

duty to complete Prime Minister Rabin's vision.

The Congress can be a potent force for peace. Too often we have seen some Members of Congress make fervent speeches and sponsor amendments that may have won points with constituencies here or at home but actually serve to sow divisiveness and undermine progress toward peace in the Middle East.

Just as Prime Minister Rabin pleaded so passionately at the White House for an end to blood and tears, let us put an end to partisan political maneuvering on a subject so important and fragile as peace in the Middle East. Let us stop conceiving of ways to legislate obstacles to the very policies of those who are risking their lives for peace. Let us remind ourselves that even though we might get some short-term political gain by trifling legislatively with the peace process in the Middle East, we do it here in the safety of this Chamber, we do it in the safety of our home States, but it is the lives and the aspirations and the hopes and the dreams of the people in the Middle East who are affected. Let us put an end to these political games and wholeheartedly support peace in the Middle East.

Let us do that for the memory of Yitzhak Rabin. Let us be united in continuing his legacy. Let each of us join the millions of Israelis who put their faith in him to prove the enemies of peace wrong. Let us listen to the words of Leah Rabin, his wife of so many decades, that wonderful woman who calls on us to unite in support of peace.

Mr. President, it was only a couple of weeks ago, here in this building, that I and Leah Gluskoter of my office last spoke with Prime Minister Rabin. I remember him coming over and putting his arm around me and we chatted as the friends I was proud we had become.

We talked a little bit about a longer conversation we had a couple of weeks before. In that conversation, he had thanked me for something I had been able to do for him that he felt helped the peace process. He said I had taken some political risks. I said, "Mr. Prime Minister, you are the one who takes the real political risk. You risk your political life every day." I paused and I said, "No, you risk your life, your actual life every day."

In that deep and wonderful voice, he responded he did not worry about that. He really did not fear for his life. He only feared for the continuation of the peace process. This is a man whose own political life, his own future, his own actual life was secondary to what he was trying to accomplish.

I told him in that conversation that I felt when the history of this century is written, there will be a handful of people who will stand out as true peacemakers of this century, and he will be among them. He will be one of the most noted, certainly, of my lifetime.

Now he is gone, and it is our job to go forward. Let me say again that we can

give the greatest respect to Yitzhak Rabin's memory by supporting those who believe, as he did, that Israel and its Arab neighbors have seen enough of hatred, of occupation, of bloodshed, and that there is another way. The other way is the peace process he began and which will now be carried on by acting Prime Minister Shimon Peres. Our country remains a partner with Israelis and Arabs in this effort. Let us go forward in the memory of a great man who gave his life for it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PARTIAL-BIRTH ABORTION BAN ACT OF 1995

The Senate continued with the consideration of the bill.

Mr. SMITH. Mr. President, I ask unanimous consent that a vote on the pending question occur on the motion to commit at 3:30 this afternoon, and that the time divided between now and then be equally divided in the usual form.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SMITH. Mr. President, at this time, I will say for my colleagues that Senator SPECTER is en route to the floor.

At this point, I suggest the absence of a quorum, and ask unanimous consent that the time be equally divided between the two sides.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. SNOWE). Without objection, it is so ordered.

Mr. DASCHLE. Madam President, so much has already been said about the pending legislation, but, prior to the vote, I want to very briefly articulate my position and urge my colleagues to express themselves in the vote at 3:30 in opposition to the legislation as currently drafted and in support of the Specter motion to refer the bill to Judiciary and report back in 19 days.

I say that for a couple of very important reasons. First of all, there are extraordinarily complex issues surrounding this medical procedure that ought to be explored through the normal hearing process.

There are medical issues. There is the need to hear from physicians and others on the ramifications of a strict

ban on late-term abortions. This is an emergency medical procedure reserved for cases where the life and health of the mother could be endangered or where severe fetal abnormalities are a major factor in the decision made by a woman and her physician. Whether or not we can delineate very clearly and legislatively when a doctor should and should not perform that very difficult procedure is something that ought to be explored in ways other than those we have employed so far on the Senate floor. So, clearly there are medical issues that this debate simply does not allow us to discuss and consider adequately prior to making a fundamental decision about the legality or justifiability of this procedure in various cases.

Second, there are constitutional issues. As the distinguished Senator from California and others have laid out very clearly, this is a challenge to the fundamental decision made in *Roe* versus *Wade*. Decisions relating to whether or not States ought to have the ability to restrict late-term abortions in cases where the life and health of the mother is endangered—that, to me, is a question that ought to be pursued much more carefully, much more deliberately, much more clearly than we have done in the debate in the last couple of days.

