and Mr. SHELBY):

S. 1986. A bill to restructure the regulation of the Federal Home Loan Bank System; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DEWINE (for himself and Mrs. HUTCHISON):

S. 1987. A bill to amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 1988. A bill to provide for the release of interests of the United States in certain real property located in Augusta, Maine; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LIEBERMAN (for himself, Mr. LUGAR, Mr. GRAHAM, Mr. BROWNBACK, Mr. BINGAMAN, and Mr. ROCKEFELLER):

S. Res. 216. A resolution expressing the sense of the Senate regarding Japan's difficult economic condition; to the Committee on Foreign Relations.

By Mr. WARNER (for himself, Mr. ROBB, and Mr. GRAHAM):

S. Con. Res. 91. A bill expressing the sense of the Congress that a postage stamp should be issued to commemorate the life of George Washington and his contributions to the Nation; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMS:

S. 1982. A bill to equalize the minimum adjustments to prices for fluid milk under milk marketing orders; to the Committee on Agriculture, Nutrition, and Forestry.

THE DAIRY REFORM ACT OF 1998

Mr. GRAMS. Mr. President, I rise today to introduce legislation that seeks to restore fairness to the nation's dairy system—fairness that has long been missing, particularly in the Upper Midwest and especially in my home state of Minnesota.

When Minnesotans are asked to name my state's leading industries, agriculture will certainly be at or near the top of most every list. Farming and farm-related business plays a critical role in Minnesota's economy. One out of every four Minnesota jobs is tied in some way to agriculture, and 25% of the state's economy is dependent upon farmers and agri-business, most of it focused in the dairy industry.

What many people do not realize is that, despite those statistics, our state's dairy industry is in real trouble.

Since dropping to number five in milk production—behind Wisconsin, California, Pennsylvania, and New York—Minnesota has been slowly but steadily losing its clout among the top dairy states in the nation. We have lost over 10,000 dairy farms in just the last decade, and today, dairy farms are drying up at a rate of about three every single day. Milk production has dropped significantly as a result—nearly 20% in the last decade.

What makes this especially troubling is that much of the decline in Minnesota's dairy industry can be traced directly to farm policies mandated outside of Minnesota's control, in Washington. And the outdated federal milk marketing orders program is a serious part of our dairy problems.

The Midwest is one of the best places in the country for dairy. It should be growing and expanding in the Midwest, but because of the Government's outdated policies and programs, it is hurting and killing the dairy industry in the Midwest.

The milk marketing orders is yet another example of a well-intentioned scheme dreamed up by Washington bureaucrats that has gone seriously awry. Instead of helping Minnesotans, the milk orders actually hurt the state's economy and penalizing its taxpayers, while benefiting dairy farmers outside the Midwest.

The problem can be traced back to 1937, when Congress enacted the "Agricultural Marketing Agreement Act." The legislation was created to encourage the milk production near the nation's major population centers and set a minimum price paid to dairy farmers for Class I milk. That federal "nudge" was necessary in some instances, because without refrigerated trucks, fluid milk could not be transported over long distances.

In 1985, as part of that year's farm bill, Congress expanded the milk orders program to aid the dairy industry outside the Midwest by increasing the minimum price for Class I milk based on a ridiculous formula.

This basically helps producers outside the Upper Midwest, while making dairy production less profitable for producers inside the Upper Midwest region.

That is not because of anything that the farmers are doing, their productivity, the land, the climate, whatever. The only reason for the decline, again, is because of an outdated Federal dairy policy.

This process is unfair and archaic. Above all, it is opposite in every way to the free market.

The Upper Midwest dairy industry, one of the most efficient in the world, is only asking for a fair shake in this process. And so, Mr. President, the legislation I introduce today will amend one of the most inequitable components of the Agricultural Marketing Act of 1937—the Class I milk price differentials.

USDA is currently in the process of reforming its system of Federal Milk Marketing Orders. Unfortunately, the Class I differentials proposal released earlier this year was disappointing. Two options have been offered under the proposal. Option "1A"—the status quo option—is plainly unacceptable. Option "1B" does take a small step in the right direction, but it does not go far enough. However, a small step for reform is most certainly preferable to a step backward as "1A" would do.

As short-term progress, I support Option "1B" because, as I have said, it is the only option USDA is currently considering that makes a move toward fairness in federal dairy policy. My bill would continue the reform beyond the small gains for equity that "1B" establishes. We cannot allow ourselves to become satisfied until we secure substantive federal dairy reform.

Common sense would tell us that USDA's proposal of a small step toward market-policy is the compromise position for dairy reform. However, as you

can imagine, there has been the typical, standard-fare outcry against any sort of reform—even the minimal reform that was offered in the form of Option "1B." And surely that is little more than an acknowledgment on the part of USDA that equity and fairness really do matter in national dairy policy.

USDA has explicitly expressed its preference for "1B." However, my optimism is guarded, given the fact that "the status quo option" is being seriously considered as a measure of reform.

It is all too likely that they may move us a step backward and call it reform. There is every reason to believe that USDA will succumb to the pressure of maintaining the unjustifiable status quo.

So many constituencies have been built up around this antiquated dairy pricing policy, and now to try to put any fairness into the system we are going to have these outcries from across the country.

So, in addition to the objective of shaping the policy debate beyond short-term fixes, I believe that we in the Upper Midwest must now proceed with progressive dairy reform in the event we once again, find ourselves standing alone in the name of justifiable, equitable, dairy policy.

The Dairy Reform Act of 1998 establishes a uniform Class I price differential of $1.80 for each marketing area subject to an order. The newly proposed 11 Federal Milk Marketing Orders will remain in place to provide necessary over order premiums that would raise the $1.80 in some areas. This legislation directs us toward market-oriented reform because it removes the arbitrary, artificial price structure and its resulting interference with the market itself.

As far as dairy policy is concerned, we're at a pivotal juncture. The groundwork is being laid for a national patchwork of regional compacts. Roughly half the country has either passed enabling compact legislation, is debating such legislation, or is involved in the Northeast Interstate Dairy Compact. We must either decide to support a national system, or regionalize. As I've said, USDA's Option "1B" is a small step in the right direction for dairy policy. The Dairy Reform Act brings us closer yet to substantive reform. The compact alternative, on the other hand, is not reform—it is retreat. It is anti-market and anti-consumer, by definition.

There is no substantive, equity-based justification to support random Class I differentials. In fact, USDA's current federal marketing order system was deemed "arbitrary and capricious" by a Federal district court judge late last year.

That is the fourth time that the courts have come out and said that the current dairy policies in this country are, again, arbitrary and capricious. So, bottom line, it means they are unfair, they are antimarket, they are anticonsumer.

So, the case brought against USDA has been in the courts for 7 years, and the judge's ruling was no less than the fourth such proceeding in the history of the case. Given the outrageously drawn-out history of the case, the judge decided not to grant USDA's request to justify the pricing scheme.

However, the ruling has been stayed now pending the appeal of the decision of the eighth circuit. After the courts have been cleared on the marketing order system, why is the USDA appealing? Why are they appealing to keep in place a system that the courts have ruled four times is basically unfair? Why don't they focus their efforts on changing the system, as the court has required, but, most important, changing the system to make sure that it is fair, that it does not discriminate against one part of the country over another, that it does not pick winners and losers, and it does not step on the necks of farmers in the Midwest?

Under the current Federal order marketing system, the Government is picking winners and picking losers. This system of nonuniform differentials is inherently unfair, and I welcome debate of other dairy policy proposals for reform as well.

Mr. President, finally, I just want to say the Dairy Reform Act of 1998 is simply a call to fairness, just fairness, in dairy policy. It is a statement in no uncertain terms that we who represent upper Midwest dairy farmers are going to fight for equitable reform, for market-driven policy. I urge my colleagues to take a look at it, to say what is fair. Why not have everybody on a level playing field? Why not give farmers all over the country the same opportunity for success or failure? Why not get consumers market-driven prices, rather than unfair Federal policies aimed at the Midwest?

So, I urge my colleagues to give their support.

By Mr. SMITH of New Hampshire (for himself, Mr. HELMS, and Mr. FAIRCLOTH):

S. 1983. A bill to amend section 991(a) of title 28, United States Code, to require certain members of the United States Sentencing Commission to be selected from among individuals who are victims of a crime of violence; to the Committee on the Judiciary.

U.S. SENTENCING COMMISSION LEGISLATION

Mr. SMITH of New Hampshire. Mr. President, this is National Victim Rights Week and today I am introducing a bill to amend section 991(a) of title 28, United States Code, to require certain members of the United States Sentencing Commission to be selected from among individuals who are victims of a crime of violence.

Each year, Mr. President, about 40 million Americans are victimized by crime. Yet, all too often, the voices of those victims are lost in the criminal justice system. In fact, it often seems that the voices of those who commit crimes are heard with greater attentiveness by our criminal justice system than are the voices of the victims of crime. As President Reagan's Task Force on Victims of Crime stated in its 1982 report, "the criminal justice system has lost its essential balance."

One response to this problem has been S.J. Res. 44, a constitutional amendment to protect the rights of victims of crime, which has been introduced in this Congress by Senators KYL and FEINSTEIN. I am proud to be a cosponsor of that crime victims constitutional amendment.

The bill that I am introducing today, Mr. President, is another response to the problem of the underrepresentation of victims' rights in our criminal justice system. My bill, which my distinguished colleagues from North Carolina, Senators FAIRCLOTH and HELMS, are cosponsoring, would reserve two of the seven seats on the United States Sentencing Commission for victims of violent crime.

Mr. President, the United States Sentencing Commission is an independent entity within the judicial branch that establishes sentencing policies and practices for the Federal courts. This includes sentencing guidelines that prescribe the appropriate form and severity of punishment for offenders convicted of Federal crimes.

The U.S. Sentencing Commission is composed of seven voting members who are appointed by the President, with the advice and consent of the Senate, for six-year terms. The Commission also includes two non-voting members. Of the seven voting members of the Sentencing Commission, three must be Federal judges.

Under my bill, two of the four seats on the Sentencing Commission that are not filled by Federal judges would be reserved for victims of a crime of violence or, in the case of a homicide, an immediate family member of such a victim. My bill utilizes the existing statutory definition of a crime of violence that is found in section 16 of title 18 of the United States Code.

Mr. President, my bill preserves, to a large extent, the discretion of the President in making decisions about whom to nominate to seats on the Sentencing Commission. Under my bill, the President remains free to seek individuals who have professional expertise in the criminal justice field, so long as they also are victims of crime. Sadly, Mr. President, I do not believe that the President would have much difficulty identifying such qualified individuals.

Mr. President, six of the seven voting seats on the Sentencing Commission

are vacant. Let's give victims of crime a voice by requiring that two of those vacant seats must be filled by Americans who have been victimized by violent crime.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD.

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

S. 1983

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

SECTION 1. COMPOSITION OF UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—Section 991(a) of title 28, United States Code, is amended by inserting after "same political party." the following: "Of the members who are not Federal judges, not less than 2 members shall be individuals who are victims of a crime of violence (as that term is defined in section 16 of title 18) or, in the case of a homicide, an immediate family member of such a victim.".

(b) APPLICABILITY.—The amendment made by this section shall apply with respect to any appointment made on or after the date of enactment of this Act.

By Mr. LAUTENBERG:

S. 1984. A bill to prohibit the transfer of a handgun by a licensed dealer unless the transferee states that the transferee is not the subject of a restraining order with respect to an intimate partner of the transferee, a child of the transferee, or a child of an intimate partner of the transferee; to the Committee on the Judiciary.

