

good cause finds that conducting cost-benefit analysis is impractical due to an emergency or health safety threat that is likely to result in significant harm to the public or natural resources . . . ?

So, in other words, my question is, is my friend—indeed, is the Secretary—aware that, first of all, inspections are exempt and, second, that you can go ahead and do a rule without either cost-benefit analysis or a risk assessment if there is a threat to health or safety?

Mr. DASCHLE. Let me respond to the distinguished Senator, my friend from Louisiana, in this manner. The Secretary has examined the language to which you refer. And it is the Secretary's view that it falls far short of his standards and the expectations that he would apply to his own ability to address food safety. It is his view that this provision and many of the other provisions that the Senator has addressed in the language of the legislation is deficient. What the Secretary is simply saying is that unless we correct these deficiencies, his efforts to assure adequate standards and adequate confidence in our food safety system will be severely undermined. They are not my words. Those are the words of the Secretary himself. But the Secretary is saying that if we—

Mr. JOHNSTON. They are the Secretary's words.

Mr. DASCHLE. If I could again reconfirm that unless we address a number of these issues, the Secretary himself has indicated that it presents some serious problems for him, and he would advise we either amend the legislation or support an alternative.

So I am hopeful that whether it is through an amendment, as I will be proposing later on, or through an alternative draft, as the Senator from Ohio is proposing, we will be able to address it in a meaningful way.

Again, I would like to address it through amendments that we will be offering, but whether it is through amendments or in some manner, I think the deficiencies outlined by the Secretary ought to be of concern to everybody. It is in our interest and I think in the country's interest to try to do a better job of addressing the concerns than we have right now.

Mr. JOHNSTON. One final short question. I ask my friend to read the Secretary's letter. It pertains only to risk assessment, which, as I say, is contained in the Glenn-Daschle bill. That is all he talks about. He does not talk about the exception. I invite you and the principal author of the alternative to read your own bill, and I invite the Secretary to read the exceptions, because they except from the operation of risk assessment these inspections.

At an appropriate time, I will be offering an amendment to exempt all regulations where notice of proposed regulation was commenced prior to July 1, 1995, because I think there is a problem going back and looking at that, and maybe that will give us a

basis on which to satisfy the Secretary and everybody else.

Mr. DASCHLE. I think the Senator would be wise to do so. I think, again, it confirms that there is a lack of clarification, there is uncertainty, enough so that the Secretary has seen fit to send a letter to express his concerns. I hope that we can clarify this issue and alter the provisions of the bill in whatever ways may be necessary. I do not think we ought to minimize those concerns or the problems of the Secretary with regard to the issue before us right now. Food safety is one of our greatest concerns, and we have to ensure that we do not undermine the confidence of the American people in our food supply as we address the need for regulatory reform. That is all we are trying to do—ensure that we accomplish regulatory reform in a meaningful way, a comprehensive way, but do it in a way that does not encumber the Secretary's efforts to provide a better system of ensuring food safety than we have right now.

I yield the floor.

Mr. HATCH. Mr. President, I think the Secretary should read the bill and the comments of Senator JOHNSTON, because they are completely different from what he said in his letter.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 1493

The PRESIDING OFFICER. All time for debate has expired, and the Senate will proceed to vote on agreeing to amendment No. 1493 offered by the majority leader. 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 Missouri [Mr. BOND] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 299 Leg.]

YEAS—99

Abraham	Craig	Hatch
Akaka	D'Amato	Hatfield
Ashcroft	Daschle	Heflin
Baucus	DeWine	Helms
Bennett	Dodd	Hollings
Biden	Dole	Hutchison
Bingaman	Domenici	Inhofe
Boxer	Dorgan	Inouye
Bradley	Exon	Jeffords
Breaux	Faircloth	Johnston
Brown	Feingold	Kassebaum
Bryan	Feinstein	Kempthorne
Bumpers	Ford	Kennedy
Burns	Frist	Kerrey
Byrd	Glenn	Kerry
Campbell	Gorton	Kohl
Chafee	Graham	Kyl
Coats	Gramm	Lautenberg
Cochran	Grams	Leahy
Cohen	Grassley	Levin
Conrad	Gregg	Lieberman
Coverdell	Harkin	Lott

Lugar	Packwood	Simon
Mack	Pell	Simpson
McCain	Pressler	Smith
McConnell	Pryor	Snowe
Mikulski	Reid	Specter
Moseley-Braun	Robb	Stevens
Moynihan	Rockefeller	Thomas
Murkowski	Roth	Thompson
Murray	Santorum	Thurmond
Nickles	Sarbanes	Warner
Nunn	Shelby	Wellstone

NOT VOTING—1

Bond

So the amendment (No. 1493) was agreed to.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Is leader time reserved?

