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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, May 1, 1995, at 12:30 p.m.

Senate

THURSDAY, APRIL 27, 1995

(Legislative day of Monday, April 24, 1995)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Let us pray:

Gracious Lord of all life, help us never to separate what You have joined together. All of life is sacred to You. Forgive our imposed dichotomy between the sacred and the secular. Every person, situation, and responsibility is sacred because everyone and everything belongs to You. Give us a renewed sense that all that we have and are is Your gift. So may we cherish the wonder of life You have entrusted to us and live with an attitude of gratitude. May this gratitude be the motive of our work today in this Senate. We want our work to be an expression of our worship of You. Therefore we make a renewed commitment to excellence in everything we do and say.

All this is rooted in the inseparable relationship between intimacy with You and the integrity of our leadership. You've shown us that authentic intimacy results when the real I meets the true You in an honest, open, unpretentious relationship. It's when we come to You as we are that You whisper in our souls, "You are loved now!" Then the consistent experience of Your unqualified love gives us the courage to be genuine, loyal, and faithful to You in our relationships with others and our responsibilities as leaders to whom

You can entrust authority and power to govern this Nation.

Thank You for this time of quiet with You in which we can receive the peace of knowing that we are loved and forgiven, the healing of the hurts of harbored memories, the answers to problems that seem unsolvable, and the vision for our Nation that otherwise would be beyond our human understanding. We praise You that to know You is our greatest joy and to serve You is life's greatest delight. In the name of Him who is the way, the truth, and the life. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. LOTT. Mr. President, this morning at 10:30, following morning business, the Senate will resume consideration of H.R. 956, the product liability bill.

All Members should be aware that amendments are expected throughout the day. Therefore, Senators should be on notice that there will be rollcall votes during today's session which probably will go into the evening.

I yield the floor.

Mr. ASHCROFT addressed the Chair. The PRESIDING OFFICER (Mrs. HUTCHISON). The Senator from Missouri is recognized.

ORDER OF PROCEDURE

Mr. ASHCROFT. Madam President, I ask unanimous consent that I be allowed to allocate 15 minutes of time from Senator THOMAS of Wyoming, with whom I agreed that I should spend the time in his stead this morning.

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

RESERVATION OF LEADER TIME

Mrs. HUTCHISON. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for not to extend beyond the hour of 10:30, with Senators permitted to speak therein for up to 5 minutes each.

The Senator from Missouri is recognized.

Mr. ASHCROFT. Thank you, Madam President.

THE RESPONSIBILITY OF CONGRESS

Mr. ASHCROFT. Madam President, the opportunities of this 104th Congress are substantial. They are substantial not only because every Congress has great opportunity, but they are substantial because we have a significant opportunity to change the direction in

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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which the country has been going for at least the last three decades.

The elections of November 8 provided a new chemistry for the Congress and a new potential for a change in direction. It is a change in direction which the people of America sorely need and desperately want. It is a change brought about by the popular recognition that over the last three decades or so, the Government of the United States has not been advocating a set of values necessary for the success and survival of this society in the next generation.

The Government has been validating irresponsibility through the Congress' conduct and Congress' programs since at least the midsixties, if not before.

Most of us know that responsibility is the key to a successful survival for this society in this century and in the next. If we want to sink, we can continue on our current track. But if we want to swim and survive, we are going to have to change, and the opportunity of this Congress is to change the way that Washington does business.

Let me just suggest a few ways in which Government has been validating irresponsibility. For the past several decades, the *modus operandi* of this Congress has been to spend more than it receives.

This deficit problem which we have had year after year after year, which has been growing larger and larger and larger, has been a way that the Government has subtly, if not intentionally, been teaching irresponsibility. It is just that simple. When Government tells us what is legal and what is illegal, it begins teaching us, and when by its conduct it shows that it is not important to pay your debts, that you can simply pile up irresponsibly mountains of debt that the next generation will have to sustain, that is a way of teaching irresponsibility. It is a way of saying to this society that you do not have to be responsible. It displays before the entire Nation, before every man, woman, and child, a kind of conduct which is destined to failure over the long term, designed inevitably to fail and to sink.

Similarly, for the last 30 years or so, Congress has been passing laws and then exempting itself from them. I cannot imagine a less noble thing for leadership to do than to enact laws which it says apply to everyone else but do not apply to leaders. We know that real leadership is to carry the burden forward first, to catch the vision of the noble first, to do what is right first; not to send someone else into battle first, not to push others into good behavior while we lag behind and languish in behavior which is unacceptable.

The Congress has validated irresponsibility by saying the rest of the world has to have a level of responsibility and care but that we could exempt ourselves.

Of course, the Congress was similarly irresponsible when it tried to run ev-

eryone else's business and not run its own.

The unfunded mandates of the last three decades are another way that Government has validated irresponsibility in the culture. Congress said to the people of America that we are not going to be responsible and it is not important to be responsible because, rather than take care of our own business responsibly, we are going to try with mandates to tell State and local governments how to do their business. We will even try to tell business how to conduct their business, but we will not do our own business that way. We will exempt the Federal operations from many of the regulatory impacts to the society, and we will direct the spending of State and local governments in spite of the fact that their view of the circumstances and understanding of the challenges is far superior to our own.