BRADY HANDGUN VIOLENCE PROTECTION ACT AMENDMENTS

Mr. LAUTENBERG. Mr. President, I rise today to introduce a bill to add a provision to the Brady Handgun Background Check Form to enforce the prohibition that persons under a restraining order for harassing, stalking or threatening an intimate partner or child cannot purchase a gun.

The Background Check Form, used by law enforcement and gun dealers to enforce the Brady Handgun Violence Protection Act, currently requires a purchaser to answer questions on whether he or she falls into one of the categories prohibited from purchasing a gun. The form asks whether the purchaser has been convicted of a felony, has been declared mentally defective or been committed to a mental institution, is an illegal alien, fugitive from justice or an illegal user of drugs—all of which would disqualify the person from lawfully purchasing a gun. However, there is one very important disqualification not listed on this form. The 1994 Crime Act prohibits a person under a restraining order for harassing, stalking or threatening an intimate partner or the child of that partner from purchasing a gun. But this disqualification is not on the Brady Background Check Form—in fact it is the only disqualification not on the Form.

Dealers, law enforcement agencies, and purchasers rely on the form to provide notice as to who is prohibited from purchasing a handgun, and law enforcement agencies use the form as a guide in making background checks. This omission on the Brady Form means persons under restraining orders for harassing, stalking and threatening their partners and their partner's children can more easily obtain a gun even though it is illegal for them to do so. My legislation is necessary because all changes to the form are required to be done by legislation rather than by regulation or order.

This simple change to the Brady Check List can mean the difference between life and death for women and children across America. Domestic violence in the United States remains the number one threat of injury to women ages 15 to 44, and hundreds of thousands of women are forced to obtain restraining orders to protect themselves and their children from abusive partners every year. More than twice as many women are shot and killed each year by their husbands or intimate partners than by strangers.

Mr. President, Congress has already recognized that persons who are under restraining orders for harassing, stalking, and threatening their spouses, partners, and children should not be able to buy a gun. This simple bill will help to enforce this important prohibition to keep guns out of the hands of those who pose a real and serious threat to their partners and children. Every year we see tragic incidents of victims of domestic violence who have obtained restraining orders only to be murdered by their partner.

I hope you will join me and support this worthy bill to protect victims of domestic violence from the dangers that follow when their abusive partner gains access to a gun.

I ask unanimous consent that a copy of this bill be printed in the RECORD.

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

S. 1984

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

SECTION 1. PROHIBITION OF THE TRANSFER OF A HANDGUN BY A LICENSED DEALER UNLESS THE TRANSFEREE STATES THAT THE TRANSFEREE IS NOT THE SUBJECT OF A RESTRAINING ORDER WITH RESPECT TO AN INTIMATE PARTNER OF THE TRANSFEREE, A CHILD OF THE TRANSFEREE, OR A CHILD OF AN INTIMATE PARTNER OF THE TRANSFEREE.

Section 922(s)(3)(B) of title 18, United States Code, is amended—

(1) by striking "and" at the end of clause (vi); and

(2) by adding "and" at the end of clause (vii); and

(3) by adding at the end the following:

"(viii) is not subject to a court order that—

"(I) restrains the transferee from harassing, stalking, or threatening an intimate partner of the transferee or child of such intimate partner or transferee, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child;

"(II) was issued after a hearing of which the transferee received actual notice, and at which the transferee had the opportunity to participate; and

"(III) (aa) includes a finding that the transferee represents a credible threat to the physical safety of such intimate partner or child; or

"(bb) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;".

By Mr. HATCH (for himself, Mr. BIDEN, Mr. LEAHY, Mr. DEWINE, and Mr. SESSIONS):

S. 1985. A bill to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968; read twice and placed on the calendar.

THE CARE FOR POLICE SURVIVORS ACT OF 1998

Mr. HATCH. Mr. President, during the week of May 12, the country will honor once again those law enforcement and public safety officers who have died in the line of duty. It is entirely fitting that we do this. And as we remember those who have fallen in defense of the public safety, we should also do all we can to comfort and assist the families and loved ones they have left behind. The bill I rise to introduce today, the Care for Police Survivors Act of 1998, will help ensure that we are doing so.

First, this bill, which was introduced in the House as H.R. 3565, will strengthen programs available to the families of slain police officers. For instance, the bill will allow groups like Concerns for Police Survivors, more commonly referred to as COPS, to increase and improve their services to these families. Second, this bill provides authority to the Director of the Bureau of Justice Assistance to spend no less than $150,000 out of the Public Safety Officers' Benefits program to support and enrich national peer support and counseling programs for families of police officers lost in the line of duty.

Second, this act will expedite the process of handling cases pending before the Public Safety Officers' Benefits Office by allowing the expenditure of PSOB program funds on outside hearing officers. Currently, survivors of fallen police officers have to wait entirely too long to obtain an appeal hearing for the denial of benefits. By enacting this bill, we will make the process of helping these families less burdensome.

I am pleased to be joined by Senators BIDEN, LEAHY, DEWINE, and SESSIONS in introducing this bill in the Senate. On Tuesday of this week, the House of Representatives overwhelmingly passed H.R. 3565 by a 403 to 8 vote. I urge my colleagues to join me in expeditiously passing this legislation to demonstrate our tremendous gratitude

and support for these heroes and their families.

By Mr. DEWINE (for himself and Mrs. HUTCHISON):

S. 1987. A bill to amend title 18, United States Code, with respect to violent sex crimes against children, and for other purposes; to the Committee on the Judiciary.

THE CHILD PROTECTION AND SEXUAL PREDATOR PUNISHMENT ACT OF 1998

Mr. DEWINE. Mr. President, I rise today to introduce the Child Protection and Sexual Predator Punishment Act of 1998. The purpose of this legislation is to address the problem of child molesters and pedophiles who use computers, and the Internet in particular, to commit crimes of sexual abuse and exploitation against our most vulnerable citizens—our children. I appreciate Senator KAY BAILEY HUTCHISON joining me in this important effort.

The Child Protection and Sexual Predator Punishment Act is a comprehensive bill that combats the growing problem of criminals who misuse our information superhighway to contact children for purposes of sexual abuse and exploitation. Not only does this legislation send a strong message that America will not tolerate the abuse of its children, it will also make it easier to put these heinous criminals out of commission.

Mr. President, my wife Fran and I have eight children—ages 6 to 30. There is nothing more important to parents than protecting their children from harm. There was a time, not so long ago, when parents could feel secure when their children were at home or in a library—that their child would at least be safe from danger in those places. But along with the tremendous benefit of the Internet, we have also unfortunately, unintentionally invited strangers into our homes, and sometime our children's rooms, just because computers may be located there. Strangers who sometimes have the immoral and criminal intent to lure our kids into deviant sexual, abusive, and illegal activity right under our noses.

Not long ago, a 47-year-old Ohio man used the Internet to entice a 12-year-old girl in New Jersey to make pornographic videos of herself. He posed online as a 15-year-old, who promised that he would forward copies of the pornographic video to her favorite music band members. She made four sexually explicit videos before the man was apprehended by authorities. There are literally hundreds of these examples, and many even worse, occurring every day in America. It has become commonplace to hear about a child being lured across the country via the Internet by a pedophile.

I hope, and believe, that through this legislation we can begin to restore the peace of mind parents should have when their children use the Internet at school, at the library, or in their home.

This bill will protect children from cyber-stalkers and porn peddlers by prohibiting contacting of a minor on the Internet for the purpose of engaging in illegal sexual activity. It prohibits knowingly transferring obscene materials to a minor over the Internet. In addition, the maximum penalty is doubled for enticing a minor to travel across State lines for illegal sexual activity. Using a computer to persuade a minor to engage in prostitution or a sexual act will carry a maximum sentence of 15 years, and a minimum sentence of 3 years.

Also, law enforcement is given the tools to quickly and effectively investigate sex and kidnaping crimes involving children. Pretrial detention is provided for Federal sex offenders, and administrative subpoenas are allowed in certain child exploitation investigations. In addition, the bill clarifies that kidnaping investigations do not require waiting 24 hours—they can be initiated immediately. Further, Federal jurisdiction is provided in kidnaping cases where a facility or means of interstate or foreign commerce is used.

Mr. President, a person today can get almost anything on the Internet. With this bill, we are trying to make sure that they cannot get our children.

Mrs. HUTCHISON. Mr. President, technology has opened many doors for communications and information sharing. Unfortunately, criminals have found new ways to use the innovations to hurt children.

Today I am introducing with Senator DEWINE the Child Protection and Sexual Predator Punishment Act of 1998. Our bill will give law enforcement the necessary tools to stop crimes against children, especially those initiated through the Internet and commercial on-line services.

Along with the proliferation of users of on-line services, our nation has seen a rise in crimes committed against children by sexual predators on-line. Every day, pedophiles stalk children through the computer, transmitting pornography to them and enticing them to participate in illegal activity. In some of the most tragic instances, these criminals have convinced children to travel long distances to meet them, only to face horrendous abuse by their "hosts."

In response to the growing number of these crimes. Congress has and will surely continue to appropriate funds to allow collaboration among FBI and state and local law enforcement to develop effective means to prevent innocent children from being exploited. In the past, funds have been used to train officers to detect cybercrime, pursue sexual predators and establish child sexual exploitation cyber-squads of state and local officers.

But the responsibility of Congress is not only to provide necessary resources. We have an unfinished responsibility to give officers the legal tools they need to stop these crimes before they happen. In addition, Congress must send the unequivocal message to criminals who dare to prey on children that such crimes will not be tolerated.

As children and adults increase their use of computers and on-line services, this problem will only get worse. Only through aggressive enforcement will we be able to combat this rise in tragic crimes against our most vulnerable citizens—children.

By Mr. D'AMATO (for himself and Mr. SHELBY):

S. 1986. A bill to restructure the regulation of the Federal Home Loan Bank System; to the Committee on Banking, Housing, and Urban Affairs.

THE FEDERAL HOME LOAN BANK SYSTEM RESTRUCTURING ACT OF 1998

Mr. D'AMATO. Mr. President, I rise today to introduce the "Federal Home Loan Bank System Restructuring Act of 1998" to eliminate the last vestiges of a bureaucratic structure which contributed to the downfall of the savings and loan industry in the 1980's, and cost American taxpayers $125 billion. I am referring to the structural weakness inherent in a regulatory system which allows the combination of basic safety and soundness oversight with management and governance functions. This structural weakness exists today in the Federal Housing Finance Board (FHFB) which oversees the Federal Home Loan Bank System. Moreover, the FHFB appears to be the only regulatory agency where the responsibility for safety and soundness regulation has not been separated from management and governance functions.

I am very pleased that Senator RICHARD SHELBY has joined as a co-sponsor because he is the Senate's leading proponent of regulatory reform and eliminating outdated and unnecessary regulation.

Mr. President, throughout most of its history, the Federal Home Loan Bank System was regulated by the Federal Home Loan Bank Board, the same agency responsible for regulating the thrift industry. In 1989, Congress passed the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) to abolish the Bank Board and create the Federal Housing Finance Board ("FHFB") to assume responsibility for the regulation and supervision of the Federal Home Loan Bank System (FHLB System). FIRREA provided the FHFB with the authority to supervise the Federal Home Loan Banks (FHLBanks), ensure that the FHLBanks carry out their mission of housing finance, ensure the FHLBanks remain adequately capitalized and able to raise funds in the capital markets, and ensure the FHLBanks operate in a safe and sound manner.