The PRESIDING OFFICER. The leader time was reserved.

Mr. DOLE. I ask that I might use my leader time.

The PRESIDING OFFICER. The majority leader is recognized.

THOUSANDS OF BOSNIANS FLEE

Mr. DOLE. Mr. President, just a short while ago, CNN reported that the so-called U.N. safe area of Srebrenica had fallen—Bosnian Serb tanks have reached the town center and thousands of the 40,000 Bosnians in the enclave have begun to flee.

The main argument made by the administration in opposition to withdrawing the U.N. forces and lifting the arms embargo on Bosnia was that such action would result in the enclaves falling and would lead to a humanitarian disaster. Well, that disaster has occurred today—on the U.N.'s watch, with NATO planes overhead.

If it was not before, it should now be perfectly clear that the U.N. operation in Bosnia is a failure. Once again, because of U.N. hesitation and weakness we see too little NATO action, too late. Two Serb tanks were hit by NATO planes today—hardly enough to stop an all-out assault that began days ago. As a result, in addition to thousands of refugees, the lives of brave Dutch peacekeepers are in serious danger.

Mr. President, there can be no doubt, the U.N.-designated safe areas are safe only for Serb aggression. What will it take for the administration and others to declare this U.N. mission a failure? Will all six safe areas have to be overrun first?

It is time to end this farce. It is time to let the Bosnians do what the United Nations is unwilling to do for them. The Bosnians are willing to defend themselves—it is up to us to make them able by lifting the arms embargo.

Mr. President, I have just been on the telephone with the Prime Minister of Bosnia, along with Senator LIEBERMAN, Prime Minister Silajdzic in Sarajevo. He was giving us the latest conditions in Srebrenica, one of the safe havens, where 40,000 men, women, and children are now fleeing Serb aggression. He also indicates that other safe havens are under attack, or threatened attack.

It seems to me that if there was ever a moment when we ought to have a

unanimous vote in this Chamber, it ought to be when we take up the resolution to lift the arms embargo. I do not know how many times it has been on the floor, how many votes we have had. We have had strong bipartisan support. And, in my view, I think it is growing.

I am not asking about committing American troops. We are talking about giving these poor people who are being killed by the dozens every day a chance to defend themselves by lifting the arms embargo, which they have a right to do as a member of the United Nations, an independent nation under article 51 of the U.N. Charter.

The right of self-defense is an inherent right, in my view. We deny them that right by not lifting the arms embargo.

I said before, the U.N. mission is a failure. I commend the courage of the U.N. protection forces there. But it seems to me that the policy is not going to change. They have had little pin pricks and they called them air strikes. They knocked out two tanks. That was the effort by NATO. According to the Prime Minister, the U.N. representative, Mr. Akashi, waited until it was too late for the air strikes to have any impact.

So we hope to work in a very bipartisan way—or a nonpartisan way, better yet—on this issue in the next week.

I ask unanimous consent that a fax just received in the last hour from the Republic of Bosnia and Herzegovina, from the Government's prime minister, Mr. Silajdzic, be printed in the RECORD.

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

THE REPUBLIC OF BOSNIA AND
HERZEGOVINA,

July 11, 1995.

Hon. ROBER DOLE,

Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR DOLE: Today, the United Nations allowed the Serb terrorists to overrun the demilitarized "safe area" of Srebrenica. Helpless civilians in this area are exposed to massacre and genocide. Once and for all, these events demonstrate conclusively that the United Nations and the international community are participating in genocide against the people of Bosnia and Herzegovina.

The strongest argument of the opponents of the lifting of the arms embargo toppled today in Srebrenica. They claimed that the lifting the arms embargo would endanger the safety of the safe areas. The people in Srebrenica are exposed to massacre precisely because they did not have weapons to defend themselves, and because the United Nations did not want to protect them. Attacks are also under way against the other safe areas in Bosnia and Herzegovina.

That is why we think it is extremely important that the American Senate votes to lift the arms embargo on the legitimate Government of Bosnia and Herzegovina.