This character of conduct by the Government over the last three decades has literally validated irresponsibility in the society, and it is no wonder that the news magazines of late have headlined things like shame, or the absence of shame, in society, the absence of responsibility, the absence of the internal guideposts to good behavior.

When the biggest, perhaps, teacher of all in America, the Government, has by its own behavior been teaching irresponsibility over the last three decades, we have really hurt this culture. We have validated irresponsibility, not, however, just in the way we conduct our own affairs. Government has been validating irresponsibility in the kind of programs it promulgates.

Look at the welfare system. We have not said to this society, on welfare, that you will have to be good, that you will have to be moving in the right direction in order to have our assistance. We have not said that you will have to stop illegitimacy or that you will have to start to work or that you will have to be industrious. No, we have not. We have just said that no matter how irresponsible you are, we will continue to write the check and to pay the bills.

Or in the criminal law area we have not really been a society of responsibility. We have been confused about who the victim was and who the criminal was. We have said that the guy pulling the trigger was really the victim, that society had not treated him well and he was probably excused for pulling the trigger. The person who took the bullet probably was encouraged to say: "I should not have been walking in this neighborhood at this time. After all, I probably invited the crime or the assault."

The truth of the matter is that is the height of irresponsibility. Our criminal law system, our programs, have not been oriented toward responsibility. They have validated irresponsibility. Our program for welfare has not been an encouragement for responsibility but has validated irresponsibility.

For three decades we have been looking at this validation of irresponsibility, and now we come to 1995, to the 104th Congress, and our chance is to change from a culture of irresponsibility to a culture which demands responsibility.

That is what the first 100 days were about, that is what the next 100 days are about. And that is why we need to move forward with an agenda for the American people to reinvest our society with governmental leadership that points toward responsibility.

Let me just suggest how fundamental those changes are. Instead of spending beyond our means, instead of spending without regard to who will pay, we are going to start producing balanced budgets; instead of validating the irresponsibility of not paying our debts, we are going to demand a culture of responsible behavior by paying for what we consume; instead of saying that there is a set of laws for the Congress and then a bigger and broader set of laws for the citizenry, we are going to say, no, we want to be responsible.

With the Congressional Accountability Act, the first thing we did was to pass laws that said we would live under the same laws under which the citizens of America live. That pushes us toward a culture of responsibility. Instead of telling other governmental entities and jurisdictions how to consume their resources and deploy them with unfunded mandates, we have said we will stop doing that; we will start acting responsibly.

The real challenge for us is to move from a culture of irresponsibility to a culture of responsibility and for Government to take the lead.

Look at what is happening in the welfare area, and this is why it desperately needs reform. Instead of saying to people, no matter how irresponsible you are, we will promote that and validate it and as a matter of fact we will fund it—instead of doing that, we are going to say, no, you have to behave in certain ways; you have to improve your performance; you have to work; you have to treat your children with dignity and give them a chance to break the cycle of dependency and poverty. That is responsibility, and we are moving in that direction.

I submit to you that in the area of the criminal law, we will have a move toward responsibility. We will deny the culture of irresponsibility, and we will demand the culture of responsibility. And that is what Government should do. It should set an example. It should teach with its conduct and with the programs that it promulgates. It should promote responsibility. And that is why the first 100 days were important, 100 days that began this session, and that is why the rest of this session is of monumental importance.

It is very important that we carry through on this change from validating irresponsibility, which is the past, to promoting responsibility and demanding accountability, which is the future.

So we must again visit the balanced budget question. We must move forward with a real balanced budget to respond to the demand of the people that we institute a culture, at least a governmental culture of responsibility that will set an example for this society. We must move forward on the reforms which are before us. We cannot stop now. We must continue to address the agenda of the American people.

This is the great opportunity of this Congress, that we change the way Washington does business. And by changing the way Washington does business, we signal to America that there is a new demand for accountability and responsibility in this society: We no longer spend money we do not have; we no longer fail to live under the laws which we pass; we no longer try to direct the activities of other governmental entities. No, our conduct will be responsible instead of irresponsible—pay our debts, live under the laws we pass. Yes, we will stop telling governments much better prepared to make decisions than we are how those decisions ought to be made. All of those things are included in the monumental changes sweeping through the Congress. But the sweeping through is not complete. Sweeping through is a process, and it is a process which we must continue, which we must extend, which we must, as a matter of fact, complete. We must have the discipline and the determination to carry through on these programs.

We are in the midst of a debate on the question of product liability. The question is whether companies will be held responsible for things they really had nothing to do with, whether rental car companies that had nothing but ownership of a car which was stolen or otherwise wrongfully taken will be held accountable for millions of dollars of damage done with the car.

