

going—at the expense, of course, of the American taxpayer.

A lot of politicians talk a good game—when they are back home—about bringing Federal deficits and the Federal debt under control. But so many of these same politicians regularly voted in support of bloated spending bills during the 103d Congress—which perhaps is a primary factor in the new configuration of U.S. Senators.

This is a rather distressing fact as the 104th Congress gets down to business. As of Friday, February 3, 1995, the Federal debt stood—down to the penny—at exactly \$4,804,906,983,189.27 or \$18,239.50 per person.

Madam President, it is important that all of us monitor, closely and constantly, the incredible cost of merely paying the interest on this debt. Last year, the interest on the Federal debt totalled \$190 billion.

Madam President, my hope is that the 104th Congress can bring under control the outrageous spending that created this outrageous debt. If the party now controlling both Houses of Congress, as a result of the November elections last year, does not do a better job of getting a handle on this enormous debt, the American people are not likely to overlook it in 1996.

#### ED LEVI—AN OUTSTANDING ATTORNEY GENERAL

Mr. KENNEDY. Madam President, today marks the 20th anniversary of the swearing-in of Edward Levi as Attorney General of the United States under President Gerald Ford.

Throughout our history, we have been fortunate when the right man has served in the right job at the right time. Ed Levi was the right man at the right time when he was nominated by President Ford and confirmed by the Senate as Attorney General.

Those were turbulent times. Skepticism and cynicism abounded. The Department of Justice was still suffering from the Watergate scandal. Two Attorneys General had been indicted. Another had resigned rather than follow a President's order. In just over a year, the Department of Justice had three Attorneys General, three Deputy Attorneys General, and even more assistant attorneys general. Stories began to surface about abuses committed by the Federal Bureau of Investigation—the arm of government entrusted with the investigation of violations of the law. Select committees were formed to investigate the FBI as well as the CIA and other intelligence agencies. Faith in the fairness and integrity of the administration of Federal justice was at a low ebb.

Levi, in his 2 short years as Attorney General, restored that faith. He did it by the sheer force of his own integrity, by a concerted effort to articulate the standards that would govern government conduct, and by his demonstration to the public that these standards

would ensure that our Nation remained a government of laws.

There was not time, of course, to do everything. There never is. But much was accomplished. Standards were formulated to guide the conduct of the FBI. As a protection against abuses of the past, guidelines were developed for the first time to govern domestic security, foreign intelligence and counterintelligence investigations, and other aspects of the Bureau's work, including the handling of informants and background employment investigations.

All of these issues were extremely controversial. One statistic demonstrates the profound effect that these guidelines have had on the Bureau's operation. In July 1973, the FBI had more than 21,000 open domestic security cases. Many were investigations of Americans and American groups who were considered to be threats to domestic security. After the guidelines were adopted, by September 1976, the number was reduced to 626. It is even lower today.

The test of time has demonstrated that these efforts did not hamstring the FBI. They strengthened the Bureau and protected its agents. These principles still guide the Bureau's operations.

Another controversial practice split constitutional scholars and sowed the seeds of Government distrust. When Ed Levi became Attorney General, the FBI tapped telephones and planted microphones to gather foreign intelligence without any prior judicial approval—that is, without a warrant. Though approval of the Attorney General was required for this warrantless electronic surveillance, suspicions were rife about who was being wiretapped and how many listening posts existed throughout the country.

To reassure the public, Attorney General Levi took several steps. He announced that there were no outstanding instances of warrantless taps or electronic surveillance directed against American citizens. He then undertook, at every opportunity, to discuss the process and safeguards that guided the use of electronic surveillance. But he realized that he could not eliminate this distrust of Government without legislation that would balance the need to protect personal privacy and the need to protect the Nation from foreign terrorism.

He proposed a law that provided a judicial warrant mechanism employed by a special court, shaped to meet the particular problems of foreign intelligence and to do so within constitutional standards. Just as he had done in drafting the FBI guidelines, he consulted with Congress in the best nonpartisan tradition. Indeed, the legislation was drafted by the staffs of the Department of Justice and the Senate Judiciary Committee, working closely with the Attorney General and many Members of Congress. I recall frequent conversations with Attorney General Levi concerning this proposed legislation. Soon after its introduction, the bill was

overwhelmingly approved by the Senate Judiciary Committee and the Senate Intelligence Committee. It was enacted in the next Congress as the Foreign Intelligence Surveillance Act and it is a tribute to Attorney General Levi's principled and effective leadership.

