

in the last several days on a bill that I think is generally supported in this body, certainly is supported by me and I know is supported by almost all of the leaders in local governments throughout the country.

I have watched the progress or, indeed, the lack of it on S. 1 for 7 or 8 days now. I have listened with a good deal of interest and watched the process, and I must tell you that it is an exasperating process. We have had, I think, more than 100 amendments, many of which were not germane to the issue that is before us. They certainly have to be considered as stalling tactics. I have heard Senators review endlessly the same kinds of issues on the floor which leads one to conclude that nothing more than stalling is happening.

We have heard discussions about previous years and the things that have happened in previous bills that have little, if any, relevance to what we are doing here.

I support the unfunded mandates bill. I think most people in the Senate support this bill, and I think the American people generally support this bill. I have come, as others have, from the House. I served in the Wyoming Legislature, and I have not seen a process which has no apparent purpose or goal be executed as has this one over the last several days.

I do not fully understand yet all of the intricacies, of course, of the U.S. Senate, but I do understand that there is a need to have a process by which people can insist upon more detail, can insist upon more time being taken so that everyone does understand, so that everyone has an opportunity.

But I must tell you that I have not been able to detect that there is any particular goal, that there is any particular purpose being served by the time we have taken here.

I think it is very important that we come to this place after having been through an election recently in which people in this country expressed themselves, I think, very clearly, expressed themselves in terms of wanting this Government to proceed, wanting this Government to move forward, wanting this Government to deal with the issues that are there, that are so apparent.

I think people are tired of unproductive maneuvers throughout the Congress, stalling tactics, and I think this is an example of that.

Mr. President, it seems to me that this delay over unfunded mandates is ultimately useless. The bill will ultimately pass. This will not change the outcome.

The bill is a flexible bill. It does not simply impose unfunded mandates on issues or on people, but it simply says there will be an accounting for what the impact of these proposals will be. It simply says that when there is an accounting that demonstrates an expenditure of over \$50 million, that there will be cause for a point of order and a

vote so that this Senate will take a look at it. Processwise, if the Senate continues to lag, action will be criticized.

Again, make no mistake, the bill will eventually pass. Changing Washington and changing the way we do business has been called for. It is a long process, but it is happening and it is happening now. Indeed, it should happen. Procedural changes such as a balanced budget amendment, such as limiting unfunded mandates, such as line-item veto, and, indeed, term limits are the kinds of procedural changes that will have an impact over time on the way we govern.

So we are witnessing the first protests of a huge change, and I understand that. Unfunded mandates will be banned. Washington will change. Some will not like it but the people in the country will. I urge us to move forward. I urge us to move forward and do the business of the people of this country.

I thank the Chair. I yield the remainder of my time.

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

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

#### DEATH OF THOMAS YAGI

Mr. INOUE. Mr. President, I want the people of this Nation to know about the passing of Thomas Yagi, a caring and passionate man who sparked Maui's labor movement nearly a half century ago. He was a good friend and one of Hawaii's great native sons. I ask unanimous consent that the following editorial from the Maui News, dated January 12, 1995, entitled "Tom Yagi: A True Giant of His Times," be submitted for inclusion in the RECORD.

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

[The Maui News, Jan. 12, 1995]

##### TOM YAGI: A TRUE GIANT OF HIS TIMES

In the past decade alone Maui County's population has grown by more than 40 percent, which means a good many people living here now don't know just how big a figure Tom Yagi was in Hawaii's labor movement. Without question, he was as big as they come.

Mr. Yagi, who died Monday at the age of 72, remains unchallenged as Maui's most esteemed labor leader. Through sweat, persistence and undying commitment to his cause in the face of powerful opposition, he rightfully earned that status. No part of his struggle came easy.

Back in the 1940's the word "union" was a dirty word to the owners of the giant plantations and their pawns in state government. Tom Yagi was a plantation warehouseman with a young family determined to make a

better life for himself and those workers like him. He knew that wasn't going to happen on paychecks of a dollar a day.

He linked up with the International Longshoremen's and Warehousemen's Union and began to organize meetings, although most had to be held in secret, shielded from the vengeful plantation supervisors. The enemies of labor tried to equate the word "union" with the word "communist," and congressional committees attempted to summon Hawaii's ILWU leaders to testify about their "subversive" activities. Tom Yagi, like his union colleagues, refused.