Safety and soundness regulation became the *primary* duty of the FHFB as

a result of the Housing and Community Development Act of 1992. In that Act, Congress also recognized problems at the Federal Housing Finance Board and specifically identified this structural flaw as a serious problem. In search of a solution to this problem and information concerning the future of the Federal Home Loan Banks in the context of changing markets for housing finance, Congress mandated several studies. In the study conducted by the FHFB, the agency itself expressed concern about its dual role: "The roles of regulation and governance residing in one entity are not compatible and, indeed, represent a long standing, well-understood inherent conflict when joined". [*The Report on the Structure and Role of the Federal Home Loan Bank System*, The Federal Housing Finance Board, submitted to Congress on April 28, 1993, page 153.] The FHFB recognized that concerns about shareholder dividends and profitability should not be in competition with concerns over safety and soundness and the availability of housing finance for American taxpayers.

Mr. President, this bill would eliminate this serious and dangerous conflict by transferring functions from the FHFB to the Office of Federal Housing Enterprise Oversight (OFHEO) and the Department of Housing and Urban Development (HUD). This is the current system of regulation designed by Congress for the other two housing-related government sponsored enterprises (GSEs)—Fannie Mae and Freddie Mac.

In addition, consolidating safety and soundness regulation in one regulatory is consistent with the core recommendations of GAO and HUD—that the conflict with the FHFB be resolved through the creation of a single housing-related GSE. Even the Chairman of the FHFB, in testimony before a House Banking Subcommittee last July, endorsed the GAO's recommendation for a single independent safety and soundness regulator for the Federal Home Loan Banks, Fannie Mae and Freddie Mac. He acknowledged that consolidation will yield more effective regulation.

Mr. President, consolidating regulation of the housing GSE's is also consistent with the Administration's objective of reducing government by eliminating unnecessary, duplicative or redundant regulation—an objective we all share. By placing FHFB's safety and soundness functions with OFHEO, administration costs would be cut and regulatory consistencies would be realized as a result of the complementary nature of the housing finance roles played by the Federal Home Loan Banks, Fannie Mae, and Freddie Mac. Another important public benefit of consolidating oversight of the housing missions of these agencies within HUD is to enable HUD to more effectively assess and respond to the nation's affordable housing needs.

Mr. President, the legislation would abolish the conflicting dual roles of the FHFB, streamline an overburdened bureaucratic process, and insure that those entities with the mission of promoting housing finance—Fannie Mae, Freddie Mac, and Federal Home Loan Banks—are meeting that challenge in the most effective way possible. We owe nothing less to the working families most in need of our assistance than to insure the system is working for them.

Mr. President, this bill would address the regulation of the Federal Home Loan Bank System by transferring its safety and soundness functions to OFHEO and mission oversight to HUD. It does not—and is not intended to—address other policy issues pertaining to the future role of the Federal Home Loan Banks which remain under consideration by the Banking Committee, Improving the level of affordable housing, ensuring effective, efficient and objective regulation, cutting the fat out of the government, and managing the taxpayers' dollars wisely—that is what this bill is all about.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1986

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 "Federal Home Loan Bank System Regulatory Restructuring Act of 1998".

SEC. 2. RESTRUCTURING OF FEDERAL HOME LOAN BANK REGULATOR.

(a) IN GENERAL.—The Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.) is amended by striking sections 2A and 2B and inserting the following:

"SEC. 2A. DUTIES AND POWERS OF THE DIRECTOR.

"(a) DUTIES.—The Director shall—

"(1) as a primary duty, ensure that the Federal Home Loan Banks operate in a financially safe and sound manner; and

"(2) to the extent consistent with paragraph (1), supervise the Federal Home Loan Banks and ensure that the Federal Home Loan Banks remain adequately capitalized and able to—

"(A) raise funds in the capital markets;

"(B) satisfy their obligations to support affordable housing as required by section 10(j);

"(C) make payments to the Resolution Funding Corporation as required by section 21B(f)(2)(C); and

"(D) pay dividends on bank stock sufficient for such stock to remain a competitive investment for the holders of the stock.

"(b) GENERAL POWERS.—The Director may—

"(1) supervise the Federal Home Loan Banks and promulgate and enforce such regulations and orders as are necessary to carry out this Act;

"(2) suspend or remove for cause a director, officer, employee, or agent of any Federal Home Loan Bank or joint office, except that—

"(A) the cause of such suspension or removal shall be communicated in writing to such director, officer, employee, or agent and to such Bank or joint office; and

"(B) notwithstanding any other provision of this Act, no officer, employee, or agent of a Bank or joint office shall be a Federal officer or employee under any definition of either term in title 5, United States Code;

"(3) determine necessary expenditures of the Director under this Act and the manner in which such expenditures shall be incurred, allowed, and paid;

"(4) use the United States mails in the same manner and under the same conditions as a department or agency of the United States;

"(5) issue such notice and orders, and, subject to the same terms and conditions, exercise the same powers, rights, and duties to enforce this Act with respect to the Federal Home Loan Banks and their officers and directors, as may be issued or exercised by the OFHEO with respect to Federal housing enterprises under—

"(A) subtitle C of title XIII of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992;

"(B) the Federal National Mortgage Association Charter Act; or

"(C) the Federal Home Loan Mortgage Corporation Act.

"(c) STAFF.—

"(1) IN GENERAL.—Subject to title IV of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the OFHEO may employ, direct, and fix the compensation and number of employees, attorneys, and agents of the OFHEO necessary to carry out its duties under this Act, except that in no event shall the Director delegate any function to any employee or administrative unit of any bank, or joint office of the Federal Home Loan Bank System.

"(2) COMPENSATION.—In directing and fixing such compensation, the Director shall consult with and maintain comparability with the compensation at the Federal bank regulatory agencies. Such compensation shall be paid without regard to the provision of other laws applicable to officers or employees of the United States, except that the Director shall receive no additional compensation above that specified by section 5313 of title 5, United States Code.".

"(d) RECEIPTS OF THE BOARD.—

"(1) RECEIPTS.—Receipts of the Board derived from assessments levied upon the Federal Home Loan Banks and from other sources (other than receipts from the sale of consolidated Federal Home Loan Bank bonds and debentures issued under section 11 of this Act) shall be deposited in the Treasury of the United States.

"(2) SALARIES.—Salaries of the directors and other employees of the OFHEO, and all other expenses necessary for the Director to carry out the duties of the Director under this Act—

"(A) may be paid from assessments described in paragraph (1), or from other sources; and

"(B) shall not be construed to be Government Funds or appropriated monies, or subject to apportionment for the purposes of chapter 15 of title 31, United States Code, or any other authority.

"(e) ANNUAL REPORT.—The Director shall submit to Congress an annual report.".

(b) ASSESSMENTS.—Section 18(b) of the Federal Home Loan Bank Act (12 U.S.C. 1438(b)) is amended by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—To the extent provided in advance in appropriations Acts, the Director may impose a semiannual assessment on the Federal Home Loan Banks, the aggregate amount of which shall be sufficient to provide for the payment of the expenses of the Director estimated to be incurred under this Act for the period for which the assessment is made.".

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) DEFINITIONS.—Section 2 of the Federal Home Loan Bank Act (12 U.S.C. 1422) is amended—

(A) by striking paragraph (1) and inserting the following:

"(1) OFHEO.—The term 'OFHEO' means the Office of Federal Housing Enterprise Oversight, established under section 1311 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992.";

(B) in paragraph (2)(B), by striking "Board" and inserting "OFHEO";

(C) in paragraph (6), by striking "Board", and inserting "Secretary"; and

(D) by striking paragraph (10) and inserting the following:

"(10) DIRECTOR.—The term 'Director' means the Director of the OFHEO, appointed under section 1312 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992.".

(2) ELIGIBILITY.—Section 4(a) of the Federal Home Loan Bank Act (12 U.S.C. 1424(a)) is amended in the last sentence, by striking "Board" and inserting "Secretary".

(3) MANAGEMENT OF BANKS.—Section 7 of the Federal Home Loan Bank Act (12 U.S.C. 1427) is amended by striking "Board" each place it appears and inserting "Secretary".

(4) ADVANCES TO MEMBERS.—Section 10 of the Federal Home Loan Bank Act (12 U.S.C. 1430) is amended—

(A) in each of subsections (a) through (d), by striking "Board" each place it appears, and inserting "Director"; and

(B) in each of subsections (e), (g), and (j), by striking "Board" each place it appears, and inserting "Secretary".

(5) GENERAL POWERS AND DUTIES OF BANKS.—Section 11(i) of the Federal Home Loan Bank Act (12 U.S.C. 1431(i)) is amended by striking "Chairperson of the Board" and inserting "Director".

(6) FINANCING CORPORATION.—Section 21 of the Federal Home Loan Bank Act (12 U.S.C. 1441) is amended—

(A) in each of subsections (b)(5) and (e)(9), by striking "Chairperson of the Federal Housing Finance Board" and inserting "Director"; and

(B) by striking "Federal Housing Finance Board" each place it appears and inserting "Director".

(7) RESOLUTION TRUST CORPORATION.—Section 21B of the Federal Home Loan Bank Act (12 U.S.C. 1442) is amended by striking "Federal Housing Finance Board" each place it appears and inserting "Director".

(8) MEMBER FINANCIAL INFORMATION.—Section 22 of the Federal Home Loan Bank Act (12 U.S.C. 1442) is amended—

(A) in subsection (a), in the last sentence, by striking "Board or" each place it appears and inserting "Director or"; and

(B) in subsection (b), by striking "Board" each place that term appears and inserting "Director".

(9) FORMS OF BANK STOCK AND OBLIGATIONS.—Section 23 of the Federal Home Loan Bank Act (12 U.S.C. 1443) is amended by striking "Board of Directors of the Federal Housing Finance Board" and inserting "Director".

(10) HOUSING OPPORTUNITY HOTLINE PROGRAM.—Section 27(a) of the Federal Home Loan Bank Act (12 U.S.C. 1447) is amended—

(A) by striking "Federal Housing Finance Board" and inserting "Secretary"; and

(B) by striking "Board" and inserting "Secretary".

(11) FEDERAL HOUSING ENTERPRISE FINANCIAL SAFETY AND SOUNDNESS ACT OF 1992.—Section 1313 of the Federal Housing Enterprise Financial Safety and Soundness Act of 1992 (12 U.S.C. 4513) is amended—

(A) in subsection (a), by inserting before the period at the end the following: ", and that the Federal Home Loan Banks are adequately capitalized and operating safely in accordance with the Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.)"; and

(B) in subsection (b)—

(i) in paragraph (10), by striking "and" at the end;

(ii) in paragraph (11), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(12) the performance of any function or the exercise of any authority assigned to the Director pursuant to the Federal Home Loan Bank Act.".

(12) OTHER REFERENCES.—Except as otherwise provided in the amendments made by this subsection, any reference in the Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.), or any other provision of Federal law, to the Federal Housing Finance Board, shall be construed to refer to the Director of the Office of Federal Housing Enterprise Oversight.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 60 days after the date of enactment of this Act.

SEC. 3. TRANSITION PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE AGENCY.—The term "appropriate agency" means—

(A) with respect to the functions transferred under subsection (b)(1), the Department of Housing and Urban Development; and

(B) with respect to the functions transferred under subsection (b)(2), the Office.

(2) BOARD.—The term "Board" means the Federal Housing Finance Board established under section 22A of the Federal Home Loan Bank Act (as in effect on the day before the effective date of the amendments made by section 2 of this Act).

(3) DIRECTOR.—The term "Director" means the Director of the Office.

(4) FUNCTION.—The term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

(5) HEAD OF THE APPROPRIATE AGENCY.—The term "head of the appropriate agency" means—

(A) with respect to the functions transferred under subsection (b)(1), the Secretary; and

(B) with respect to the functions transferred under subsection (b)(2), the Director.

