

accomplished each year during Alabama Business Connections, and wish the Alabama Minority Supplier Development Council all the best for a successful event this summer. They are to be commended for their outstanding work toward the cause of furthering business opportunities for minority suppliers.

### REINVENTING PUBLIC BROADCASTING

Mr. PRESSLER. Mr. President, another thoughtful voice has joined the debate in favor of re-inventing public broadcasting. Jack Kemp has written an article, published in today's Wall Street Journal, making the case that public broadcasting can be re-invented and become self-funding. This would be a win-win proposition for taxpayers, for television and radio audiences, and for the public broadcasting industry.

Secretary Kemp's analysis is timely, because through the rescission bill Congress has an opportunity to begin an orderly and reasonable phasing out of Federal subsidies for public broadcasting. I support the approach of the House of Representatives, to begin phasing out the subsidies in a significant measure, now.

Secretary Kemp just this week has been named chairman of the new National Commission on Economic Growth and Tax Reform. This is by appointment of Majority Leader DOLE and Speaker GINGRICH. Secretary Kemp is superbly qualified for this position. I offer Secretary Kemp my hearty congratulations.

Mr. President, I ask unanimous consent to have printed in the RECORD Secretary Kemp's article, entitled "Privatizing PBS Doesn't Mean Killing Big Bird," from today's Wall Street Journal.

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

The Wall Street Journal, April 5, 1995  
PRIVATIZING PBS DOESN'T MEAN KILLING BIG BIRD

(By Jack F. Kemp)

Politics doesn't have to be a zero-sum game, even when it comes to budget cutting—and especially when it comes to as contentious an issue as cutting the public television budget. I believe it's possible to find a compromise where both sides of this debate emerge winners and happy.

First, let's look at the impasse we seem to have reached in Congress. On the one hand, we have a new generation of Republicans who are absolutely serious when they talk about limiting the size, scope and power of the federal government. For these "neo-Federalists," it isn't enough that a program have some positive benefits or a committed political constituency (almost all programs do); there must be a compelling reason why the federal government, as opposed to state and local governments, or the private sector, is involved. As they have said, no domestic program, except Social Security, will be exempt from scrutiny.

Energizing the neo-federalists is a budget deficit that they have claimed they could get under control, when no one else could—and

to a great extent, they realize that their political legitimacy rides on making good on their promise. The almost \$300 million yearly subsidy to the Corporation for Public Broadcasting (CPB) will add up to almost a billion dollars over the next three years. That's not chicken feed, even for Big Bird.

On the other hand, there are large numbers of people inside and outside Congress who value public broadcasting. Leaving aside for a moment questions of political bias, they have for many years found on the PBS stations quality programming that is hard to find elsewhere. Those with young children especially value what I would call the "trust factor," the fact that one can leave one's children watching PBS without having to constantly monitor the TV for fear that they will be exposed to the kind of mind-numbing violence so common on the other stations. For adults, the "MacNeil-Lehrer Newshour" provides a similar respite from "sound-bite" news programs.

What is the solution? It lies, as it so often does, in a growing, technologically expanding private sector—in a future that is bigger than the present, where one person doesn't have to lose for another to gain. Where both sides can be winners.

The following is a brief sketch of how the CPB can be privatized in such a way that it emerges stronger, healthier and in a better position to continue the kinds of quality programs that many admire it for.

It must first be stressed that "privatization" does not mean "extinction." Far from it. Look at Britain's experience: British Airways, British Telecom and British Petroleum are good examples. In our own country, Conrail has benefited from privatization. Privatization is the new rage in our nation's cities and towns because local governments have found that services are often delivered better when they are transferred back to the private sector.

The fact is, as many on the side of public broadcasting concede, the CPB, like most government-funded agencies, has its share of waste and redundancy. An analysis by the Twentieth Century Fund found that 75% of its budget went to overhead (including inflated executive salaries). The most expensive, and least necessary, expenses are the number of stations that carry its programming. ABC, the largest network, has 221 stations. NBC has 213. CBS and Fox have 208 and 201 stations, with sometimes as many as four or five signals serving essentially the same market.

As part of any privatization scheme, CPB should be asked to choose a core group of, say, 160 stations that would cover the entire country. All other stations would have the opportunity to "merge" into the core station that served their market. PBS could shift the licenses of the "non-core" stations to commercial usage and auction them off to the highest bidder. The proceeds would go to a National Programming Endowment that would be administered by PBS and used to make the network self-sustaining.

