

details of how you drive the truck, how you dig a ditch, how you operate daily activities in many, many areas, are now controlled by regulations.

What is at stake is, who will make the decisions in this country? Will Government make those decisions about how we run our daily lives in minute detail, or will individuals preserve a right to make decisions about how they function and how their activities are lived? That is an important decision.

I think those who look at the votes in the Senate on this issue will note one thing. In most cases, those Members that have worked for a living in the private sector, who have used their hands and their minds to produce products, goods, or services, are the ones who voted to reform the regulatory process—not all, but most of them. And largely those people who did not have an opportunity, or have not for many decades had an opportunity, to work in the private sector, who have spent their productive lives in government, tended to vote to oppose regulatory reform. It is not surprising that people would reflect their background.

What is sad, though, is that there are not more Members who have walked in those moccasins, so to speak, who have had a chance to be subject to regulation, who understand what it is like to have OSHA inspect their business, understand what it is like to have the EPA come along, or who have run a municipal operation.

We heard in the Constitution Subcommittee the other day from the Governor of Nebraska, who is a Democrat, that they are required by Federal regulations to test for pineapple sprays in Nebraska. It is ludicrous. And, yet, the people of Nebraska are subject to this regulation and are forced to spend their money and their treasury on it, when it has absolutely no relevance to the quality of water in the State of Nebraska.

There are thousands of examples like that. But this is not just about what Nebraskans have to test for in their water, whether there are sprays of pineapples or not; it is about a concept. It is about the concept of who will make the decisions in America. Will working men and women have a chance to decide how they live their daily lives, or is this all to be relegated to minute regulations that come down from the Federal Government?

That is an important principle. I believe if we in America stand for anything, it is for individual opportunity and individual freedom; yes, even at times an opportunity to make a mistake. But Americans believe we have an opportunity and a right to help run our own lives, not simply take dictates from those who govern, no matter how wise or how well meaning.

Do we need regulations? Of course. But 60,000 pages of new ones every year? No society can sustain it. What is at stake is an effort to make regulations responsible and reasonable. What

is at stake is individual opportunity to decide how to live their own lives.

I yield the floor, Mr. President.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

Mr. D'AMATO. Mr. President, I rise today in strong support of S. 21, Senator DOLE's bill to lift the United States arms embargo against the Republic of Bosnia and Herzegovina. As the so-called U.N. safe zones fall one by one to Serbian rebel assaults, and their civilian inhabitants face the horrors of ethnic cleansing, we must stand up for the sovereign right of Bosnia to defend itself against this armed aggression.

The U.N. protected areas were initially created to actually protect their inhabitants from ethnic cleansing. The plan was that the U.N. Protection Force, backed by NATO air power, would actually use force to stop the population of these areas from coming to harm. The implicit deal was that the United Nations, through UNPROFOR and NATO, would assume Bosnia's sovereign responsibility to defend its people and its territory, in return for Bosnian cooperation in pursuit of a diplomatic solution to the conflict.

Mr. President, Bosnia has cooperated. Bosnia accepted the contact group's plan that would have left the Bosnian Serb rebels in control of half of their country. Bosnia, in return, had every right to expect the United Nations and NATO to uphold their end of the bargain, and use armed force to defend the Bosnian people in the protected areas from Serbian assault.

We have now seen that neither the United Nations nor NATO is willing to meet its obligations under this arrangement. After the disastrously misguided air attacks on unmanned Serb ammunition bunkers near Pale, the Serbs did again what they have done before—they seized UNPROFOR members as hostages and, in a new violation of the laws of war, chained them to potential targets. Some charge that our allies in UNPROFOR deliberately deployed their forces in militarily untenable positions so that they would serve as de facto hostages, effectively barring the use of force in response to Serb outrages. Whether or not this unsound deployment was deliberate and the actual taking of hostages was foreseen, neither the United Nations nor NATO is now free to use force against the Serbs even if they had the political will to do so.