Other accomplishments were just as important. As the guidelines governing decisions about how and when to conduct investigations were nearing completion, the process was launched to establish standards to govern the equally important area of prosecutorial decisions—such as when to charge an accused, when to bargain for a guilty plea, when the Federal Government should prosecute an individual already prosecuted in State court for a related offense, and when to grant immunity in exchange for testimony. Immigration policies were reformulated to deal with illegal immigration within a framework that protected the rights of individuals. His comments then are just as relevant today:

We must remember that we face the problem of unlawful immigration because we remain the world's best hope. Unauthorized immigrants are responding to the same human impulses that motivated each of our forebears. We must address the illegal alien issue in a manner compatible with our democratic values and our tradition as a nation of nations.

I also recall the time when the Ford administration, acting through Attorney General Levi, proposed major new handgun control legislation to require a waiting period before a handgun could be purchased. The Ford administration sought in vain to find a Senator from the President's own party willing to introduce such legislation. I met with the Attorney General and offered to sponsor the administration's legislation in an effort to advance the debate over handgun control. The Attorney General recognized that any comprehensive effort by the Federal Government to stem the tide of violent crime required effective handgun control legislation. The successful and bipartisan enactment of the Brady law in the last Congress owes a great deal to the leadership of Ed Levi many years ago.

Throughout his tenure as Attorney General, Ed Levi was guided by the fundamental principle of equal justice under law for all Americans. He believed that faith in the law must continually be renewed or else it is lost. As he said near the end of his services as Attorney General in words that should still guide us today—

In a society that too easily accepts the notion that everything can be manipulated, it is important to make clear that the administration of justice seeks to be impartial and fair, and that these qualities are not inconsistent with being effective.

A grateful Nation pauses today on this anniversary to honor a great Attorney General for all he did at a difficult period in our history to restore the Nation's faith in its system of law

and justice. Ed Levi is a profile in courage, and a proud example for all citizens of excellence in the law and justice at its best.

#### HOMICIDES BY GUNSHOT IN NEW YORK CITY

Mr. MOYNIHAN. Madam President, I rise today to continue my weekly practice of reporting to the Senate on the death toll by gunshot in New York City. Last week, 8 people were killed by firearms in New York City, bringing this year's total to 66.

#### THE PRESIDENT'S IMMIGRATION INITIATIVE

Mr. SIMON. Madam President, the administration has come under much criticism lately for its alleged failure to provide leadership on issues that are important to the nation. The 1996 Immigration Initiative announced by the administration this week, however, belies these contentions. The administration's policy proposal on this extremely important issue is thoughtful and comprehensive, and I applaud it.

The administration's initiative recognizes, as do the people of this country, the need to formulate an effective response to the problem of illegal immigration, and proposes increased resources not only for border enforcement, but also increased resources to eliminate the job magnet that will continue to draw undocumented aliens into the country regardless of the success of our border policy. The initiative also reflects a desire to improve our ability to deport those aliens that have been identified as deportable, and to assist States that have long borne the burdens of our inability to prevent illegal immigration.

For each of these objectives the administration has proposed the commitment of substantial resources; yet, at the same time, the initiative contains little that unnecessarily feeds the anti-immigrant xenophobia that has characterized the immigration policy debate in recent years. Rather, the administration's proposal takes a measured yet aggressive approach to the problems we must face. In short, while it has taken an undeniably firm stance against illegal immigration, the administration has not succumbed to the belief that immigration in all its shapes and forms is a bad thing. Quite the contrary: the initiative reflects the fact that, as the President has said, an effective immigration policy must combine deterrence of illegal immigration with an encouragement and celebration of legal immigration.

I look forward to working with the administration and my colleagues in the Senate to effect this delicate balance, and to implement an immigration policy that is both tough and fair. The administration's proposal is certainly a great step in this direction.

#### SENATOR CLAIBORNE PELL'S SPEECH BEFORE THE GEORGETOWN UNIVERSITY LAW CENTER ON THE LAW OF THE SEA CONVENTION

Mr. DODD. Madam President, on Friday, January 27, 1995, Senator CLAIBORNE PELL spoke at the Georgetown University Law Center on the topic of the United Nations Convention on the Law of the Sea. During that speech, Senator PELL made a very strong case for United States ratification of the Law of the Sea Treaty.