If the Government of the United States of America claims that it has no vital interests in Bosnia, why then does it support the arms embargo and risk being associated with genocide in Bosnia and Herzegovina?

It is essential that the elected representatives of the American people immediately pass the bill to lift the arms embargo. This

will provide a clear message that the American people do not want to deprive the people of Bosnia and Herzegovina of the right to defend themselves against aggression and genocide.

Sincerely,

DR. HARRIS SILAJDZIC,
Prime Minister.

Mr. DOLE. I will conclude by saying we have always had the argument that if we lifted the arms embargo, it would result in the fall of these enclaves, these safe havens, and that would lead to humanitarian disaster. That argument is gone today because it has been overrun by the Serbs. Forty-thousand people are fleeing, and other safe havens are being attacked. So that argument is gone.

It ought to be perfectly clear that the U.N. operation is a failure. Once again, because of U.N. hesitation and weakness, we see too little NATO action too late. Two Serb tanks were hit by NATO planes, hardly enough to stop the all-out assault that began days ago. As a result, the lives of thousands of refugees and of the brave Dutch peacekeepers are in serious danger. The safe areas are safe only for Serb aggression. They are not safe for anybody else—not for the poor Moslems who are there, not for the peacekeepers, or the U.N. Protection Forces. They are being taken hostage again.

So what will it take for our Government and other governments to declare this U.N. mission a failure? Will all six areas have to be overrun? Maybe it will take that much.

So it is the view of many of us—and this is not partisan—that it is time to end this farce and let the Bosnians do what the United Nations is unwilling to do for them. The Bosnians are willing to defend themselves. In fact, this letter says that it is up to us to make them able by lifting the arms embargo. This letter says it is essential that the elected representatives of the American people immediately pass a bill to lift the arms embargo. This will provide a clear message that the American people do not want to deprive the people of Bosnia and Herzegovina of the right to defend themselves against aggression and genocide and possible massacre of thousands of civilians.

NORMALIZATION WITH VIETNAM

Mr. DOLE. Mr. President, as anticipated today, President Clinton, in a ceremony at the White House, announced that he was taking steps to normalize U.S. diplomatic relations with the Socialist Republic of Vietnam.

In his statement, President Clinton cited progress in POW/MIA cooperation. But, unfortunately the President did not address the central issue, and that is, does Vietnam continue to withhold information and remains which could easily be provided?

The President ignored this question in announcing his decision, for the very good reason that all signs point to

Vietnam willfully withholding information which could resolve the fate of many Americans lost in the war.

On Veterans Day in 1992, President-elect Clinton stated, "There will be no normalization of relations with any nation that is at all suspected of withholding any information." That was President-elect Clinton's standard. The standard was not simply cooperation.

The standard was not simply allowing field operations. The 1992 standard was at all suspected of withholding any information. No normalization if there is any suspicion of any withholding of any information. By 1994, the standard has clearly changed from suspected of withholding information to selective cooperation. As I said yesterday on the Senate floor at about this same time, if President Clinton was unable to state unequivocally that Vietnam had done all it could do, it would be a strategic, diplomatic, and moral mistake to begin business as usual with Vietnam.

President Clinton has made his decision today. Congress has no say in this decision. In the coming weeks and months, Congress will monitor the progress of relations with Vietnam. Our role will not be passive. Congress must approve any additional funds for United States diplomatic operations in Vietnam. The Senate must confirm any U.S. Ambassador to Vietnam. Any further improvement in relations will require action by Congress—granting of most-favored-nation status or beginning any operations by the Export-Import Bank, the Overseas Private Investment Corporation, or the Trade and Development Agency.

President Clinton said today that we should look to the future. I agree that we should look to the future, and examine future Vietnamese cooperation on POW/MIA issues, as well their record on human rights in the aftermath of today's announcement. But as we look to the future we should not and will not forget the past—especially the importance of doing all we can to resolve the fate of those Americans who made the ultimate sacrifice in Vietnam.

Mr. President, I yield the remainder of my leader time to the distinguished Senator from North Carolina.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 3 minutes.

Mr. HELMS. Three minutes. Well, I will make haste, then.

I thank the distinguished majority leader.

DIPLOMATIC RELATIONS WITH COMMUNIST VIETNAM

Mr. HELMS. Mr. President, President Clinton's announcement today that the United States will establish full diplomatic relations with Communist Vietnam, is a mistake, in my judgment, of