(6) OFFICE.—The term "Office" means the Federal Housing Enterprise Oversight established under section 1311 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992.

(7) SECRETARY.—The term "Secretary" means the Secretary of Housing and Urban Development.

(b) TRANSFER OF FUNCTIONS.—

(1) TRANSFER TO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—Effective 60 days after the date of enactment of this Act there are transferred to the Department of Housing and Urban Development all functions that the Board exercised before the date of enactment of this Act (including all related functions of any officer or employee of the Board) relating to the functions of the Board under the following provisions of the Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.) (as in effect on the day before the effective date of the amendments made by section 2 of this Act):

(A) The last sentence of section 4(a).

(B) Section 7.

(C) Subsections (e), (g), and (j) of section 10.

(D) Section 27(a).

(2) TRANSFER TO OFFICE.—Effective 60 days after the date of enactment of this Act there are transferred to the Office all functions, other than the functions transferred under paragraph (1), that the Board exercised before the date of enactment of this Act (including all related functions of any officer or employee of the Board) under the Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.).

(b) DISPOSITION OF AFFAIRS.—During the 60-day period beginning on the date of enactment of this Act, the Chairperson of the Board—

(1) shall, solely for the purpose of facilitating the orderly implementation of this section—

(A) manage the employees of the Board and provide for the payment of the compensation and benefits of any such employee that accrue before the effective date of the transfer of such employee pursuant to subsection (g); and

(B) manage any property of the Board and arrange for the transfer thereof to the Office as promptly as practicable; and

(2) may take any other action necessary for the purpose of facilitating the orderly implementation of this section.

(c) TREATMENT OF REFERENCES IN ADJUSTABLE RATE MORTGAGE INSTRUMENTS.—

(1) IN GENERAL.—For purposes of adjustable rate mortgage instruments that are in effect on the day before the effective date of the amendments made by section 2, any reference in the instrument to the Board shall be construed to be a reference to the Secretary, unless the context of the reference requires otherwise.

(2) SUBSTITUTION FOR INDEXES.—If any index used to calculate the applicable interest rate on any adjustable rate mortgage instrument is no longer calculated and made available as a direct or indirect result of the enactment of this Act, any index—

(A) made available by the Secretary, pursuant to paragraph (3); or

(B) determined by the Secretary, pursuant to paragraph (4), to be substantially similar to the index that is no longer calculated or made available, may be substituted by the holder of any such adjustable rate mortgage instrument upon notice to the borrower.

(3) AGENCY ACTION REQUIRED TO PROVIDE CONTINUED AVAILABILITY OF INDEXES.—As soon as practicable after the effective date of the amendments made by section 2, the Secretary shall take such actions as may be necessary to assure that the indexes prepared by the Board and the Federal Home Loan Banks immediately before the effective date of the amendments made by section 2 and used to calculate the interest rate on adjustable rate mortgage instruments continue to be available.

(4) REQUIREMENTS RELATING TO SUBSTITUTE INDEXES.—If any index can no longer be made available pursuant to paragraph (3), an index that is substantially similar to such index may be substituted for such index for purposes of paragraph (2) if the Secretary determines, after notice and opportunity for comment, that—

(A) the new index is based upon data substantially similar to that of the original index; and

(B) the substitution of the new index will result in an interest rate substantially similar to the rate in effect at the time the original index became unavailable.

(d) CONTINUATION OF SERVICES.—

(1) IN GENERAL.—The head of the appropriate agency may use the services of employees and other personnel and the property of the Board, on a reimbursable basis, to perform functions transferred by this section to the appropriate agency, for such time as is reasonable to facilitate the orderly transfer of functions so transferred.

(2) AGENCY SERVICES.—Any agency, department, or other instrumentality of the United States, and any successor to any such agency, department, or instrumentality, that is providing supporting services to the Board before the effective date of the amendments made by section 2 in connection with functions that are transferred to the head of the appropriate agency under this section, shall—

(A) continue to provide such services, on a reimbursable basis, until the transfer of such functions is complete; and

(B) consult with the Director to coordinate and facilitate a prompt and reasonable transition.

(e) SAVINGS PROVISIONS.—

(1) EXISTING RIGHTS, DUTIES, AND OBLIGATIONS NOT AFFECTED.—This section shall not affect the validity of any right, duty, or obligation of the United States, the Board, or any other person, that—

(A) arises under or pursuant to the Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.) or any other provision of law applicable with respect to such Board; and

(B) exists on the day before the effective date of the amendments made by section 2.

(2) CONTINUATION OF SUITS.—No action or other proceeding commenced by or against the Board, or any person or entity with respect to any function of the Board that was delegated to such person or entity, shall abate by reason of the enactment of this Act, except that the head of the appropriate agency shall be substituted for the Board or a party to any such action or proceeding.

(f) CONTINUATION OF ORDERS, RESOLUTIONS, DETERMINATIONS, AND REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), all orders, resolutions, determinations, and regulations, shall continue in effect according to the terms of such orders, resolutions, determinations, and regulations and shall be enforceable by or against the head of the appropriate agency until modified, terminated, set aside, or superseded in accordance with applicable law by the head of the appropriate agency by any court of competent jurisdiction, or by operation of law, if such orders, resolutions, determination, and regulations—

(A) have been issued, made, prescribed, or allowed to become effective by the Board in the performance of functions that are transferred by this section; and

(B) are in effect on the effective date of the amendments made by section 2.

(2) EXCEPTION.—Paragraph (1) does not apply to any order, resolution, determination, or regulation of the Board the authority of which is terminated under this Act or the amendments made by this Act.

(g) TRANSFER OF EMPLOYEES.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, each employee of the Board shall be transferred to the appropriate agency and each such transfer shall be construed to be a transfer of function for the purpose of section 3503 of title 5, United States Code.

(2) RETENTION OF STATUS, TENURE, PAY.—Each employee transferred under this subsection shall be guaranteed a position with the same status, tenure, and pay as that held on the day immediately preceding the transfer. Each such employee holding a permanent position shall not be involuntarily separated or reduced in grade or compensation during the 6-month period beginning on the date of the transfer, except for cause.

(3) APPOINTMENT AUTHORITY.—

(A) IN GENERAL.—Subject to subparagraph (B), in the case of any employee transferred under this subsection who occupies a position in the excepted service or the Senior Executive Service, any appointment authority established pursuant to law or regulations of the Office of Personnel Management for filling such a position shall be transferred.

(B) DECLINE.—The head of the appropriate agency may decline a transfer of an employee described in subparagraph (A) to the extent that the authority transferred to the appropriate agency relates to positions excepted from the competitive service because of their confidential, policy-making, policy-determining, or policy-advocating character, and noncareer positions in the Senior Executive Service (within the meaning of section 3132(a)(7) of title 5, United States Code).

(4) REORGANIZATION.—If the head of the appropriate agency determines, after the end of the 1-year period beginning on the date on which the transfer of functions to the appropriate agency under this section is completed, that a reorganization of the combined work-force is required, that reorganization shall be deemed a "major reorganization" for purposes of affording affected employees retirement under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code.

(5) EMPLOYEE BENEFIT PROGRAMS.—

(A) IN GENERAL.—Any employee accepting employment as a result of a transfer under this subsection may retain, during the 1-year period beginning on the date on which that transfer occurs, membership in any employee benefit program of the Board, including insurance, to which such employee belongs on the effective date of the amendments made by section 2 if—

(i) the employee does not elect to give up the benefit or membership in the program; and

(ii) the benefit or program is continued by the head of the appropriate agency, as applicable.

(B) COSTS.—The difference in the costs between the benefits that would have been provided by such agency or entity and those provided by this section shall be paid by the head of the appropriate agency, as applicable. If any employee elects to give up membership in a health insurance program or the health insurance program is not continued by the head of the appropriate agency the employee shall be permitted to select an alternate Federal health insurance program within 30 days of such election or notice, without regard to any other regularly scheduled open season.

(6) INSURANCE.—Any employee employed by the head of the appropriate agency as a result of a transfer under this subsection may retain membership in any employee benefit program of the Board, including insurance, that such employee has on the day before the effective date of the amendments made by section 2, if the employee does not elect to give up such membership and the benefit or program is continued by the head of the appropriate agency, as applicable.

(7) NOTICE.—Each employee transferred under this subsection shall receive notice of the position assignment of that employee not later than 60 days after the effective date of that transfer.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 1988. A bill to provide for the release of interests of the United States in certain real property located in Augusta, Maine; to the Committee on Armed Services.

KENNEBEC ARSENAL LEGISLATION

Ms. COLLINS. Mr. President, along with my colleague, the senior Senator from Maine, I am pleased today to introduce legislation that would bring about the release of certain interests of the United States in property that the Federal Government conveyed to the State of Maine more than 90 years ago. The property in question, which is situated on a bluff overlooking the Kennebec River in Augusta, Maine, is known as the Kennebec Arsenal.

In 1905, the Secretary of the Army, acting pursuant to a Congressional mandate, executed a deed transferring the property to Maine. That conveyance was subject to the conditions that the property be used for what was then called the Maine Insane Hospital and that the United States could take possession should the President determine that the country had a need for it. In 1980, Congress provided that the first condition be broadened to allow the property to be used for any public purpose. Today, I seek to complete the transfer process through legislation that would effectively eliminate the conditions attached to the conveyance.

Mr. President, the property is no longer needed for it former purposes, and my bill would set in motion a chain of events that would allow for new uses that would benefit not only the City of Augusta and the State of Maine but our entire country. With the exception of the Kennebec Arsenal, virtually all of the great arsenals of the nineteenth century have been demolished or so completely altered that their original appearance has been lost. The new uses contemplated by Maine would raise money needed for repairs that would maintain what historic preservation experts have described as the most perfectly intact of the nineteenth century arsenals.

To be more specific, the State of Maine and City of Augusta plan to form a nonprofit corporation to oversee the property. That corporation would seek out private parties interested in using the land and buildings for such purposes as a marina, a museum, and a restaurant. Those parties would provide the capital for infrastructure development that would likely include sidewalks, streets, water, sewer and other utility service, and landscaping. In addition, the Arsenal's retaining wall needs repair, and a marina cannot be established without substantial dredging of the river.

The objective of my bill is to open the way for these improvements and new uses by eliminating any reversionary interests of the United States. The existence of such interests is a barrier to the private sector making the long-term commitments required to fund the improvements. In other words, Maine needs clear title for this plan to go forward.

Mr. President, the Kennebec Arsenal occupies an important place in the history of Maine and the nation. It was established in 1827 to deal with the threat of invasion from Great Britain, either from across the sea or from Canada to the north. The possibility of such an invasion was seen as a major threat to American security during the first half of the nineteenth century.

Much of the tension with the British stemmed from our disputed border with Canada, and in the late 1830's that dispute nearly blossomed into a full-scale war. While the so-called bloodless Aroostook War proved to be more talk than action, it caused a flurry of activity at the Kennebec Arsenal, with newly fabricated munitions sent there in anticipation of full-scale fighting. Fortunately, cooler heads and the arrival of the spring planting season brought the parties to the negotiating table.

During the Mexican War, rockets and fixed ammunition were manufactured at the Arsenal and shipped to the front. During the Civil War, the post became an important depot of military stores. Indeed, a fear that Confederate guerrillas based in Canada would seek to burn the Arsenal led to the stationing of extra guards there, but despite the approach late one dark night of an unidentified boat, nothing came of this concern. During the latter half of the century, the Arsenal's importance declined, and in 1901, the Army posted an order for its abandonment. That process culminated in the legislation signed by President Theodore Roosevelt providing for the transfer of the property to the State for use as a hospital to serve the mentally ill.