As many of my colleagues may already know, Senator PELL has been a leading advocate for promoting the peaceful uses of the oceans for more than four decades. I believe he first became interested in the subject as a young man in the service of the U.S. Coast Guard—an interest he has continued to pursue with energy and imagination since he was elected to the Senate in 1960.

While the national security implications associated with the Law of the Sea Convention have been widely discussed over the years, I do not believe that as much attention has been focussed on the economic implications of the treaty. In that regard, Senator PELL's speech on January 27, very clearly spelled out the economic importance of the treaty to the United States. I found his arguments most useful in gaining a fuller appreciation of the treaty's many provisions.

I know that Senator PELL very enthusiastically endorsed President Clinton's decision to sign the Law of the Sea Convention and to seek the advice and consent of the Senate to its ratification. And, that he believes it to be of the utmost importance that the United States become a party to this important convention as soon as possible.

I am confident that Senator PELL is willing and eager to play an active role in educating this body on the very important issues associated with the Law of the Sea Convention. I hope that the Senate will have an opportunity to address this subject during the 104th Congress.

Madam President, I ask unanimous consent that a copy of Senator PELL's speech at Georgetown University Law Center be printed in the RECORD at this point.

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

#### ADDRESS BY SENATOR CLAIBORNE PELL

It is a great pleasure to join you here this evening at the Georgetown University Law Center to discuss the United Nations Convention on the Law of the Sea. This is a subject that is near to my heart and one that I have been involved with for much of my working career.

With its transmission to the Senate in October and entry into force in November, the Convention has again moved to the fore as an issue for public debate.

These events make today's symposium particularly timely, and I want to thank the organizers, and especially Mr. Eric Fersht, for their outstanding work. The panels you have

heard from provide a truly exceptional array of information about the Law of the Sea Convention.

The initial support for this idea was led by Arvid Pardo, Malta's delegate to the United Nations, with his famous "Common Heritage of Mankind" speech before the United Nations General Assembly in 1967.

The Convention then became the interest of many people. I remember particularly the "Pacem in Maribus"—Peace on the Seas—meetings organized by Elizabeth Mann Borgese.

Her book, *The Ocean Regime*, published in 1968, gave written expression to the ideas that were to gain a wider audience through *Pacem in Maribus*, on their way to being embodied in the negotiated texts of the Law of the Sea Convention.

For me the dream began even earlier. It was during my service in the U.S. Coast Guard during World War II that I wrote my first memorandum on the subject to Admiral Waesche, then Commandant of the Coast Guard. And even before that I had been appointed by President Eisenhower as a Delegate to the first meeting of IMCO (the International Maritime Consultative Organization.)

My service on the staff of the San Francisco Convention that prepared the UN Charter, just fifty years ago this summer, further confirmed me in my belief that ways could be found to create a working ocean peace system.

The Law of the Sea Convention is the product of one of the more protracted negotiations in diplomatic history. When the process began, the Vietnam War was nearing its peak; the Cold War was at its height; it had been only five years since the construction of the Berlin Wall.

I was proud to serve as a delegate and observer to those early Law of the Sea negotiations, one of the few who had also attended a *Pacem in Maribus* meeting. My enthusiasm led me in 1967 to introduce the first Senate Resolution calling on the President to negotiate a Law of the Sea Convention.

That resolution and a draft treaty that I proposed in 1969 led to the Seabed Arms Control treaty, which was ratified by the Senate in 1972. This little-known treaty has permanently removed nuclear weapons and other weapons of mass destruction from the ocean floor, which is seventy percent of the earth's surface.

It has been signed by nearly 100 countries, it works, and it provides a good precedent for the Convention on the Law of the Sea.

With the Seabed Arms Control Treaty as my model, you can appreciate my enthusiasm for the Law of the Sea Convention. In my view there are few actions that the Senate can take in the year or two ahead that can have greater long term benefits for the world as a whole than to ratify this Treaty.

The implications for world peace are enormous; the potential for trade and development is equally far-reaching. I hope this Convention will not be caught up in a spate of politics as usual, but will be seen in the framework of a renewed commitment to bipartisanship in foreign policy.

The old saying was that "politics stops at the water's edge." That would be an apt motto for our consideration of Law of the Sea, since its scope begins precisely at "the water's edge."

Let me outline just a few of the reasons that have come to make me such a strong supporter of the Convention.

Of greatest importance, the Convention will enhance our national security, because it establishes as a matter of international law, freedom of navigation rights that are critical to our military forces.