Finally, there are legal issues. This bill would criminalize a medical procedure for the first time. There ought not be any mistake about that. It would be an unprecedented intrusion by Congress into the practice of medicine. If a doctor is convinced it is an emergency procedure needed to save the life of the mother, he can use that affirmative defense only in the context of a criminal prosecution. Should doctors be prosecuted for saving a woman's life? I do not think so. In an emergency situation, do we want doctors hesitating to perform life-saving measures because they fear they will face criminal prosecution for doing so? I do not think we ought to put any doctor, or any woman, in that position.

So there clearly are situations here where we owe it to doctors, we owe it to mothers, we owe it to women, we owe it to the American people, to explore far more carefully than we have so far the far-reaching implications of this legislation. So, for those reasons if nothing else, this legislation ought to be referred to the committee for very, very careful consideration.

Second, Madam President, if the procedure is being abused, then we should consider restricting it. But it is unclear that it is being abused. There is a lot of confusion and misinformation about this procedure. We need hearings to clarify whether or not abuse has ever been documented and, if so, how best to stop it.

There have been no hearings in the Senate and only one hearing in the House. Without having had the opportunity to listen to one expert, every Senator in this Chamber is being asked

to make a decision that I do not think they are prepared to make. I am not prepared to make it.

I doubt that anyone, regardless of whether they have read the record or not, is capable of deciding today whether in these extraordinary circumstances a woman is going to be protected from life-threatening circumstances, a doctor is going to be protected from criminal prosecution for saving a life, and the rights of all Americans are going to be considered.

So let us let the experts give us their guidance. Let us make a considered decision, not a rush to judgment.

The motion to refer to the Judiciary Committee is completely reasonable. But if the facts show that restrictions are necessary, we can base our actions on those facts at that time. Let us take time to get the facts and consider the implications.

All we are asking is for the bill to be considered in the next 19 days. Is that too much to ask? Is it too much to ask to give the Senate 19 days to consider this issue more carefully, to bring in the experts, to look at each one of these concerns, and make a decision? There is nothing wrong—in fact, there is everything right—with delaying our decision to make sure we get it right.

That is what this vote is all about at 3:30. That is why it is so important that the majority of Members of this body now support the Specter motion. And that is why I strongly support it this afternoon.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SMITH. Madam President, how much time remains?

The PRESIDING OFFICER. Two and one-half minutes.

Mr. SMITH. As I said yesterday, this bill is a straightforward and much needed remedy to a procedure that deserves to be condemned. Senator DOLE and I believe, as many of my colleagues do, that this procedure cannot be defended on its merits. But as I understand it, opponents of this bill are arguing that they need a hearing in committee to explore the issues involved here.

Senator DOLE and I have discussed this. While neither one of us think this is necessary, we do think it may not be a bad idea in that the more one learns about this horrible procedure the harder it is to defend it. So our view is that we are willing to be fair. Let us go ahead and hold a hearing. After that, this bill will return to the calendar in 19 days, and we can consider it again.

Senator DOLE and I hope to take the bill up again, and I hope that the opponents of this bill will be as fair to us as

we are being to them. And, when the time comes, I hope they will allow us to have an up-or-down vote on the merits and not engage in procedural tactics designed to kill this important bill.

So with that, Madam President, in behalf of Senator DOLE and myself, we are asking our colleagues to support the Specter amendment.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Madam President, I ask for a couple of minutes of leader time to respond to the distinguished Senator from New Hampshire.

I am very pleased with this announcement. This comes as somewhat of a surprise. But I think it confirms what we have said—that, obviously, having the opportunity to listen more carefully to the experts, to consider more carefully the ramifications of something that is certainly in everyone's best interests, there is an acknowledgment of that on both sides of the aisle.

I expect now a unanimous vote. I want to thank him, thank the majority leader, and thank those, including the distinguished Senator from Pennsylvania and the Senator from California, for their work on this effort in the last couple of days.

I yield to the distinguished Senator from California.

Mrs. BOXER addressed the Chair.

Mr. SMITH. Parliamentary inquiry. How much time is remaining?

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Senate minority leader has minority leader time.

Mr. SMITH. Did the minority leader yield?

Mr. DASCHLE. That is correct.

