

the Senate to effect this delicate balance, and to implement an immigration policy that is both tough and fair. The administration's proposal is a great step in this direction.●

#### TRIBUTE TO DR. RAY STOWERS

● Mr. NICKLES. Mr. President, I rise today to congratulate a fellow Oklahoman, Ray Stowers, D.O. on his recent appointment to the Physicians Payment Review Commission [PPRC].

Dr. Stowers is an osteopathic, family practice physician from Medford, OK. Since his first year in practice, Dr. Stowers has remained dedicated to the advancement of rural family medical practice, evidenced by his service as a faculty member of the Oklahoma State University College of Osteopathic Medicine. During this time, Dr. Stowers maintained his office at the rural site for the Enid Memorial Hospital providing exceptional health care for the individuals in that community.

One of Dr. Stowers' many successes occurred when he was appointed by the Governor of Oklahoma to serve on the board of the Task Force on Rural Health Care issues which was responsible for advising the Governor on the State's health care manpower needs, and for convening a statewide conference to discuss rural health care delivery issues.

Dr. Stowers is also an expert in physician payment issues. Since 1992, he has served on the American Medical Association's Relative Value Update Committee [RUC]. As the first osteopathic physician appointed to serve on this committee, Ray has facilitated greater understanding, collaboration, and teamwork between the osteopathic medical profession and the allopathic physician community, and has lent his considerable expertise on physician practices to the RUC proceedings. Since 1994, he has also served as the osteopathic profession's liaison to the American Academy of Physicians regarding reimbursement, certification, legislation, and managed care options.

Since PPRC was established by Congress in 1986, an osteopathic physician has never served on the Commission. Dr. Stowers' appointment makes him the first osteopathic physician to serve on the Commission and the medical profession could not have put forth a finer candidate. Dr. Stowers represents what is best about medicine and physicians in America today. During the time when the trend to become a specialized physician is so strong and promises such great rewards, he has remained dedicated to the path of providing solo, rural family medicine for over 21 years.

Dr. Stowers has served his family, his profession, his community, and his State of Oklahoma well. The entire country will now benefit from the same service of compassion and integrity. Dr. Stowers, the State of Oklahoma is proud of your accomplishments. I am honored to join your family, friends,

and colleagues in wishing you every success as you embark on your next challenge of serving on the Physician Payment Review Commission.●

#### ARSON AWARENESS WEEK

● Mr. ROTH. Mr. President, this is Arson Awareness Week. In the time it will take me to finish my first sentence, arson fires will destroy at least \$600 worth of property in this country. That is an annual cost of more than \$2 billion. And while in recent years arson has accounted for just over 15 percent of building fires, it has accounted for more than 30 percent of the dollar loss.

This, Mr. President, is a problem we all pay for. We pay for it in higher property insurance premiums and in higher taxes.

Analysis of 1987 to 1991 fires by the National Fire Protection Association found that residential arson averaged a cost of \$14,000 per fire. Fires set in stores, offices, and restaurants averaged a cost of \$30,000 per fire. And arson fires in manufacturing sites averaged more than \$65,000.

Beyond the obvious economic costs associated with homes and businesses lost to arson, there is a severe social consequence. In many cases the remnants from acts of arson end up as hangouts and havens for drug dealers, prostitutes, and other criminal elements. Put simply, arson breeds crime in more ways than one, contributing to fear and frustration, especially in our Nation's cities.

Finally—and more importantly—we pay for the heinous crime of arson in a way that cannot be measured—a loss that is beyond monetary considerations. This, of course, is the loss of life. Every year, Mr. President, more than 700 people—men, women, and children—die in arson fires. Beyond the deaths, there are the tortured survivors, people who often end up physically or emotionally scarred.

National Arson Awareness Week sponsored by the International Association of Arson Investigators begins the week of May 1. It serves to remind us of one of the more notorious and unfortunate chapters in recent American history, the series of devastating fires set over 3 days in Los Angeles in 1992. May 1 is the anniversary of the day those fires ended. It is my sincere hope that by focusing on the tragedy that is always, in one way, associated with arson, we can minimize, and even bring an end to this horrible crime.