We have a tremendous energy that is pent up, a momentum in the culture of irresponsibility, and it is not easy for us to stop the spending, to stop the conduct which has promoted and validated irresponsibility for the last several decades. It is something on which we have made a great start and from which we should not turn. It is a task which we must continue.

So as we review, looking back, the significant achievements of the first 100 days, let us never forsake the potentials of the next 100 days. I think we have reached a threshold, a tipping point. We have reached an opportunity to continue to institute as a regular means of operation this culture of responsibility in Government. Let us make sure that in these next 100 days we do not turn back; that we continue to move forward on the agenda of the American people.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

(The remarks of Mr. THURMOND pertaining to the introduction of S. 727 and S. 728 are located in today's

RECORD under "Statements on Introduced Bills and Joint Resolutions.")

(The remarks of Mr. LOTT and Mr. BAUCUS pertaining to the introduction of S. 729 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER (Mr. THOMAS). Under the previous order, the Senator from Arkansas is recognized to speak for up to 10 minutes.

Mr. PRYOR. Mr. President, I thank the Chair for recognizing me.

AN IRRESPONSIBLE LETTER

Mr. PRYOR. When President Clinton recently issued a warning against intemperate speech, Mr. President, a lot of people took those remarks as an attack on radio talk show hosts. But I would like to point out that the talk show hosts by no means have a corner on that market, and that we should all focus our attention on the rhetoric that is used by certain public interest groups and ourselves alike when we try to raise money through the coffers of public interest groups for our political campaigns.

I would particularly, Mr. President, like to call your attention to a recent letter issued by the National Rifle Association under the signature of its executive vice president, Wayne LaPierre.

This 5-page poison-pen letter is a revolting example of hateful, incendiary, irresponsible speech. It seeks to whip the readers into a frenzy against the Federal Bureau of Alcohol, Tobacco and Firearms.

Mr. President, this letter is obscene. While the ostensible purpose of this letter is to raise money for the National Rifle Association, it may well have the unintended and unfortunate side effect of stoking the fires of militant groups across this country of whom our citizens now have cause to fear.

In his letter, Mr. LaPierre says that the Federal ban on semiautomatic weapons "gives jack-booted Government thugs more power to take our constitutional rights away, break in our doors, seize our guns, destroy our property, and even injure or kill us."

Mr. LaPierre further continues in his letter:

In Clinton's administration, if you have a badge, you have the Government's go-ahead to harass, intimidate, even murder law-abiding citizens.

Randy Weaver at Ruby Ridge . . . Waco and the Branch Davidians . . . Not too long ago, it was unthinkable for Federal agents wearing Nazi bucket helmets and black storm trooper uniforms to attack law-abiding citizens.

Not today, not with Clinton.

In another part of the letter, Mr. LaPierre warns that what he sees as the attack on the second amendment to the Constitution "is only the first in a long campaign to destroy the freedoms at the core of American life." The letter continues:

You can see it when jack-booted Government thugs, wearing black, armed to the teeth, break down a door, open fire with an automatic weapon, and kill or maim law-abiding citizens.

Mr. LaPierre calls for a "major show of force" by America's 80 million gun owners. Mr. LaPierre concludes:

This, the battle we're fighting today, is a battle to retake the most precious, the most sacred ground on Earth. This is a battle for freedom.

Well, Mr. President, these are very stirring words indeed, and I am sure it has been quite a success for the national fundraising activities of the National Rifle Association. It has been a great fundraising tool.

I noticed yesterday that Mr. LaPierre told a reporter, and I quote, "the last thing the NRA wants is a fight with the ATF." Mr. President, I would be hard pressed to conclude that, based upon the incendiary, obscene nature of this letter that Mr. LaPierre sent across our country.

Let me make it very clear that I am not today blaming the National Rifle Association for the explosion in Oklahoma City, but I am suggesting that I think that any reasonable person would conclude that the words Wayne LaPierre has been using, the images he has been conjuring up has played directly into the fears that exist in the types of groups that apparently are responsible for the bombing and other terrorist attacks.

In that regard, the paid lobbyists and the chief fundraiser for the National Rifle Association have been tossing kerosene onto the fire. The leaders of the National Rifle Association must realize that these words have consequences and rights are accompanied by responsibilities. A loose tongue, Mr. President, can be just as dangerous as an unholstered gun when either is employed by an irresponsible person.

The National Rifle Association takes great pride in touting its programs to train responsible gun owners. I hope that its leadership today will now realize the need to teach and practice itself the responsible use of free speech.

Before the folks at the National Rifle Association start accusing this Senator of trying to take away their first amendment rights, as well as their second amendment rights, let me make it very plain that I have no intention of taking action to forcibly muzzle any of them through any action by the Congress of the United States. I am not questioning the right of the NRA to say what it wishes in its fundraising letters. But I do believe, Mr. President, that Wayne LaPierre should be absolutely ashamed of what he has written in this letter to his members of the National Rifle Association.

Just because in our society one might have the right to do something or to say something does not mean that he should say it. Just because one has the protection of the first amendment in our Constitution is no reason