Mrs. BOXER. I thank the distinguished Democratic leader for yielding. I thank my friend from New Hampshire. I think what happened as a result of this is we avoided a very, very difficult split in this Senate, a split that really was not along party lines at all.

I think this is a wise decision. I think with a hearing in the Judiciary Committee, which is really equally divided on this issue, which is important, every side would be heard. Physicians who deal with this will come forward and testify to this; nurses; families who have gone through the tragedy; and then all of us can make a far more reasoned judgment.

I thank the Senator from Pennsylvania [Mr. SPECTER], for his extraordinarily courageous leadership on this issue. I think the way he handled debate was exemplary. I also want to say to my friend from New Hampshire, we are friends, and we were never disagreeable. We just disagreed. This is, I think, a good thing for the Senate.

I thank again the Democratic leader for yielding me this time. I yield the floor.

The PRESIDING OFFICER. The question is now on agreeing to the motion.

Mr. SPECTER. Madam President, I ask for the yeas and nays, if they have not been ordered.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to commit. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Indiana [Mr. LUGAR] is necessarily absent.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the chamber who desire to vote?

The result was announced—yeas 90, nays 7, as follows:

[Rollcall Vote No. 563 Leg.]

YEAS—90

Abraham	Ford	McCain
Akaka	Glenn	McConnell
Ashcroft	Gorton	Mikulski
Baucus	Graham	Moseley-Braun
Bennett	Grams	Moynihan
Biden	Grassley	Murkowski
Bingaman	Gregg	Murray
Bond	Harkin	Nickles
Boxer	Hatch	Nunn
Breaux	Hatfield	Pell
Brown	Hefflin	Pressler
Bryan	Hollings	Pryor
Bumpers	Hutchison	Reid
Burns	Inhofe	Robb
Byrd	Inouye	Rockefeller
Campbell	Jeffords	Roth
Chafee	Johnston	Santorum
Cohen	Kassebaum	Sarbanes
Conrad	Kempthorne	Shelby
Coverdell	Kennedy	Simon
Craig	Kerrey	Simpson
D'Amato	Kerry	Smith
Daschle	Kohl	Snowe
Dodd	Kyl	Specter
Dole	Lautenberg	Stevens
Domenici	Leahy	Thomas
Dorgan	Levin	Thompson
Exon	Lieberman	Thurmond
Feingold	Lott	Warner
Feinstein	Mack	Wellstone

NAYS—7

Coats	Faircloth	Helms
Cochran	Frist	
DeWine	Gramm	

NOT VOTING—2

Bradley	Lugar
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So the motion to commit was agreed to.

Mr. SPECTER. Madam President, I move to reconsider the vote by which the motion was agreed to.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. FORD. Madam President, may we have order, please? We need to hear the Senator.

The PRESIDING OFFICER. May we have order in the Chamber? We cannot

proceed unless we have order in the Chamber.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho has recognition.

Mr. CRAIG. Madam President, I yield to the majority leader.

MORNING BUSINESS

Mr. DOLE. Madam 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. Without objection, it is so ordered.

The Senator from Idaho.

Mr. CRAIG. I thank the Chair.

(The remarks of Mr. CRAIG pertaining to the introduction of S. 1402 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

(Mr. BENNETT assumed the chair.)

THE DEMOCRATS ARE ALIVE AND WELL

Mr. DORGAN. Mr. President, on November 6, 1995, one of the leading periodicals in our country hit the newsstands—U.S. News & World Report. It says "The Democrats: Is the Party Over?" It is one of those stories about "the Democrats are dead."

Well, I encourage the U.S. News & World Report to get some airline tickets for some of those reporters and move them around the country today and ask what happened in the country yesterday. I suggest that they go to Kentucky, go to Maine, travel to New Jersey, visit with some folks who have pitched their tents on principles, once again, and see the campfires all around this country of Democrats, who stand for things that are important to the future of this country.

I think it was Mark Twain who said, in response to a report in the newspaper that he had died, "The reports of my death are greatly exaggerated." Well, those who, for months, have been dancing around the bonfire chanting about "the death of the Democratic Party," the resurrection of the Republican Party, and the lasting control of the Republicans in the American political system, might want to take a deep breath and look around at the results of yesterday's elections in our country.

Yes, it is true that yesterday, as is almost always the case, the Democrats were badly outspent. In many cases in these races, it was 4-to-1, 6-to-1, 8-to-1. The Republicans had more money. But the Democrats were never outworked, and never will be in our political system. Yesterday, county to county, town to town, all across this country, Democrats sent a message that we are alive, well, fighting, and winning, for things that are important to our country's future.