As we focus attention on arson, we will better understand who sets fires and under what circumstances. Based on arson arrests, juveniles set approximately half of arson fires, usually as a way to commit vandalism. However, my definition of juveniles is broader than just teenagers. Of those arrested, 6 percent are under 10 years old.

However, it is the adult arsonists who are the most sophisticated and who cause the greater amount of destruction. Revenge often serves as a

motive for their arson. In 1990, in New York City, a man who was angry with his girlfriend, set fire to the restaurant where she worked. The end result was the death of 87 people turning his hateful act into the second-deadliest fire of the past 30 years.

What is being done to reduce the threat of arson? Many things.

Insurance companies report information on suspicious fires to the Property Insurance Loss Register, a national database, which police and fire officials use to investigate fires and prosecute arsonists. While this is not a recent development, increased use will pay bigger dividends as the amount of information in the database grows.

Also, firefighters have long received training in arson detection. Some even specialize in the field. They are highly trained and skilled in determining a fire's origin.

Recently, dogs have also assumed a new role, the role of a fire investigator's best friend. These specially trained dogs are sometimes able to sniff out what started a fire, such as gasoline, when human investigators cannot.

I am encouraged by the progress and the dedicated men and women who dedicate themselves to our safety. Arson Awareness Week is one way we can demonstrate our gratitude and encourage the rest of America to join us in fighting this destructive and pointless crime.●

#### DEMOCRACY IN TANZANIA

● Mr. SIMON. Mr. President, I speak to you today about an African country that could, this year, take another major step on the path toward democracy.

The Republic of Tanzania was formed in 1964 through the merger of two independent States: the East African State, Tanganyika, and the independent island, Zanzibar. From 1965 until his retirement in 1985, President Julius Nyerere, one of the greatest of African statesmen, headed the Tanzanian Government.

For most of its history, the Republic of Tanzania has had a single party political system. In 1985, President Nyerere was succeeded by their current leader, President Ali Hassan Mwinyi in a single party election. President Mwinyi won that election with no opposition and 96 percent of the vote. In 1990, President Mwinyi was again the sole candidate in the Presidential elections. Again, he won with 95.5 percent of the votes.

In 1992, Tanzania formally adopted constitutional amendments providing for a multiparty system. This constitutional change was not forced on the Government by a popular uprising. Instead, it was recommended by a Presidential commission and adopted by the ruling party, the Chama Cha Mapinduzi [CCM] party. I commend President Mwinyi for his leadership in moving

Tanzania a step forward on the road to greater democracy and freedom.

Since mid-1992, numerous opposition parties have been registered in Tanzania and multiparty elections have been held at local and the parliamentary by election levels. Yet, as of the results available at the end of 1994, new political parties won only 7 percent of the seats in contested elections. Half of the elections were uncontested. While the Constitution recognizes a multiparty system, the electoral policies and practices of Tanzania continue to support a single-party government.

Clearly, a decision to hold multiparty elections does not mean that democracy, political rights and civil liberties have been fully embraced. Freedom House, a highly respected non-profit organization that monitors political rights and civil liberties worldwide, rates Tanzania as not free. Likewise the Carter Center describes Tanzania as being moderately democratic, reflecting that while the Government of Tanzania makes formal commitments to a democratic transition, their deeds are not yet commensurate with their pledges.

In October 1995, Tanzania will hold its first national multiparty election. This could be, given transparent and unbiased election practices, a major achievement in the political life of Tanzania. But now is the time for the Government of Tanzania to match the rhetoric of democracy with the tangible actions needed for real democracy to blossom and flourish.