Pro-PBSers should realize that spectrum auctions are no small potatoes. Even with the current technology, PBS could garner some \$2 billion from auctioning off its redundant stations. But the technology is changing, making each one of these station's signals potentially many times more valuable. Meanwhile, the market is getting more competitive as the newly created networks of United Paramount and Warner Bros. scramble to pick up affiliates—and that pushes value up, too.

A conservatively estimated endowment of \$2 billion would eliminate PBS's need for federal subsidies. CPB—which currently administers government subsidies to PBS—would no longer need to exist, eliminating an

expensive layer of bureaucracy. Certainly, PBS's cushy executive salaries would have to be trimmed to be more in line with the private sector, but each core station would receive increased membership contributions (from the redundant "non-core" stations that have been eliminated), as well as corporate and foundation grants. Meanwhile, PBS would, by dint of necessity, become entrepreneurial by developing and owning shows that it would sell around the world, as well as merchandising rights to its children's productions (an area of funding that officials admit they have not taken proper advantage of).

Will there be resistance to this plan? Yes, by those who distrust the private sector, no matter what. And by those politicians who like having a PBS station in their district that is required to carry local school board or city council meetings, giving incumbents a free platform. But for those who honestly want to cut the budget deficit, and for those who care about the future of PBS, this is a plan that makes everyone a winner.

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

Mr. HELMS. Mr. President, the incredible Federal debt which long ago soared into the stratosphere is in about the same category as the weather—everybody talks about it but almost nobody had undertaken the responsibility of trying to do anything about it until immediately following the elections last November.

When the 104th Congress convened in January, the U.S. House of Representatives approved a balanced budget amendment. In the Senate all but one of the 54 Republicans supported the balanced budget amendment but only 13 Democrats supported it. Thus, the balanced budget amendment failed by just one vote—there will be another vote later this year or next year.

As of the close of business yesterday, Wednesday, April 5, the Federal debt stood—down to the penny—at exactly \$4,878,158,190,719.92.

### REED LARSON'S 40 YEARS: TIRELESS DEFENSE OF FREEDOM

Mr. HELMS. Mr. President, a little over 40 years ago—January 28, 1955—the Nation's pre-eminent defender of workers' freedom was founded in the basement of Washington's Mayflower Hotel.

It was named the National Right to Work Committee, and it was organized by a small group of railroad workers and small businessmen. The Right to Work Committee has grown into a proud home for freedom-loving Americans who believe that while workers may have the right to unionize, no American worker should ever be compelled to join, or even support, a labor union.

Mr. President, upon the founding of the committee, its first president, Congressman Fred A. Hartley, Jr., of New Jersey, declared, "[We] will not shrink because of attacks which may be made against us. We intend to do everything

possible to educate the American people to the perils of compulsory unionism and to encourage them to resist it."

Three years later, in 1958, after piloting the successful fight for Kansas' Right to Work Law, a dedicated American named Reed Larson left his job as an engineer in Kansas to lead the right to work movement in America.

At the time, the power of the Big Labor bosses was virtually unchecked. By 1965, the unions had rolled up what appeared to be a filibuster-proof majority in the U.S. Senate favoring legislation to obliterate the one obstacle in their path to total dominance of the American work force: State Right to Work Laws.

Such legislation was Big Labor's number one priority. The bosses were backed by President Lyndon Johnson and the Congressional leadership.

But, Mr. President, Reed Larson and the Committee's members refused to be intimidated by the power arrayed against them. With the help of legendary Senate Republican Leader Everett Dirksen and after a fierce 2 year struggle, the Committee defeated the enemies of worker freedom.

The fight to preserve State Right to Work laws marked the coming of age of the National Right to Work Committee. From that moment on, the Big Labor bosses realized that someone was finally going to stand up to their ceaseless demand for power over the lives of American working men and women.

As further protection for working Americans, Larson in 1968 founded the National Right to Work Legal Defense Foundation to aid workers in legal confrontations with union-boss despots.

In the 27 years since, the Foundation has been a leader in protecting the legal rights of workers and has won several significant Supreme Court cases—including the landmark 1988 Beck case which declared that forced union dues for politics was unconstitutional.

During the 1970s the Committee battled attempts by Big Labor and its Congressional allies to throw the net of compulsory unionism over the American construction industry with the "Common Situs" picketing scheme.

Big Labor steamrolled this legislation through both the House and Senate amid President Ford's Labor Secretary John Dunlop's assurances of presidential approval.