The success of the labor movement in Hawaii stands among the most significant social revolutions in this country's history, and it's not possible to overstate the role Tom Yagi played in it. For 30 years he led the Maui division of the ILWU, and never during that time did he change the focus of his mission—better wages, better health care, better education and a better life for the working class.

And he did it all in a rather mysterious fashion, commanding respect even from those on the opposite side of the table from him. While many union activists embraced militancy, Mr. Yagi somehow managed to achieve his objectives more so with diplomacy. He never shied from confrontation, no. But most often his keen ability to see more than one side to every dilemma led to solutions that averted conflict. For this he was as revered by those he fought against as by those he fought for.

Despite all his many accomplishments in the labor movement, the greatest source of pride for Tom Yagi was his family. In addition to his wife Miye, he also leaves behind two sons, six daughters, 22 grandchildren and two great-grandchildren. That the Yagi family has long been synonymous with community service on Maui is yet another testimony to the greatness of the man, Thomas Seikichi Yagi.

Maui has truly lost one of its most favorite sons.

#### SPEECH OF JACK VALENTI

Mr. COHEN. Mr. President, I recently read a speech that I believe deserves the attention of all Senators. Jack Valenti, the president and chief executive officer of the Motion Picture Association of America, a former aide to President Lyndon B. Johnson, and one of the most articulate and thoughtful people I know, delivered the speech in New York City, as the first in the Louis Nizer lecture series.

Jack Valenti's words that evening carry a special resonance for me and I think they will for others. They are words of optimism about our future, in a time when too many in our country do not feel optimistic. But they are also words of caution, directed toward all of us in this body and all of us in this city, who create the policies under which Americans live. They stress the importance of the family, of education, of appropriate moral conduct, of individual—not governmental—responsibility.

They are words to which we should all give careful consideration.

I ask unanimous consent that, following my remarks, the full text of Jack Valenti's speech be included in the CONGRESSIONAL RECORD.

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

WILLIAM FAULKNER'S OLD VERITIES: IT'S  
PLANTING TIME IN AMERICA!  
(By Jack Valenti)

The issues of liberty and the replenishment of community values stirred restlessly within Louis Nizer. He and I talked often about the compass course of the society. We both had read the purifying speech of William Faulkner when he received the Nobel Prize for Literature, on December 10, 1950. Like me, Louis found in Faulkner's words a dark punishing wisdom, a plain, spare design for civic conduct. It is from Faulkner's vision that what I say tonight has taken wings. I think Louis would approve. Let me begin, then, by admiring this man, Louis Nizer, who has drawn so many of you here tonight.

In the muscular and musical English language which Louis knew so well, loved so much and illuminated so elegantly, there exists two words which perfectly describe him.

They are "polymath" and "fidelity."

Polymath means an artisan of immense learning in many fields.

Francis Bacon once said he had taken all knowledge to be his province. For Bacon it was not an immodest objective. But such were Louis Nizer's vast and diverse talents, he is the only man I know or knew who could come close to matching Francis Bacon. Lawyer, courtroom genius, public speaker, best selling author, painter, composer, lyricist, historian, counselor to presidents and public officials, he was all of these and more. And in each he performed with excelling intellect and ascending success.

Fidelity means faithfulness to obligations and observances.

Louis Nizer gave special meaning to the word "fidelity." In his binding to the law, fidelity took on a richer meaning. The law in all its glory was the core of his life. It was the reservoir from which his daily tasks drew nourishment.

I first met Louis Nizer almost twenty-nine years ago when he came to visit with me in my office in the White House. I was about to resign as Special Assistant to the President, to become the President of the Motion Picture Association of America. He was to become the MPAA general counsel. Our paths that day not only crossed, but became intimately interwoven and forever sealed in friendship and trust.

His long, fruitful life is now over. Death, as it does to every mortal, has finally come to Louis Nizer. I can say that I am so grateful to a beneficent God that I was given to know Louis so intimately, so gloriously, so lovingly. He was a noble man. There are so few of his kind.

Any enterprise that bears Louis' name is valuable to me. This evening then, to me, has great worth. May the Louis Nizer Lecture series flourish in the decades ahead. May I do it as little damage as possible tonight.