I think part of it yesterday was the American people responding again to our agenda about creating a growing

economy, building good jobs with good incomes, educating our children in the world's finest schools, cleaning up our environment, and standing for the values and virtues that made this a great country and will make it a great country in the future. And, yes, even more than that, people from Kentucky, to Maine, to New Jersey, to the west coast, yesterday, also stood up and not only spoke for Democratic candidates—candidates who ran on a platform of hope and opportunity, a platform of building for the future, understanding we have always had the burden of being the builders.

If you look at almost anything that has been built in this country that represents hope and progress, it has been the Democrats who decided that is what ought to be done for America's future. We have had folks that always had seat belts on saying, no, we do not want to move ahead, do not want to do this or do that.

I am proud of our legacy and heritage, and I am proud to note that although we may be outspent, we are not outworked, and there are lots of Democrats across this country who are willing to stand for and fight for the kind of policies that will build a better future in America.

Yesterday, voters also spoke, in my judgment, about another agenda, the agenda of the new Speaker, Mr. GINGRICH, the Contract With America, and leadership in that direction.

I think the American people rejected yesterday an agenda that has as its centerfold tax cuts for the wealthiest Americans and budget cuts for the rest of Americans; an agenda that says we do not have enough money to provide an entitlement for a poor kid to have a hot lunch at school, that says we do not have enough money for health care for the elderly and the poor, but an agenda that says we have plenty of money for star wars, we have plenty of money for B-2 bombers nobody ordered, F-16's and F-15's that nobody asked for, for planes, ships, and submarines that nobody wanted. We have lots of money for those things, but we do not have enough money for the 55,000 kids now on Head Start who get kicked off.

That is what the voters were saying. Those priorities are out of whack. Those are not mainstream values. Those are extreme kinds of positions that the voters have told Speaker GINGRICH and others we reject.

I am proud, today, proud that so many around our country, men and women, State after State, were willing to stand up and speak out as part of our political process and stand for the values and the things that we believe in as Democrats—fought and won, in many cases, against the odds. When you are outspent, when the other side has more resources, you have to work harder.

I say in the context of this, I am proud of everybody that participates in this political process, Republicans and Democrats. The easiest thing for peo-

ple to do is do nothing and complain about it. The toughest thing is to stand in the ring and stand up and speak out for things you believe in.

I believe everyone who participates is owed a debt of thanks in our system, but I am especially proud in light of the kind of things we see in our country, written about a party that I am proud of, things that say the Democrats maybe are dead; the Democratic Party, the party is over for you folks.

I am particularly proud yesterday that all across this country we had people, American people—yes, Democrats—sending a message back to those who pronounced our death, and say, as Mark Twain did, "Reports of our death are greatly exaggerated."

We believe in something special for the future of this country. We preach hope and opportunity. We preach values and virtue. We preach a return to the days in this country where everybody can understand that we are doing things for America as a whole.

We believed, in North Dakota years ago when the wagon trains forged West, we believed in that lesson that was learned the hard way, that no wagon train ever moves ahead by leaving some wagons behind.

We have a policy in this country these days by those who have the votes to enforce it that says some folks are out of fashion. If you are poor, tough luck. If you are old, that is even tougher luck. Somehow if you did not make your way, you are left behind.

That is not the best of our country. Our country will be strongest and our country will meet the future with the kind of opportunity we should have forever, when we decide that public policies that invest in jobs, expanded opportunities and education are the kind of policies that will come out of the U.S. House and the U.S. Senate.

In the coming weeks and months, my hope is the American people, having sent a message yesterday through the ballot box, my hope is the American people will see the best of this political system. The best of this system will provide that those on the Republican side of the aisle and those on the Democratic side of the aisle will offer their best ideas and will choose from those good ideas, that menu of good news that comes from all sides, and then use those ideas to move America ahead. That will be the best our political system can offer to the American people. It is my hope for the coming months.

I wanted to take the floor today to say that yesterday, at least for me, was wonderful news. I think for our country it was good news. Our country needs a healthy two-party system. Those who believe somehow that on this side of the aisle we do not have the strength, vitality or ideas to compete in America's political system any more are dead wrong. That was proved yesterday in the elections across America, and it will be proved again and again leading up to the Presidential elections and