Constitutional adoption of multiparty elections has provided an opportunity for greater democracy. Freedom of the press, equal access to the public media—particularly the national radio—for all political parties, and a politically independent election commission will move democracy closer to a reality. Tanzania has made some progress in recent months. It can make significantly more in the months ahead. I encourage Tanzania's leaders to move forward to provide a level playing field for all political parties for their upcoming national elections.●

#### ORDERS FOR FRIDAY, MAY 5, 1995

Mr. DOLE. Mr. President, my understanding is that this request has been cleared with the Democratic leader, Senator DASCHLE.

I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 10 a.m. on Friday, May 5; that, following the prayer, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in day; and, that there then be a period for the transaction of morning business not to extend beyond the hour of 11 a.m. with Senators permitted to speak therein for up to 5 minutes each, except for the following: Senator DORGAN for 20 minutes.

I further ask unanimous consent that at the hour of 11 a.m. the Senate re-

sume consideration of H.R. 956, the product liability bill.

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

#### PROGRAM

Mr. DOLE. For the information of all Senators, shortly after the Senate resumes consideration of the product liability bill on Friday, I hope to be able to lay down a new substitute amendment for discussion for the remainder of Friday's session. A cloture motion will be filed on the substitute, and I hope we can reach an agreement for that cloture vote to occur at approximately 1:30 on Monday.

#### ORDER FOR RECESS UNTIL TOMORROW

Mr. DOLE. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order following the remarks of Senator SPECTER, who I understand is on the way to the floor.

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

Mr. DOLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### CLOTURE VOTE TO OCCUR AT 4 P.M. ON MONDAY, MAY 8, 1995

Mr. LOTT. Mr. President, at the direction of the majority leader, in consultation with the minority, I would like to make one change in the leader's earlier announcement.

A cloture motion will be filed on the substitute, and the cloture vote will occur at approximately 4 p.m. on Monday, instead of 11:30. This is to accommodate the maximum number of Members for that vote.

Under the prior arrangement, I believe Senator SPECTER will be recognized at this point for his remarks.

I yield the floor, Mr. President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### PRODUCT LIABILITY BILL

Mr. SPECTER. Mr. President, I have sought recognition to make a few com-

ments on the pending product liability bill and the cloture votes which were taken today; that is, the vote to close off debate so that there could be a vote on the bill ultimately on final passage, with the rules of our body having unlimited debate and the rules of our Senate requiring there be 60 Senators join on what is called cloture to close off debate, and we had two such votes today. One was 46 in favor, 53 against. The second was 47 in favor and 52 against. So it is obvious on the current State of the record, the Senate is long away from having 60 votes to close off debate and move to a final decision on product liability.

I think that when there are significant, really major, really fundamental changes to a system as profoundly important as the legal system in the United States, that it is a matter that requires very, very careful deliberation, and it is appropriate for the cloture route to be followed and for 60 votes to be required to pass legislation of this importance, of this far-reaching nature.

Mr. President, I have stated on the floor of the Senate on a number of occasions that I believe that reforms are warranted on product liability, but I think they have to be very, very carefully crafted. I believe that after experience representing both plaintiffs and defendants in litigation and having had substantial experience in products liability litigation.

The matter came up in the last Congress, and I voted for cloture at that time in the hopes that we could get a carefully crafted bill. I think that it is appropriate to have a bill which would provide for alternative dispute resolution, as is provided in the current legislation, to adopt the collateral source rule which is contested. But it provides that if an individual has bought insurance and has collected on his or her own insurance policy, then that individual cannot collect again in a lawsuit. The plaintiffs and the individuals and the consumers objected to collateral source rule on the ground that the individual has paid for it so that whatever benefit is received from the insurance policy ought not to be discounted for the defendant. But I think that on balance, given all the factors, that it is appropriate to limit that aspect of a plaintiff's recovery.

I believe that it is worthwhile to have a tightening of the rules on frivolous lawsuits, and perhaps the frivolous lawsuit is really at the core of the litigation problem in America today, lawsuits which are brought without any real merit or without any real foundation.

I think that if we could set the rules to discourage, to eliminate frivolous lawsuits, we would have really solved most of the problem that is present in the litigation system today, to stop lawsuits which are being brought