I have been fortunate to spend my entire working career in two of life's fascinations, politics and movies. I have worked the precincts of my native Texas, within City Hall and county courthouses and the state capitol. I have been privy to decision making in the White House, at the side of a brave, extraordinary President. And I have for a long time been among and within the creative and executive communities of Hollywood and the world cinema.

Both arenas, movies and politics, and sprung from the same DNA. Their aims are the same: to entice voters and audiences to yield to their persuasions. What is the value of those persuasions? What is real? What is

right? What is truth? Who determines it? Who furnishes the boundaries for the daily moral grind of a functioning society? How is that society to be governed? How do you shape a foundation for a nation's prime objective to endure, always striving to reach for the ascending curve?

These are ancient queries. Answers are available but often they are porous, not readily translated into specific behavior. Sometimes they are cast in different shapes to different people. Which answer is true? "What is truth," said jesting Pilate, and would not stay for an answer.

I have thought a lot about this, though thinking about these matters is like trying to pick up mercury with a fork. It is mad-deningly elusive. But we have to keep trying.

Herodotus tells the story of Athenians so emotionally affected by the drama, "The Capture of Miletus", by the poet Phrynichus, that the whole theater wept openly. When their passions had cooled, Athenian officials passed a law forbidding Phrynichus ever again to offer this play to the public. He was fined a thousand drachmas for reminding his fellows citizens of their own sorrows. It is an apt metaphor for our current scene. Nothing so much describes the perversity of political and social conduct, and calls to judgment the resorting to morality by public officials as an instrument of domestic and foreign policy.

It's a dicey political game to play. Like the Athenians we are deeply involved in that which tugs at both our practical minds and our moral conscience. Also like the Athenians we find the real world, the morning after, not so desirable as we had previously thought.

If morality is a rostrum from which we survey our lives, then it is also a principle on which we stand. Principles, unless one rises above them, are cruelly steadfast. If a principle is ignored, for whatever practical reasons, or bent, for whatever seemingly rational decision, then it is no longer a principle. It becomes a weak reed on which we lean at our own peril.

So it is that Presidents and Members of Congress, as well as officials of state and local governments, find themselves dealing with morality on a "yes, but" logic. If you tried to draw up a catalogue of the good guys and the bad guys, you wind up with public officials from the President down being judged on the same basis as that well known medieval monarch, Philip the Good, renowned in his time for both the number of his bastards and the piety of his fasts. Too often our officials, in both political parties, see issues through their own personal prism. To that end, the historian Procopius wrote about the Emperor Justinian: "He didn't think that the slaying of men was murder unless they happened to share his own religious view."

We are poised for a great debate in this land. It has to do with the reach of government, how wide, how narrow. But I daresay the debate will be waged on the wrong platform. Emerson may have gotten it right when he wrote: "God offers to everyone his choice between truth and repose. Take what you please, you can never have both." Emerson is also speaking to this generation as well.

I am not a pessimist. Never have been. Don't intend to start now. This country did not survive more than 200 years of cruel disjointings to be undone at this particular moment by discomforts cataloged at length, mainly by TV commentators and political consultants. These are the new political Druids who convince their viewers and their clients that they alone are capable of inspecting the entrails of a pig and thereby are solely in possession of the bewitchery which will lead voters to a proper decision.

But this scrambling, unquiet, violent time is one of the rare moments in our history when those who govern us and those who are governed are in concert. Fear is the scarlet thread which runs like a twanging wire through the nation. Fear of tomorrow; fear of losing one's job; fear that children will find their future less attractive than did their parents; fear of crime, in the neighborhoods and in the home; fear that the old bindings which held the nation together are snapping; in too many cities there are too many broken homes, too much loss of the affection which thickens family ties, too much crazy drug use and users, too many guns in the hands of too many children, too many babies having babies, abandonment of the church, schools without discipline, life without hope, anger fed by imagined slights and bigoted blights.

No wonder there is fear. The first thing we have to do to combat fear is understand that no matter how well intentioned we are, unless we are guided by a basic moral compass, we will neither begin nor finish the journey. Make no mistake, the politicians are listening. There is nothing so compelling to a public official as the angry buzz of the local multitudes.