Mr. President, I have offered this greatly abbreviated history of the Kennebec Arsenal to demonstrate the value of finding uses for the property that will guarantee its permanent preservation. That is the goal of the State of Maine and the City of Augusta, and this legislation will remove an anachronistic obstacle to the realization of that goal.

I thank you, Mr. President, and I hope to have your support for this very important legislation when it comes before the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 1286

At the request of Mr. JEFFORDS, the name of the Senator from North Carolina (Mr. FAIRCLOTH) was added as a cosponsor of S. 1286, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts received as scholarships by an individual under the National Health Corps Scholarship Program.

S. 1360

At the request of Mr. ABRAHAM, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1360, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify and improve the requirements for the development of an automated entry-exit control system, to enhance land border control and enforcement, and for other purposes.

S. 1649

At the request of Mr. FORD, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1649, a bill to exempt disabled individuals from being required to enroll with a managed care entity under the medicaid program.

S. 1724

At the request of Mr. DEWINE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1724, a bill to amend the Internal Revenue Code of 1986 to repeal the information reporting requirement relating to the Hope Scholarship and Lifetime Learning Credits imposed on educational institutions and certain other trades and businesses.

S. 1930

At the request of Mr. NICKLES, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1930, a bill to provide certainty for, reduce administrative and compliance burdens associated with, and streamline and improve the collection of royalties from Federal and outer continental shelf oil and gas leases, and for other purposes.

SENATE RESOLUTION 188

At the request of Mr. MOYNIHAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of Senate Resolution 188, a resolution expressing the sense of the Senate regarding Israeli membership in a United Nations regional group.

SENATE RESOLUTION 201

At the request of Mr. KEMPTHORNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of Senate Resolution 201, a resolution to commemorate and acknowledge the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

SENATE CONCURRENT RESOLUTION 91—RELATIVE TO A POSTAGE STAMP

Mr. WARNER (for himself, Mr. ROBB, and Mr. GRAHAM) submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. RES. 91

Whereas 1999 marks the 200th anniversary of the death of George Washington;

Whereas George Washington's extraordinary virtue commanded the respect of America's early leaders, who called on him to preside over the framing of the Constitution;

Whereas George Washington was an indispensable figure in the founding of our Nation, and served as our country's first commander in chief and President with unparalleled distinction;

Whereas all Americans remain indebted to George Washington for the liberties we enjoy today;

Whereas the death of George Washington on December 14, 1799, marked the first instance of national mourning in this country;

Whereas George Washington's tremendous accomplishments over the course of a remarkable lifetime are studied and admired in this Nation and around the world; and

Whereas issuing a postage stamp to honor the life and contributions of George Washington, "The Father of Our Country", is proper and fitting: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) a postage stamp should be issued by the United States Postal Service to commemorate the life of George Washington and his contributions to the Nation; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a postage stamp be issued.

Mr. WARNER. Mr. President, I rise today to submit legislation to honor one of the greatest men in American history. Many of my esteemed colleagues have joined me in a resolution paying tribute to the life of George Washington. However, I believe the year 1999, the bicentennial of Washington's death, may be further consecrated. Therefore, I am introducing a Sense of the Senate Resolution calling upon the Citizen's Stamp Advisory Committee to issue a stamp which celebrates the leadership and courage possessed by Washington.

The life of this great patriot is an extraordinary parable of nationalism and a belief in the power of a republican form of government. Upon emerging victorious in the Revolutionary War, General Washington laid aside the instruments of destruction to craft a young nation. Discarding any intimations of personal glory, Washington spurned the title of Monarch and instead chose to model the new country on the ancient principles of democracy. He was truly a "First among Equals". Washington was very much aware of the momentous nature of the first presidential term for our emerging democracy. He wrote,

I walk on untrodden ground. There is scarcely any part of my conduct which may not hereafter be drawn into precedent.

We must, as a Nation, recognize the value of responsibility. Washington shouldered the responsibility of his two

terms in office with grace and dignity, ever aware that he would be an example for countries around the world for time eternal. Through a heightened cognizance of the actions and beliefs of Washington, we can convey the true meaning of service to our Nation. I ask my colleagues what better way to honor such a man, than to devote a year to honoring his life. In this pursuit, it is fitting to request that a George Washington stamp be issued in 1999. Let us reflect upon the tradition of character of our Nation, inaugurated by our first President. Washington will remain, "First in War, first in Peace, and first in the hearts of his Countrymen." I look forward to the swift passage of this legislation.

Mr. ROBB. Mr. President, I rise today to join the Senior Senator from Virginia, Mr. WARNER, in submitting a concurrent resolution expressing the sense of the Senate that the Citizens' Stamp Advisory Committee examine issuing a stamp to commemorate the 200th anniversary of the death of our first President, George Washington.

I hardly need to expound on the legacy George Washington has provided our nation—his courageous leadership through the Revolutionary War, his vision as our first President, and his personal example as a citizen.

I recently joined Senator WARNER and Senator GRAHAM in introducing a resolution, S. Con. Res. 83, calling on the country to commemorate the 200th anniversary of Washington's death with ceremonies and activities that explore the life and legacy of George Washington. Given the formative influence of this distinguished man on our nation, I also believe it is appropriate to ask the Citizens' Stamp Advisory Committee to authorize a stamp in honor of the historic anniversary of President Washington's passing. I encourage all of my colleagues to become cosponsors of this resolution so that we can send a clear message to the Committee and our fellow citizens about the importance we place upon President Washington's legacy.

SENATE RESOLUTION 216—EXPRESSING THE SENSE OF THE SENATE REGARDING JAPAN'S DIFFICULT ECONOMIC CONDITION

Mr. LIEBERMAN (for himself, Mr. LUGAR, Mr. GRAHAM, Mr. BROWNBACK, Mr. BINGAMAN, and Mr. ROCKEFELLER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 216

Whereas the United States and Japan share common goals of peace, stability, democracy, and economic prosperity in the Asia-Pacific Region;

Whereas the current economic crisis in the Asia-Pacific Region represents a new challenge to United States-Japan cooperation to achieve these common goals;

Whereas the Japanese economy, the second largest in the world, has been growing a little over 1 percent annually since 1991 and most forecasts suggest that Japan is unlikely to experience any significant growth in the near future;

Whereas Japan's is the second largest trading partner of the United States and accounts for 11 percent of our total foreign trade;

Whereas Japan accounts for over 70 percent of the Asia-Pacific Region's gross domestic product and therefore has a particular interest in the stability of the Region's economic and financial system;

Whereas a strong United States-Japan alliance is critical to American forward engagement and stability in the Asia-Pacific Region;

Whereas the importance of the United States-Japan alliance was reaffirmed by the President of the United States and the Prime Minister of Japan in the April 1996 Joint Security Declaration;

Whereas United States-Japan bilateral military cooperation was enhanced with the revision of the United States-Japan Guidelines for Defense Cooperation in 1997;

Whereas Japan's failure to contribute to the Region's recovery from the current economic crisis or failure to prevent a further contraction of the Japanese economy could undermine regional stability, cause a setback in the close United States-Japan bilateral security cooperation achieved over the past 3 years, and increase Japan's bilateral and global trade surplus;

Whereas the low level of foreign direct investment in Japan, at less than 1 percent of Japan's gross domestic product compared to foreign direct investment in the United States of over 8 percent of the United States gross domestic product, contributes to large external trade imbalances and impedes market access for competitive foreign firms and products;

Whereas the United States bilateral trade deficit with Japan increased from $48,000,000,000 in 1996 to $56,000,000,000 in 1997 and has recently increased from $4,000,000,000 in January of 1998 to $5,300,000,000 in February of 1998;

Whereas the recent weakness in the yen, following a more than 20 percent depreciation of the yen against the dollar over the last few years, has placed competitive price pressures on United States industries and workers;

Whereas a period of deflation in Japan would lead to lower demand for United States products;

Whereas the estimated $574,000,000,000 of problem loans in Japan's banking sector has the potential to threaten the recovery of the Asia-Pacific Region and could destabilize global capital markets;

Whereas the unnecessary and burdensome regulation of the Japanese market constrains Japanese economic growth, raises the costs to business and consumers, lowers the standard of living, and impedes imports;

Whereas the United States strongly encourages Japan to pursue a domestic demand-led economic recovery and thereby prevent further increases in Japan's external trade surplus;

Whereas the Japanese Government has responded to the Asia-Pacific Region's economic crisis with financial commitments of approximately $19,000,000,000 to the International Monetary Fund; and

Whereas the United States appreciates Japan's efforts to stimulate its economy with the recently announced package of 16,000,000,000,000 yen that includes 4,500,000,000,000 yen in tax cuts and 11,500,000,000,000 yen in government spending: Now, therefore, be it

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

(1) the American people and the countries in the Asia-Pacific Region are looking for a demonstration of Japanese leadership and close United States-Japan cooperation in resolving the current crisis;

(2) encouraging the strengthening of the Japanese economy should be one of the Administration's central priorities in all its bilateral and multilateral discussions with Japan;

(3) every effort possible should be made to ensure that all other negotiating objectives are consistent with the overall goal of promoting economic growth in Japan, improving market access to Japan, and restoring stability to international financial markets;

(4) the President should continue to voice his serious concern about the economic situation in Japan, the international, regional, and bilateral implications of the situation, and the need to address significant structural impediments to competition in the Japanese markets, in order to restore confidence in the Japanese economy and contribute to the Asia-Pacific Region's political stability and economic recovery;

(5) the President, the Attorney General, the Secretary of the Treasury, and the United States Trade Representative should emphasize the importance of financial deregulation, including banking reform, market deregulation, and restructuring bad bank debt;

(6) the President, the Secretary of the Treasury, the United States Trade Representative, and the Secretary of Commerce should press vigorously for comprehensive and urgent deregulation and fundamental structural reform of the Japanese economy and sectoral markets, liberalization of the distribution system, and elimination of nontariff barriers and anticompetitive business practices that restrict the free flow of competitive goods and services, in order to increase market efficiencies and enhance competition, lower prices, improve market access, and redress global trade imbalances;

(7) the President, the United States Trade Representative, the Secretary of Commerce, and the Attorney General should continue to press for—

(A) increased antitrust enforcement by the Japan Fair Trade Commission, and

(B) strengthening of the Antimonopoly Act to eliminate private practices that restrict competition;

(8) the President, the Secretary of the Treasury, the United States Trade Representative, the Secretary of Commerce, and the Secretary of State should urge the Government of Japan to open the Japanese market to increased foreign direct investment and eliminate barriers to foreign direct investment in order to increase the competitiveness of the Japanese economy and stimulate investment and consumer spending; and

(9) restoring economic growth in Japan and stability in international financial markets should be given the highest attention at the upcoming meeting of the G–7 countries that will be held in Birmingham, England.

Mr. LIEBERMAN. Mr. President, I rise today to offer a bipartisan resolution expressing the sense of the Senate regarding Japan's difficult current economic condition.

I am privileged to do so on behalf of my original cosponsors, Senators

LUGAR, GRAHAM, BROWNBACK, BINGAMAN, and ROCKEFELLER.

Mr. President, for the last 46 years almost to the day—since April of 1952, when the American occupation of Japan ended and immediately our two Nations entered into a security agreement—the United States and Japan have shared the common goals of peace, stability, democracy and prosperity in the Asia-Pacific region and throughout the world.

The fact is that Japan has been our most critical strategic ally and our most important economic partner in the region. We have worked together to bring unprecedented prosperity and security to our people's through mutual understanding and cooperation. The importance of the United States-Japan alliance was reaffirmed by President Clinton and Prime Minister Hashimoto in the April 1996 Joint Security Declaration and the United States-Japan bilateral military cooperation critical to our security in the Asia-pacific region. It was enhanced with the revision and promulgation of the United States-Japan Guidelines for Defense Cooperation in 1997.