In fact, the West lacks the political will to use force to protect the safe zones and the people living in them. Srebrenica has fallen and Zepa is about to fall. In my opinion, any of the publicly discussed plans to protect Gorazde are doomed to failure.

The United States Senate should vote today to return to the Bosnian Government the capability to exercise its sovereign right of self defense. The recent attacks to lift the siege of Sarajevo show that the Bosnian Government is not afraid to use force in its own self defense, and that its people are ready to make tremendous sacrifices for their country. We need to allow them to obtain the tools they need to convert their political resolve and courage into military success.

While I believe that the French plan to insert additional troops in the besieged Gorazde zone is the height of folly—someone wrote that the French have forgotten Dien Bien Phu—I agree with President Chirac's assessment of the performance of the West in this crisis as being the worst since the late 1930's, when we faltered and compromised in the face of Nazi aggression. It is time and past time for us to get out of the Bosnians' way and allow them to obtain the means to defend themselves.

Accordingly, I will vote for this measure and I strongly urge my colleagues to give it their wholehearted support.

#### ORDER OF PROCEDURE

Mr. DOLE. First of all, Mr. President, let me indicate there will be no more votes this evening. We are still hoping to have the debate tonight on the rescissions bill. We have an agreement that we hope we can reach here in the next moments. It depends on, as I understand, some assurance from the White House to the Senator from Minnesota, Senator WELLSTONE. But it is the majority leader's intention to have the debate tonight, 40 minutes of debate, 20 minutes of debate tomorrow, there be two back-to-back votes, then a vote on final passage, if necessary, tomorrow morning. If we cannot reach that agreement, then I really will give up on it. We tried to accommodate the Senator from Minnesota. It is very important that we pass this bill, but we need to have some movement on the other side.

Second, I have had a lengthy phone conversation with the President about Bosnia. He has asked that we not have a vote on the Bosnian resolution, S. 21, until next week. And I have told the President I would—he asked me to think about it overnight and contact him tomorrow. So I will certainly do that. Without in any way trying to characterize the conversation, I think the President indicated that he knew that the present policy was not working. He knew that the changes would have to be made. He was prepared to provide the leadership necessary to bring about those changes. I think that is about all I can say about it. But, obviously, I wish to cooperate with the President wherever and whenever possible. So it would be my inclination that we not vote on the Bosnia resolution this week. But I will discuss this

with some of my colleagues in the morning and get back to the President.

Third, we are still negotiating S. 343, the regulatory reform bill. Under the agreement, I can call for the regular order at any time, but an hour later we could have a cloture vote on S. 343. Obviously, I will give the Democratic leader, Senator DASCHLE, adequate notice before that is done. But there are still some negotiations underway. It is still our hope that we can find some common ground, though I must say some of the demands cannot be met. Perhaps some others can. And we should, hopefully, reach some final decision on that bill sometime tomorrow.

Also, I hope, after we work out the rescissions agreement, that tomorrow morning following the vote on the rescissions package, we will take up legislative branch appropriations. We have notified Senator MACK, the subcommittee chair, so that we will start on our first appropriations bill somewhere between 9:30 and probably about 10 tomorrow morning.

So that is sort of a summary of where we are. And while I dislike not being able to accommodate the staff, we need to wait until we hear from the White House before we know that we can proceed on the rescissions package. Perhaps we will just have a recess until 8:15. At least the staff can get up and walk around.

#### RECESS UNTIL 8:15 P.M.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate stand in recess until 8:15.

There being no objection, at 7:55 p.m., the Senate recessed until 8:14 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BROWN).

The PRESIDING OFFICER. The Chair, in his capacity as the Senator from Colorado, suggests the absence of a quorum. The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

#### ORDER OF PROCEDURE

Mr. DOLE. Mr. President, we have been unsuccessful in working out an agreement with the Senator from Minnesota. It is unfortunate. We would have hoped he would come to the floor and use some of the time this evening. He has refused to do that. So it seems to me, if you cannot get anybody to cooperate, there is no reason to worry about the rescission package and I am not going to worry about it. Somebody else can worry about it from now on. I have talked to the President about it today. I have talked to the chief of staff at the White House. We thought we had an agreement. We cannot get the agreement.