Therefore (ah, 'Therefore' is a wondrous word. It says enough of the rhetoric, what do you do tomorrow morning?), Therefore:

We ought to start with William Faulkner. In his speech in 1950, he cited what he called "the old universal verities and truth of the heart, the old universal truth lacking which any story is ephemeral and doomed—love and honor and pity and pride and compassion and sacrifice. He might have added "and duty and loyalty and service to one's family and friends and country."

Faulkner's old verities have weight because they are what an enduring nation is all about. Old fashioned words? Yes, they are. Long-living words? Yes, they are. All the more reason why words which have sustained themselves in myth and reality are never out of date. These words describe neither religion nor ideology nor political affiliation. No group or faction or political party has a monopoly on interpreting their meaning.

What Faulkner's verities represent is a code of conduct between human beings, between the citizen and the state, between neighbors, friends, associates. They are better guides than a political poll, or the blatherings demagogues, or those earnest folks who insist they alone possess God's wisdom. We have an old prayer in Texas when we encounter these human repositories of divine Truth: "Dear Lord, let me seek the truth, but spare me the company of those who have found it." Nice prayer. I say it often.

So, we begin with Faulkner's proposition that there are basics deep rooted in those crevices where each of us stores our beliefs and our passions. Without them we are barren of aim or cause or reason. Or as Faulkner said, without them we "labor under a curse."

Government cannot, ought not, be a national nanny, nor the custodian of our faith nor the divine arbiter of our lives. Each citizen must be responsible for his or her actions, fathers, mothers, sons, daughters. Parents must be responsible for their children. Adults responsible for their decisions. Young people responsible for what they do. Playing "victim", copping a plea that "the Devil made me do it," these are mocking charades in which the foolish listen to the dunces and the dimwits lead the mob.

Taking responsibility for one's life, for one's action, does not mean turning away from the helpless and the hopeless. What it does mean is that if there is not a civic commitment to be individually responsible, the

future is pockmarked with detours and disappointment. But we must be wary in the months ahead. Strenuous efforts will be made to amputate the national government's intervention in the lives of those pressed against the wall because of circumstances over which they have no control. It would be tragic to do that. It would be worse than a crime. It would be a blunder. It cannot be allowed to happen.

To give Faulkner's old verities a communal reality, we have to begin within the family, for parents to care enough, believe enough, do enough to begin the process. Parents, sufficiently armed with passion, can do the most.

Alongside this familial commitment has to be a zealous attention to teachers and schools. We have to be willing to pay for first class public education or it continues to be lousy education. We can't build enough prisons, or wield enough judicial sabers, or legislate enough tough death penalty laws to compensate for the collapse of discipline in the classroom, or the graduation from high school of too many who can't read or write or the total loss of Faulkner's verities. In a time when our national obligations are larger than our capacity to fulfill them all at the same time, our leaders must make it clear—painful, discomforting, frustrating as it may be—that we have to reinstall the family and the school and the church as the central teaching centers for young people. We have to begin the journey back into ourselves before we can go forward into our future. Too idealistic? Too namby-pamby? Too impossible? 'Yes,' to all of those descriptions if you think a society can just amble along and keep its liberties alive when so much of its core convictions are in a state of decay. I don't. Every day liberty must be guarded, because like virtue it is every day besieged.

Then, why am I optimistic? Because all things are always in flux. Nothing lasts forever, neither triumph nor tragedy, nor the omissions of the human spirit. So long as we understand who we are, why we are what we are, and how we became so, then we will always be able to know where it is that we ought to turn and where we must go. Of course, this requires a national conviction. Without conviction, said Lord Macaulay, a man or woman will be right only by accident.

President Kennedy supposedly told the story of a French general in Algeria who wanted to plant a special kind of tree to line the road to his chateau. "But," protested his gardener, "that tree takes a 100 years to bloom." The general smiled and said: "Then we have no time to lose. Start planting today."

It's planting time in America. Faulkner's old verities will take root again much sooner than the General's trees.

#### TRIBUTE TO FRED MUDGE

Mr. McCONNELL. Mr. President, I rise today to recognize the career accomplishments and community leadership of Mr. Fred N. Mudge upon his retirement as president and CEO of Logan Aluminum, Inc., in Lewisburg, KY.