Japan is our second largest trading partner—not in Asia but in the world—and a huge and growing consumer of American goods and services. Japan imported $65.6 billion of American goods in 1997, third only to our neighbors to the north and south, Canada and Mexico. That figure has increased 37 percent from 1992 to 1997. In addition, Japan has played an important role in the current Asian financial crisis with financial commitments of approximately $19 billion through the International Monetary Fund, while we, as the news indicates today, have trouble coming up with a comparable amount authorized by members of Congress.

However, the current economic crisis in Japan is real and represents a new and serious challenge to United States-Japan cooperation to achieve the common goals of economic prosperity and national security. We must not allow this extraordinary bilateral relationship to falter at this critical time, but, rather, we should do everything in our power to support the people of Japan and encourage the Government of Japan to implement new policies that will promote strong and sustained economic recovery.

In less than a decade, Japan's economy has slowed so much that pundits have coined the phrase "passing Japan," meaning that many in the world now look past Japan and toward its continental neighbor, China, as the economic engine for Asia. But I take these observations to be premature. Japan retains enormous long-term economic strength but, nonetheless, has some very serious immediate economic problems which cannot be ignored. Experts believe that Japan's economy will be stagnant or shrink this year; real industrial output was down 3 percent for the first 2 months of this year. Unemployment, while still low by world standards and American standards, is at approximately 3.6 percent, which is a 45-year high in Japan, in a society that, incidentally, lacks the kind of social safety nets that we have built in our country. The Nikkei Index is hovering around 15,000, near its lowest level in 10 years; bad and doubtful bank debts are estimated at an astounding $574 billion; the Asian crisis has dried up an important source of trade and corporate earnings for the Japanese economy—that is, the regional crisis—and the Bank of Japan's most recent Tankan survey showed Japanese business outlook for the future to be gloomy.

At least so far, we have been fortunate that the fallout on our economy from Japan's economic woes, as well as the collapse of the other troubled Asian economies, has been minimal. That is another way of validating the enormous resilience and strength in the American economy. Nonetheless, we have had serious and real early warning signs. In the trade figures announced last week, we see evidence that Japan's economic troubles are starting to have a direct impact on us here in the United States. If Japan's economy continues to deteriorate, there is good reason to believe that it will affect our ability to create jobs and to sustain current GDP growth.

Today, my colleagues and I introduce this resolution to express to our President and to the Government of Japan that the Congress of the United States is deeply concerned about Japan's poor economic performance and the pressure it is putting on our overall bilateral relationship. It is widely agreed among economists throughout the world, including most that I have read about in Japan, that more than a quick-fix fiscal stimulus is needed to address the underlying problems that are now being seen in the Japanese economy.

In that regard, I was very encouraged to see that earlier today Prime Minister Hashimoto announced a more long-term approach to restoring economic growth in Japan than had previously been presented by his government. Along with the details of the Japanese Government's $123 billion stimulus package, the Prime Minister announced today that he would delay by 2 years his self-imposed deadline to balance the national budget. That is a significant change. This will provide the opportunity for Mr. Hashimoto to make his proposed income and targeted tax cuts permanent. And I believe this is the right policy and will help lead Japan out of its current economic troubles.

The resolution that we submit today also calls for a number of fundamental economic reforms in Japan—deregulation of the Japanese economy, improvement of market access, and enforcement of fair trade. These are all actions which should increase the competitiveness of the Japanese markets and of Japanese companies and provide greater opportunities for investment in Japan and for the success of individual entrepreneurs within that country.

Finally, the resolution describes the implications of the weakening Japanese yen which could lead to another round of competitive currency devaluations throughout the region. Of particular concern is the effect of the weak yen on the Chinese yuan. Further devaluation of the yen could lead to a devaluation of the yuan, an event with significant ramifications of the regional, global and, therefore, of course, American economies.

For economic, political and strategic reasons, we must support and encourage economic reform in Japan. It is absolutely necessary. In the end, a more open and healthly Japanese economy is in the interest of the Japanese and American people. The sooner Japan recovers from its economic problems, the sooner the United States, Japan, and the world will reap the benefits of a stable and growing Asian-Pacific region.

As we express our concerns about Japan's current economic difficulties, we must also remember the very significant economic strengths that Japan has. It is the second largest economy in the world, second only to ours, and maintains enormous human and capital assets. The fact is that one of this century's most dramatic stories is Japan's rise to economic superpower status, achieved by a citizenry dedicated to education, hard work, and fiscal responsibility. Japan is the most literate society in the world, and 94 percent of the population completes high school. The Japanese save more than any other people in the world. I know some critics may argue that too much savings is not good for the economy, but the point I want to make here is that in Japan saving is a virtue, as it was for a large parts of our own history. We lost that truth for a period of time and, fortunately, we are now recovering it, saving in larger numbers again, and that is part of the reason why our economy is doing so much better today.

Japan also maintains huge foreign reserves and continues to be a major contributor to international organizations. Unlike the United States, Japan is a net creditor nation. Simply put, Japan's potential for the 21st century continues to be very bright. Its strategic importance to the United States continues to be critical. Long into the next century, Japan will remain our economic trading partner and strategic ally, sharing our goals of regional and world prosperity and peace.

Given the significance of the current crisis in Japan and the importance of

Congress making its voice heard on this crisis, I urge my colleagues to review and hopefully support this bipartisan resolution.

Mr. ROCKEFELLER. Mr. President, as someone who has had a tremendous interest in Japan throughout my life, I have gained a great deal by maintaining direct and meaningful contact with Japan as a country, a people and a fascinating culture since my days as a student there in the 1950s. And although it is tested constantly, I truly believe the relationship between Japan and the United States continues to be strong. It is a relationship based on shared interests in democracy and the market economy, as well as mutual respect and fundamental friendship. It is from that perspective—as a friend of the Japanese people—that I feel it is so important to introduce this resolution today with my esteemed colleagues.

It was not very long ago that Americans were up in arms about the trade deficit and Japan in particular—blaming the Japanese and other foreign countries bitterly for plant closings, job losses and our long list of economic ills. It was a very difficult time for our relationship with Japan, and a very difficult time for America as we struggled to get our own economic house in order.

It was, however, also a cathartic time that I think was both inevitable and ultimately healthy for both countries.

During that time, the United States was going through its own banking difficulties with the S&L scandals that saw many of our banks close their doors. Unemployment was way up and wages were stagnating. Our federal deficit was exploding and our national debt was climbing into the trillions. And corporations, many of which had traditionally employed their workers throughout their lifetime, were shedding employees by the thousands.

The pressure to change intensified, as the American people watched our edge in certain industries and technologies slip and our people's anxieties and personal pain grow. The pressures strained our political system. In a nation of great diversity, ideas were born and rejected, consensus embraced, then rejected. While the U.S. still has plenty of room for improvement, I think there would be a large consensus that would agree that the United States has effectively tackled many of our "structural problems"—the ones that Japan was right to point out to us so often.

Today, Japan faces a similar crisis. A creeping economic crisis that has profound and dangerous implications for all of Asia, and the world. At stake, in my opinion, is Japan's leadership in the world and the stabilization of the Asian economies. This world and the United States cannot move forward successfully, without Japan's leadership.

I feel so strongly about this and that is why this resolution is so very important. It is not to speak harshly of Japan, but to push for an honest, frank discussion, among friends, to talk about the very serious issues facing Japan that could lead to problems around the world.

I would remind my colleagues that this crisis is not a recent phenomenon. For more than six years, we have had warnings of problems on the horizon. Many Japanese have told me the biggest mistake that Japan could make would be to continue to delay action and postpone reform. One of the things I and many Japan watchers worry about is that because of Japan's strong financial reserves, they will somehow get through this crisis, and there will be those who say, "see everything is OK. The system works fine;" that Japan will get through this crisis without learning anything from it.

By turning inward and ignoring the need for change, at the moment that Japan is challenged to lead, Japan risks abdicating its long term global and regional security and economic responsibilities to emerging powers like China or even India. This has serious implications for the United States, as well.

In terms of Japan, it is hard to not believe that Japan will once again face the problems that require action, and come out stronger as a result. The Japanese know more than anyone that many so-called "Japan watchers" in the United States and elsewhere are more pessimistic—saying that the talk in Japan of reform, adjustment, and stimulating the economy from within is not real. But when I think of Japan's history and what Japan's leaders in government and business know about economic success, I still personally choose to be more optimistic.

I recall 1973, with the oil shock and the end of the Bretton Woods system, when it led the Japanese to a national commitment to reduce energy consumption and to increase energy efficiency. The overall effect on Japan as a whole was dramatic and impressive.

Again, in 1985, with the Plaza Accord, when the yen began its dramatic strengthening—resulting in a commitment from Japanese industry to become much more efficient and squeeze out enormous waste and costs. The result was an incredibly competitive manufacturing machine.

Now it is 1998, when the problems of other Asian countries require plans for international bail-outs and very harsh measures. President Clinton has called on Japan to become the engine of growth and recovery in Asia. I agree with him and encourage him to continue pushing Japan. Frankly put, Japan's future depends on a prosperous Asia and world. And America's future does as well.

But, we also need to be realistic about what can and cannot work in Japan. American or European solutions to problems will not necessarily work there. If Japan is to lead Asia out of this crisis, Japan needs to move more quickly to recognize the extent of this problem and to find the uniquely Japanese solutions to them. But, only Japan can chart Japan's future.

Japan needs to continue to work toward the reforms in their regulatory system which Prime Minister Hashimoto has begun. While there has been some small movement on this front, still, many more regulations remain that are a strait jacket on competition and free commerce. Telecommunications, housing and distribution are all sectors ripe for deregulation.

In a similar vein, opening Japanese markets to more products, particularly products from Asia, is critical to the Asian recovery. This won't be easy—and that's where leadership comes in—especially as Japan itself struggles to regain its balance. Open markets, over the long term, will position Japan to become the leader of a reborn Asian miracle.

One extremely important foundation in a Japanese recovery, and in promoting Japanese economic leadership in an Asian recovery, is the fostering of a new pluralism of ideas in their political system. Every nation goes through times of introspection. America often does. Certainly, a national dialogue in Japan on this crisis and how to emerge from it stronger than ever, can't hurt. And efforts to institute significant political reform here should not be slowed. Diet Members, as the most direct representatives of their districts, need to become actively engaged in finding solutions. At all levels of government, accountability is key. Ministers need to have the power to lead their departments, and become responsible for their success and failure. Bureaucrats need to take orders, as easily as they give them.

Over and over again, my Japanese friends point to the fact that Ministry of Finance and its bureaucracy has a far greater influence on policy than is appropriate and prudent in a parliamentary democracy. This has been said to me by Japanese time and time again over a number of years. It would seem to me, and not to be idealistic here, that the ministry ought to reflect the views of the Prime Minister and those elected to represent the people, and not the reverse. In our country this is a subject of extensive discussion and complaint by people who care about Japan. Accountability in a democracy is paramount.

Why should it be that when I meet the Minister of Finance, or any Minister for that matter, that I know that I'm not speaking to the person who makes the decisions? How can that be in a democracy? In Great Britain they share Japan's Parliamentary system,

but their cabinet agencies reflect the views of the Prime Minister and the people who elect the parliament, and they run the agency. Of course the Ministers consult with the bureaucrats, but they are held accountable for reflecting the Prime Minister's views and the national will. Unfortunately, that can't be said about today's Japan.