Against all odds, Reed Larson launched what was at the time the largest grassroots mobilization in American history, flooding the White House with over 700,000 cards and letters of protest.

Despite the pleas of his own Labor Secretary (who resigned shortly afterwards) President Ford vetoed the bill.

When the Common Situs Picketing bill returned in 1977, Larson rallied the same grassroots coalition he had so painstakingly assembled the year be-

fore and did battle with a seemingly stronger Big Labor political machine.

However, Mr. President, in one of the most stunning upsets in American political history, Right to Work forces emerged victorious in the House of Representatives by a slim 217 to 205 vote.

As Reed stated after the vote, "The history and death of the coercive piece of legislation should serve as a very important lesson to powerful union officials . . . seemingly limitless doses of money and muscle are no match for the will of the American people."

In 1978, Big Labor was razor close to enacting a so-called "Labor Law Reform" bill which would have given union organizers tremendous powers to blackmail employers into granting forced-dues contracts.

Reed Larson mobilized the majority of Americans opposed to compulsory unionism through a massive mail, media, and lobbying campaign which generated over 4 million cards and letters to the Senate during the course of the fight.

Mr. President, after a marathon of six separate cloture votes in the Senate, the labor bosses gave up.

Throughout the 1980s, Larson and the Committee kept up their campaign to bring the benefits to workers freedom to more and more Americans. That campaign resulted in the successful 1986 referendum making Idaho the Nation's 21st Right to Work State.

But the decade of the 1990s opened with yet another big labor power grab.

This time it was the Pushbutton Strike bill, or the so-called "Anti-Striker Replacement bill." And once again, Reed and the Committee cranked up their grassroots network of freedom loving Americans to put the heat on Congress.

This bill would have handed union czars new strike powers so they could blackmail employers into signing contracts forcing their workers to pay union dues.

In response to Larson's letters and phone calls, the Senate was flooded with nearly two million cards, letters, faxes, and phone calls.

After 3 long years (and four more cloture votes) Larson and the Committee emerged victorious once again.

Today, the National Right to Work Committee, 1.9 million members strong and growing, stands on the vanguard for worker freedom and has compiled an outstanding record of commitment to principle and effective action.

So, Mr. President, I proudly salute the members of the National Right to Work Committee—and especially my good friend, Reed Larson, upon his 35th anniversary as president of the Committee for their unswerving dedication and tireless action on behalf of every American's birthright not to be forced to join a labor union to get or keep a job.

#### COMMERCE COMMITTEE ACTION ON S. 565, PRODUCT LIABILITY

Mr. PRESSLER. Mr. President, the Committee on Commerce, Science, and Transportation met in executive session this morning and voted 13-6 to report favorably S. 565, the Product Liability Fairness Act of 1995, with an amendment. The amendment, a Chairman's mark, is an amendment in the nature of a substitute for S. 565. However, it did not replace the bill's original content. Rather, it built upon the good work of Senators GORTON and ROCKEFELLER.

I want to have the amendment printed in the RECORD so that my colleagues have the opportunity to review the legislation over the recess period we are about to begin. I understand the leadership intends to take up S. 565 when we return from the recess and I want all Senators to have ample time to understand its provisions.

In addition to the original provisions contained in S. 565, the Chairman's mark incorporates the entirety of S. 303, the Biomaterials Access Assurance Act of 1995. Senators LIEBERMAN and MCCAIN introduced S. 303 on January 31, 1995 and the bill was referred to the Commerce Committee. I am proud to be a co-sponsor of S. 303. The biomaterials provisions are found in Title II of the Chairman's mark.

The Chairman's mark made two other notable changes to S. 565. Modifications were made to address the vicarious liability of rental car companies and of equipment lessors. Such entities would be treated as "product sellers" under the mark.

Another exception was added to the statute of repose for durable and capital goods used in the workplace. Now, when there is an express warranty in writing as to the safety of the product involved, and the warranty period is longer than the 20 year statute of repose, a product liability action is timely for the duration of the warranty.

Mr. President, beyond these changes made by the Chairman's mark, Senators will find S. 565 remains much as introduced several weeks ago. In other words, it remains very much a product liability reform bill. The Committee did not act to expand the legislation beyond its jurisdiction—tort reform connected to injuries caused by products in the stream of commerce.

I ask unanimous consent that the Chairman's mark to S. 565, which the Commerce Committee voted to report this morning, be printed in the RECORD.

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

S.565

*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 "Product Liability Fairness Act of 1995".