I am going to ask consent and let somebody object to the agreement as soon as we can find an objector. I wish it were the Senator from Minnesota, Senator WELLSTONE, since he is the one who we are trying to accommodate. It is hard to do.

So, tomorrow we will have morning business from 9 to 10, then we will go on to the legislative branch appropriations. And hopefully, following that, military construction appropriations. And perhaps, maybe by then we will be able to go back to the reg reform bill, S. 343.

#### UNANIMOUS-CONSENT REQUEST— H.R. 1944

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of H.R. 1944 and that it be considered under the following agreement: One amendment in order to be offered by Senator WELLSTONE, regarding education funding/job training and LIHEAP, on which there be a division, and each of the two divisions be limited to 1 hour to be equally divided in the usual form, with all time to be used this evening with the exception of 40 minutes; then, when the Senate reconvenes on Thursday at 9 a.m., the Senate resume H.R. 1944 and the remaining 40 minutes on the amendment and the 10 minutes for the managers on the bill, to be followed immediately by a motion to table the first Wellstone division, and that following that vote, the majority leader be recognized to place the bill on the calendar. If that action is not exercised, the Senate then proceed immediately to vote on a motion to table the second Wellstone division to be followed immediately by a vote on passage of H.R. 1944.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The distinguished Democratic leader is recognized.

Mr. DASCHLE. Mr. President, I appreciate the distinguished majority leader's effort to try to accommodate Senators on our side. The offer that the Senators on our side, Senators WELLSTONE and MOSELEY-BRAUN, have made is that we have three amendments and three votes. This request accommodates two amendments. I know that there are still some outstanding negotiations underway with regard to the third matter.

This is a very important bill. It deals with assistance to be provided in cases in California and Oklahoma, as we all know. I hope, as close as we are, we could continue to try to resolve these differences. But unfortunately, as a result of our inability to resolve that third outstanding matter, on behalf of Senators WELLSTONE and MOSELEY-BRAUN I have to object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kansas retains the floor.

Mr. DOLE. I would just add, my understanding is the White House is working in good faith. I have talked to the chief of staff, Leon Panetta. And as far as I know, everyone is in good faith. But nobody accepts anybody's good faith, at least the Senator from Minnesota does not. He has every right to have someone object to the agreement, but it is important to the people of Oklahoma City. This bill is important to people in about 39 States. It is not just important to the Senator from Minnesota. The amendment he is talking about is less than \$5 million, the third amendment.

I have tried to help him on that amendment. I have asked the White House, myself, to try to accommodate the Senator from Minnesota. I would think, in the spirit of comity, he would let us proceed and have the debate tonight. I assume when the President or chief of staff indicate they think they can work something out, that would be—at least good enough for this Senator. But maybe not the Senator from Minnesota.

#### MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there now be a period for morning business.

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

#### PRESIDENT CLINTON'S ADDRESS ON AFFIRMATIVE ACTION

Mr. KENNEDY. Mr. President, earlier today, President Clinton delivered an eloquent and excellent address on one of the most important issues the Nation faces—the future of affirmative action.

In my view, and I believe in the view of the vast majority of the American people, President Clinton is doing the right and courageous thing. He is preserving and improving the best of affirmative action, and eliminating its abuses.

For a generation, beginning with the Supreme Court's landmark 1954 decision outlawing school segregation, America has made significant bipartisan progress in attempting to end the most blatant forms of discrimination and racism in our society.

Much of this progress has been achieved through affirmative action, involving the leadership of government at every level—Federal, State, and local—and the action of dedicated private citizens.

Unfortunately, discrimination persists, often in subtle forms. We have made real progress, but much more remains to be done. Good jobs still too often remain closed or less available to qualified minorities and women because of bigotry. By helping to assure that every individual has an equal opportunity, affirmative action is one of our most effective means and best hopes for rooting out that bias.