I also find it ironic that the political reforms, such as single delegate districts, that were supposed to open up Japan's democracy and decision making, have not brought about the fundamental change in the system that everyone expected. The lack of a strong multi-party system, with a strong and viable opposition party remains a barrier to reform and serves as a wall through which ideas and change cannot penetrate.

Just as Americans still have much to learn from Japan's successes, my point must also be to emphasize that we are affected by how Japan handles the challenges now posed by the weaker parts of their economy. Our relationship is not just a matter of the ties between our leaders, the tremendously important military alliance we share or the many forms of business and investment we transact between one another. We are increasingly connected through currencies, our banking systems and loan policies, the value of stocks, and whether Japan puts too much emphasis on exporting its way out of the problems rather than internal measures. We in the U.S. hope that our economic condition will insulate ourselves from the downturns in Asia. But we have to worry about markets shrinking for our products and especially any growth in our sizable trade deficit with Japan.

My biggest fear is that if the Asian crisis remains unchecked, and average Americans begin to feel the impact of the succeeding market collapses on their incomes, they will begin to question Japan's national resolve and political will to deal with these problems. I especially don't want to see any further reasons for Americans to turn within or fear an active role in world trade. Throughout my political career, I have pushed very hard in my state of West Virginia for open markets, a global economy and fought against the forces of isolation and protectionism. Competition has served both my state and my country, and they will Japan as well.

So, the actions Japan takes, or does not take, will affect America, as surely as they will their neighbors in Asia.

I hope both our nations' leaders will continue to place the utmost importance on the U.S.-Japan relationship. Its strength is the basis for honesty with one another, for the ability to address problems together, and to pursue regional and shared objectives. We also must maintain and nurture this strength, which especially requires us to appreciate the role that our economies have on one another—because of their effect on our people and our sense of ourselves as nations. And this is a time when steps are more urgently required to ensure progress and prevent any kind of setback. I pledge to do my part in continuing to promote the importance and the potential of a strong, close U.S.-Japan relationship at all levels.

ADDITIONAL STATEMENTS

COMMEMORATION OF THE ARMENIAN GENOCIDE

• Mrs. FEINSTEIN. Mr. President, I rise today as I and a number of my colleagues do every year to mark and remember a dark day in human history: The beginning of the systematic extermination of 1.5 million Armenian men, women, and children.

On April 24, 1915—eighty-three years ago—the Ottoman Empire launched a brutal and unconscionable policy of mass murder. Over an eight year period, 1.5 million Armenians were killed, and another 500,000 were driven from their homes, their land and property confiscated.

As we remember the dark past of the Armenian people, however, our act of remembrance also offers the opportunity to celebrate hope and the resilience of the human spirit. Today, the people of Armenia can look to a promising future, as they continue to work for democracy and peace in their homeland.

The Armenian genocide was the first genocide of the twentieth century, an appalling precursor to events in Nazi Germany, Soviet Russia, Cambodia, Bosnia and Central Africa, as well as too numerous other places. As we mark this day of remembrance, people of conscience around the world must redouble our commitment to fight for human dignity and freedom, and vow to never again allow genocide to occur.•

THE ARMENIAN GENOCIDE

• Mr. D'AMATO. Mr. President, April 24th is the day we remember the horrors inflicted upon the Armenians in Turkey during World War I and afterward. Today, we express our solidarity with Armenians everywhere, and reflect upon the meaning of their suffering and sacrifice. We mourn the dead, and express our condolences to their living descendants. During that terrible tragedy, about 1.5 million people were killed.

The massacres and deportations of the Armenians during that period were a forerunner of subsequent horrors perpetrated against other peoples. The Armenians were the first victims of genocide in this century, when civilian populations, defined by ethnicity, race or religion, have been targeted by soldiers or paramilitary groups, and in some cases, by sovereign states using all their instruments of military power to destroy a people.

We mark this day so as never to forget what happened, and to strengthen our conviction to prevent any recurrences in the future. Not only against Armenians, but against any people.

During and after World War I, Armenians did not have a state of their own. Today, independent Armenia defends Armenians everywhere, and they, in turn, protect the interests of their ancient homeland. Armenia is a country of great promise, despite its many troubles. We fervently hope that the efforts of the Organization for Security and Cooperation in Europe's Minsk Group will be successful and the Nagorno-Karabakh conflict will be resolved peacefully. We pray that we may see a prosperous Armenia living in peace with all its neighbors, continuing to teach the world lessons, as a light unto the nations.•

THE 83RD ANNIVERSARY OF THE ARMENIAN GENOCIDE

• Mr. SARBANES. Mr. President, I rise to join my colleagues in commemorating the 83rd anniversary of the Armenian genocide, which consumed the lives of one and a half million men, women and children. Today, as we remember the sacrifice of the Armenian people, we honor them by renewing our commitment to protecting the fundamental rights and freedoms of all humanity.

It is imperative, Mr. President, that no nation or individual ever forget the injustices suffered by the Armenians in 1915. Perhaps the most prominent witness to the Armenian genocide was Henry Morgenthau, the U.S. Ambassador to Turkey at the time, who described the wide-scale and deliberate orchestration of atrocities against the Armenian people as "the Greatest Horror in History." He later wrote,

"Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecutions and injustice the most debased imagination can conceive, became the daily misfortunes of this devoted people. I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915. The killing of the Armenian people was accompanied by the systematic destruction of churches, schools, libraries, treasures of art and of history in an attempt to eliminate all traces of a noble civilization some three thousand years old."

Ambassador Morgenthau's assessment of the great tragedy was consonant with public reporting at the time the events took place. Newspaper headlines in mid-1915 heralded, "More Armenian Massacres," "Armenian Horrors Grow," "Tales of Armenian Horrors Confirmed," "800,000 Armenians Counted Destroyed," "Spare Armenians, Pope Asks Sultan." On July 16, 1915, Morgenthau sent the following message by telegraph to the Secretary of State:

"Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eyewitnesses it appears that a campaign of race extermination is in progress under pretext of reprisal against rebellion."

Other diplomats and consular officers substantiated the Ambassador's report of what was taking place. Abram Elkus, Morgenthau's successor, through his cables to the State Department confirmed his predecessor's assessment.

We must not allow a handful of revisionists to shake our resolve to prompt recognition and acceptance of responsibility for this well-documented historical event. Indeed, Morgenthau and other diplomats who witnessed and reported in great detail the enormous devastation of the Armenian community would be astonished to learn today that the abundant evidence they collected, much of which is held in our own National Archives, and the testimony of survivors who are still with us, have come under challenge. Despite the irrefutability of the documentation and testimony, including extensive accounts from survivors, witnesses, and historians, there are those who deny the past, blame the victims, and oppose reconciliation.

It is a tribute to the indomitable spirit of the Armenian people that, after enduring centuries of oppression, they have reestablished a free and independent state that is making new strides toward democracy and economic revitalization. In its short existence, the Republic of Armenia has survived the earthquake of 1988, the dissolution of the Soviet Union and a blockade by its neighbors. The spirit of the Armenian people is reflected not only in their dedication to rebuilding a nation from the ashes of totalitarianism, but also in the strength and vibrancy of the Armenian-American community. Americans of Armenian origin have successfully contributed to the cultural, social, economic, and political life of this country while preserving the rich faith and cultural traditions of their forebears. Clearly, the spirit of the Armenian people continues to thrive.

Mr. President, to ensure that such a tragedy never be repeated it is incumbent upon us to remember the victims of the Armenian genocide and pay tribute to the survivors. Just as we have vowed never to forget the Nazi Holocaust, we must continually remind ourselves of the events of 1915. They became, after all, a precedent for Hitler, who rationalized his barbarism by asking, "Who remembers the Armenians?"

As citizens of a nation founded on the ideals of freedom and human dignity, we must educate ourselves about the events that constituted the Armenian genocide and renew our commitment never to remain indifferent in the face of such assaults on humanity. In the words of the great philosopher, George Santayana, "those who cannot remember the past are condemned to repeat it."•

COMMEMORATION OF THE ARMENIAN GENOCIDE

• Mr. REED. Mr. President, I rise to commemorate the 83rd anniversary of the Armenian Genocide.

Old and young around the world today remember the Armenian holocaust. We remember that on this date in 1915, the Ottoman Empire and the successor Turkish nationalist regime began a brutal policy of deportation and murder. Over the next eight years, 1.5 million Armenians would be massacred at the hands of the Turks and another 500,000 would have their property confiscated and be driven from their homeland.

Although it seems that the world stood silent while the Armenian population was devastated, a few witnesses did try to tell the terrible story. In 1919, Henry Morganthau, Sr., the American Ambassador to the Ottoman Empire, published a memoir which extensively detailed what he had seen and heard in Turkey during the previous six years. Of the events of the genocide, Ambassador Morgenthau wrote, "I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915."

Last August, I had the opportunity to visit Armenia and Nagorno Karabagh. I was able to see the treasures of that land firsthand and pay tribute to the indomitable spirit of the people of Armenia. One morning I toured the Genocide Monument and Museum in Yerevan and then stood by the eternal flame while a vocalist sang a haunting solo. It was the most moving moment of my visit.

My trip to the Transcaucasus made it clear that despite having already undergone such terrible persecution and hardship, the people of the Armenian Republic still suffer today. The economy is struggling and the area has still not recovered from the 1988 earthquake. The Karabagh conflict remains unresolved and Turkey continues to blockade humanitarian aid to Armenia.

However, the Armenian people remain resilient, hopeful, and an inspiration to others. In Armenia, they continue their quest for peace and democracy. Just last month, the residents of Armenia showed their commitment to democracy when they participated in the third presidential election since independence in 1991. In America, many communities, like those in my home state of Rhode Island, are enriched by the traditions of Armenians who have immigrated to our shores.

Because Armenia is a part of our world and persons of Armenian descent are members of our community, we must remain committed to always remember the Armenian genocide. As Peter Balakian, author of the critically acclaimed "Black Dog of Fate", wrote:

> Commemoration is an essential process for the bereaved and for the inheritors of the legacy of genocide. It is a process of making meaning out of unthinkable horror and loss. The burden of bereavement can be alleviated if shared and witnessed by a larger community. Only then can redemption, hope and community be achieved.

Menk panav chenk mornar.•

CONGRATULATIONS TO DUNWOODY HIGH STUDENTS

• Mr. COVERDELL. Mr. President, I rise today to congratulate Dunwoody High School students, Bakari Brock, Jennifer Campbell, Richard Cartwright, Michael Cayes, Carol Chandler, Melissa Chastnew, Zack Cullens, Melissa Derick, Kevin Franklin, Erin Green, Judy Hudgins, Rebecca Lamb, Dwayne O'Mard, Sandra Park, Andrea Pierce, Jennifer Price, Scot Prudhomme, Carlyn Sibler, Geren Stone, Dannon Taylor, David Weiner, David Yoo, and their teacher, Celeste Boemker, who will be traveling to Washington to represent our state in the "We the People . . . the Citizen and the Constitution Program" in early May.

As a strong proponent for the education of our nation's youth, it is with great pride that I hear of children from my home state to compete on a national level to test their knowledge of politics and the government of the United States. Students and teachers such as these, who have demonstrated exceptional leadership and intelligence, should be appropriately recognized. Therefore, Mr. President, I would like to take this opportunity to commend these students and wish them luck in their upcoming competition.•

EXPLANATION OF SELECTED VOTES TO THE SENATE BUDGET RESOLUTION

• Mr. ABRAHAM. Mr. President, now that the budget resolution has been adopted, I wanted to take a few moments to discuss several of the more important votes that took place.