Mr. Mudge began his career 32 years ago as a plant manager with Anaconda Aluminum. Later, his aptitude for innovation and demand for quality guided him in his progress from site manager for Anaconda's Alpart facility in Jamaica to the position of vice president of technology for Anaconda and ARCO Metals of Chicago. In 1985, Fred Mudge invested his tenacity and expe-

rience in the position of president and chief executive officer for a new Kentucky company, Logan Aluminum, Inc. Through his foresight and hard work, Logan Aluminum today is a world leader in aluminum can sheet stock production.

Mr. Mudge's personal quest for excellence is not limited to the worksite. As a member of the Lewisburg community, he contributed to the revitalization of the local chamber of commerce and the establishment of an economic development commission. In addition, he assisted in the founding of Lewisburg's junior achievement program. Today, Mr. Mudge continues to work on behalf of his community as a member of the Logan Memorial Hospital board and the Western Kentucky University board of regents.

Mr. President, Fred Mudge's work as an industry leader and dedicated community volunteer demonstrates the essential skills and determination our Nation needs to successfully meet the future challenges of job creation and community development. While his daily leadership at Logan Aluminum will be missed, I am confident that the Logan County community will continue to enjoy the benefits of his energy and insight well into the future.

#### TRIBUTE TO DOROTHY A. HARDY

Mr. GREGG. Mr. President, today I rise to recognize one of my constituents, Mrs. Dorothy A. Hardy, for her many contributions to the town of Pelham, NH over the past 25 years.

Mrs. Hardy's distinguished services to the town of Pelham have included: dispatcher for the Pelham New Hampshire Police Department since 1970; active organizer with the Pelham Good Neighbor Committee; supervisor of the checklist chairman for over 25 years; long-time Republican Party activist, including 1980, 1988, and 1992 town chairman for President George Bush; member of the Pelham American Legion Post 100 Auxiliary, and Pelham newspaper correspondent for the Lowell Sun.

I would like to take this opportunity to highly commend Mrs. Hardy for her dedication, commitment, and numerous contributions to the town of Pelham and its citizens.

Mrs. Hardy has always been a source of great pride to her family, friends, and coworkers and will be sorely missed as she begins her retirement. I would like to extend a special thanks for her outstanding services and wish her all the best for a healthy and prosperous retirement.

#### WAS CONGRESS IRRESPONSIBLE? THE VOTERS SAID YES

Mr. HELMS. Mr. President, before contemplating today's bad news about the Federal debt, let's do that little pop quiz again: How many million dollars are in a trillion dollars? When you arrive at an answer, remember that it

was Congress that ran up a debt exceeding \$4½ trillion.

To be exact, as of the close of business yesterday, Monday, January 23, the Federal debt, down to the penny, at \$4,796,793,782,628.86—meaning that every man, woman, and child in America now owes \$18,208.71 computed on a per capita basis.

Mr. President, to answer the pop quiz question—how many million in a trillion?—there are a million million in a trillion, and you can thank the U.S. Congress for the present Federal debt of \$4½ trillion.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### UNFUNDED MANDATE REFORM ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and for other purposes.

The Senate continued with the consideration of the bill.

Pending:

Hatfield amendment No. 181, to increase the overall economy and efficiency of Government operations and enable more efficient use of Federal funding, by enabling local governments and private, nonprofit organizations to use amounts available under certain Federal assistance programs in accordance with approved local flexibility plans.

Dorgan-Harkin amendment No. 178, to require the Board of Governors of the Federal Reserve System to submit a report to the Congress and to the President each time the Board of Governors of the Federal Reserve System or the Federal Open Market Committee takes any action changing the discount rate, the Federal funds rate, or market interest rates.

Hollings amendment No. 182, to express the sense of the Senate concerning Congressional enforcement of a balanced budget.

Graham amendment No. 183, to require a mechanism to allocate funding in a manner that reflects the direct costs to individual State, local, and tribal governments.

Graham amendment No. 184, to provide a budget point of order if a bill, resolution, or amendment reduces or eliminates funding for duties that are the constitutional responsibility of the Federal Government.

Wellstone amendment No. 185, to express the sense of the Congress that the Congress