The first of these was the Allard amendment to create a new point of order against future budgets that fail to eliminate the federal debt by the year 2028. Mr. President, I fully support reducing the size of the federal debt, and I am glad the pending resolution cuts the relative size of the debt by almost 20 percent over the next five years. On the other hand, the Allard amendment may require making payments on debt that is not actually due. A significant portion of the debt is held by foreign investors. It does not make sense to me to use American taxpayers' dollars to make early debt payments to foreign investors like the central banks of China, Japan, and Germany. I believe there are several priorities facing this Congress beyond reducing the federal debt, including reforming the Social Security system and improving our onerous tax code, and I do not support amendments that would tie Congress' hands with regard to these important reforms.

Two other amendments that require comment were the Kennedy and Murray amendments to increase funding in Function 500, the eduction and training function, while making across-the-board cuts to all other domestic discretionary accounts. Mr. President, the underlying budget resolution accomplishes two priorities with regard to education. First, it lives up to the budget agreement signed by both congressional leadership and the President just last year. That agreement targeted sufficient resources at federal education programs to fully fund the priorities of both the President and Congress. Second, this resolution adds to those agreed-to levels by increasing funding for important programs like IDEA and the Innovative Strategies State Grant program—programs that work by block-granting federal resources back to the states and local governments.

Mr. President, if we have learned anything regarding effective education policy, it is that building an ever larger federal presence in historically local- and state-controlled public schools simply doesn't work. The Senate budget recognizes this fact, while the Kennedy and Murray amendments ignore it. This budget increases federal education funding by $2.6 billion over the next five years at the same time that many budget areas are being cut. I believe this is a clear indication of the priority the Senate places on eduction issues.

Several other amendments were offered, including the Lautenberg, Wellstone, Dorgan, and Feingold amendments, which would have established so-called reserve funds for the creation of new mandatory spending programs. Mr. President, by definition, these amendments call for creating new, uncontrolled federal entitlement programs. Exactly what these programs would do, and how they would be funded, is left unclear. On the other hand, my position regarding new mandatory spending is extremely clear—until Congress takes the necessary steps to ensure the future solvency of our existing entitlements, including Social Security and Medicare, we should have the discipline to refrain from creating new programs which will endanger the solvency of existing programs and the federal government. For that reason, I opposed these reserve fund amendments.

The Kempthorne amendment regarding the Endangered Species Act also requires comment. Under the budget resolution, funds raised from selling surplus BLM lands were to be targeted at programs designed to protect endangered species. In my mind, Mr. President, this funding mechanism represents a win-win situation for everyone involved in protecting this nation's wildlife. First, by selling surplus lands, the federal government rids itself of the cost of managing lands for which it has no purpose. Second, the proceeds from these lands would go towards continued protection of endangered wildlife. During debate, Senator REID raised concerns that tying ESA funding solely to the sale of federal lands was not good policy. For this reason, I supported the Kempthorne amendment which addressed some of Senator REID's concerns by expanding the possible funding sources for Endangered Species Act enforcement.

Another important vote was the Bumpers amendment to increase the royalty on the net return on the profits from mining gold, silver and platinum and channeling those funds into IDEA. Mr. President, the underlying budget resolution takes a dramatic step towards increasing the funding for IDEA. This is a program that I fully support and look forward to continued increases in federal participation.

Nevertheless, I opposed this amendment because I do not believe the imposition of new taxes on the mining industry is the proper means of reforming our mining law. Hard rock mining is a capital intensive industry that has struggled in recent years despite the booming U.S. economy. The reason is simple—the costs of extracting these metals from U.S. soil is only slightly less than the market value of these metals. I believe there are better approaches for reforming our mining laws than simply raising taxes, and I look forward to working with Senator BUMPERS and other Senators to seeing those reforms take place.

Finally, Mr. President, I wanted to discuss the Domenici amendment regarding the recent ruling by the Veterans' Administration General Counsel to include some smoking-related illnesses in the qualified list of "service connected" diseases. Mr. President, I want to help veterans and their families, but it is my firm belief that such an increase in the federal government's liability should result only from an act of Congress, not a judge's ruling, and that Congress should only act with all the pertinent facts before it. For these reasons, I supported the Domenici amendment to require a year-long study of the merits of such claims. This study will enable Congress to avoid the current vacuum of knowledge that surrounds this issue and devise the best policy for our veterans. If the study supports these claims, then I will support expanding the current program to accommodate them.•

TRIBUTE TO UNIVERSITY OF UTAH ROTC CLASS OF 1944

• Mr. BENNETT. Mr. President, I rise today to pay tribute to the University of Utah ROTC Class of 1944 which responded to the call for active military duty during World War II. On May 2, 1998, at the University of Utah members of the ROTC Class of 1944 will hold a reunion commemorating the 55th anniversary of their activation into our national armed services. I believe it is fitting that we honor them today in the United States Senate.

The University of Utah Reserve Officer Training Corps (ROTC) was an unique organization. It was one of the few military units which were called into service during World War II from a specific community and which can return to that home area for a reunion. Most military units include individuals whose residences are scattered throughout the country. Through an Act of Congress in 1916, ROTC programs were established in higher education institutions across the country. Since that time, they have been an important part of this nation's civil defense—in times of war and peace—training generations of students for service to their country.

In the early 1940s, this class trained at the University of Utah with horse-drawn artillery working with an old French 77 millimeter cannon and with a 105 millimeter howitzer, new at the time. As a unit, this ROTC class was first assigned to Camp Roberts in California, for basic training in truck drawn artillery. Later they were assigned to Fort Sill, Oklahoma, for further training and ultimately received further schooling at the Infantry Officers School at Fort Benning, Georgia. After graduation from Fort Benning, these young men, whose average age at the time was slightly over 20, served as officers in various combat units in Italy, France and the South Pacific.

These were brave and honorable men, each one of them. Of the 99 who were called to active duty in 1943, two were killed in action while serving in the 10th Mountain Division in Italy. One was later killed in the Korean Conflict. Of the group's original 99 members, 71

are still alive. Today, I speak for all Utahns and all Americans when I say, we honor these brave men and pay tribute to them for their service and sacrifice for this great country. The Class of 1944's great tradition of discipline and leadership continues today as many of its members are respected professionals in the public and private sector as well as their own communities.

Finally, Mr. President, before I close, I want to thank Chris S. Metos of Salt Lake City, Utah, for the outstanding job he has done to help organize this upcoming reunion and for the many years of service he has provided to this country and to the people of the state of Utah.●

NATIONAL COUNTY GOVERNMENT WEEK, APRIL 19–25

● Mr. GRAMS. Mr. President, I rise today to salute the work of the 3,072 county governments nationwide, and in particular, the work of the 87 counties in my home state of Minnesota. Counties are often an invisible, but extremely important part of our intergovernmental system. County officials in my home state have also taken leadership roles in their national organization, namely Commissioner Randy Johnson, who chairs the Hennepin County Board of Commissioners and serves as the President of the National Association of Counties (NACo), and his colleague, Hennepin County Commissioner Peter McLaughlin, who chairs NACo's Large Urban County Caucus which represents the interests of the nation's 100 largest counties.

Counties can trace their roots to the English shire of a thousand years ago. Serving a dual function, the shire acted as the administrative arm of the national government as well as the citizen's local government. The structural form of the shire was adopted along the eastern seaboard of North America by the colonists and adapted to suit the diverse economic and geographic needs of each of the colonists.

Traditionally, counties performed state-mandated duties which included assessment of property, record keeping such as property and vital statistics, maintenance of rural roads, and administration of election and judicial functions. Today, counties are moving rapidly into other areas, undertaking programs relating to consumer protection, economic development, employment training, planning and zoning, and water quality, to name just a few.

This week, counties across the country are celebrating National County Government Week. This celebration is an annual event for counties. First held in 1991, the goal of National County Government Week is to raise public awareness and understanding about the roles and responsibilities of the nation's counties.

There have been activities at the national, state and local levels this week. More than 1,000 counties annually participate in National County Government Week by holding a variety of programs and events. These include tours of county facilities, presentations in schools, meetings with business and community leaders, recognition programs for volunteers, briefings on environmental projects, and adoption of proclamations.

There is a theme each year for National County Government Week. This year, the theme has been "Creating Sustainable Communities." Counties are being encouraged during National County Government Week to make their communities more livable by engaging their citizens in a process that promotes job growth and environmental stewardship.

I know that NACo has encouraged counties this week to hold a town meeting or launch a series of community-wide dialogues to solicit citizen participation to identify the community's most pressing issues and to establish a comprehensive vision for the future.

NACo has also suggested that counties develop a public participation strategy to identify and solve local problems that bring local government officials, business leaders, and community representatives together.

Counties have brought their citizens closer to their government by getting them to come to county facilities to learn about county services—or by going where the people are. Some counties this week held an open house at the county courthouse and administration building. They created displays by county departments showing what each department does. Employees were on hand to describe the services they provide and their responsibilities.

Some counties focused on their county's history as well. Local historical societies and libraries put together presentations or displays to inform citizens about the county's history.

Mr. President, I am pleased to rise today to support the efforts of our county governments throughout the country, and in particular, my home state of Minnesota. National County Government Week has been successful in attempting to raise public awareness of the good work of our nation's county governments and how they help improve the lives of their residents.●

MEASURES PLACED ON THE CALENDAR—H.R. 3565 AND S. 1985

Ms. COLLINS. Mr. President, I ask unanimous consent that two bills that are at the desk, H.R. 3565 and S. 1985, be placed on the calendar.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR NOMINATIONS

Ms. COLLINS. Mr. President, as in executive session, I ask unanimous consent that on Monday, April 27, at 6 p.m., the Senate turn to the nomination of Scott Fleming, to be Assistant Secretary for Legislation at the Department of Education, and that the Senate proceed to an immediate vote on the confirmation of the nomination without intervening action or debate and that it be in order now to order the yeas and nays on the nomination.

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

Ms. COLLINS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Ms. COLLINS. I further ask unanimous consent that immediately following the confirmation, the Senate proceed to the following additional nominations, that they be confirmed, that the motions to reconsider be laid upon the table, and that the President be immediately notified of the Senate's action, and that the Senate resume consideration of the NATO treaty. Those nominations are: Garr King, of Oregon, to be a district judge in Oregon; Gregory Sleet, of Delaware, to be a district judge for Delaware; and Cherryl Thomas to be a member of the Railroad Retirement Board.

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

ORDERS FOR MONDAY, APRIL 27, 1998

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m., on Monday, April 27. I further ask unanimous consent that on Monday, immediately following the prayer, the routine requests through the morning hour be granted, and the Senate then proceed to 1 hour of morning business with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator THOMAS, 15 minutes; Senator FEINSTEIN, 20 minutes. I further ask unanimous consent that following morning business, at 12 noon the Senate proceed to executive session and begin debate on the NATO treaty.

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

PROGRAM

Ms. COLLINS. Mr. President, for the information of all Senators, the Senate

will begin debate on the NATO treaty at 12 noon on Monday. At 6 p.m., the Senate will conduct a rollcall vote on the confirmation of Scott Fleming to be an Assistant Secretary at the Department of Education. It is the leader's hope that before and after that vote the Senate can conduct a vigorous debate on the NATO treaty and possibly have amendments offered during Monday's session of the Senate.

As previously ordered, the vote on the conference report to accompany the State Department reorganization legislation will occur on Tuesday at 2:25 p.m. And I announce to the membership that the vote scheduled for Monday, April 27, will occur at 6 p.m.

ADJOURNMENT UNTIL 11 A.M., MONDAY, APRIL 27, 1998

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

Thereupon, the Senate, at 3:23 p.m., adjourned until Monday, April 27, 1998, at 11 a.m.