

his conviction stands up and says we believe. I saw him that day going toe to toe with the opponents of this legislation. I said to myself "Where were you? Where were you when they needed to count the people to stand up for what you believe in?"

So I came down to the floor for a few minutes. And the Senator was on the floor for hours. I was on the floor, in comparison, for a second, but entered into the debate for the first time. And I want to say to the Senator from New Hampshire that the inspiration that he showed is the reason I am here today, and the reason we are all here today is we won a tough battle. People now are thinking, "Well, 75 or 80 percent of the American public"—in fact then it was 75 to 80 percent. They had no idea. And there was a lot of misinformation out there that has now been clarified by thankfully a lot of obstetricians coming forward—hundreds of them coming forward—saying that we need to do this. The only people who are coming forward saying that this procedure is an acceptable medical procedure are those performing the procedure. No one else is. Some are saying we should allow this to continue because doctors should be able to do what they want to do; that we should not limit doctors' choices and women's choices. That is not the same as saying that this procedure is a healthy, good procedure; that they would do it, because they are not doing it and they wouldn't do it. And the Senator from New Hampshire stood up here and made the case. Unfortunately, by the skin of our teeth, we won here in U.S. Senate. I say "unfortunately." We should have won by more, if people had had all of the information that they have today. We found that out over the last several months.

I am hopeful that Republicans and Democrats alike who voted against this legislation will examine the facts. I am not even going to ask you to examine your conscience or examine your morals. Make that decision outside of that, although I hope you would not.

Examine the facts as we now know them, not as given to us by the advocates of abortion, the National Abortion Federation or Planned Parenthood, but of doctors who are out there performing these procedures, of reporters, physicians, in some cases, who have done investigative reporting to find out what is going on out there—not what they tell us but what actually is going on.

Now, you cannot hide behind what people who agree with you on this issue would like to have you believe. You have to face facts that this is not a rare procedure done to protect the lives and health of women. Anyone who stands up in this Chamber and says that this is a rare procedure done to protect the lives and health of women is not stating the facts. The facts counter that, are absolutely opposite to it.

So let us have a debate about the facts. Let us not have a debate about

the right to choose. This is not about the right to choose. Whether I like it or not, and, frankly, admittedly, I do not like it, late-term abortions will continue to be performed if this procedure is outlawed. And they have been described. We can enter into the RECORD all the varieties of other abortion procedures that can be done. So do not argue the right to choose. Do not argue it is a decision between the doctor and the patient, because the doctor and the patient have plenty of alternatives.

This is an issue about what 100 Senators believe is the line in this country. Where is that line? Or do we not have a line anymore? Have we gotten to the point in our culture that any drawing of lines is offensive to us, any determination of what is right and what is wrong is for every individual to make a choice, that there is no right and wrong anymore, it is just whatever you decide to do is OK, no matter who it affects and how it affects them.

I do not think that any Member of this Chamber believes there are no rights and wrongs and that there are no limits to what any individual can do to themselves or to somebody else. But you cannot hide from the fact that that is exactly what we are talking about here. We are talking about right and wrong. We are talking about how far we are going to let people go to infringe on the rights of others even if those others are less than perfect, are fetally abnormal.

I hope we would stand up for those children, the lesser as some would suggest, lesser children. I would suggest—and the women more importantly, the women whose letters I read earlier would suggest—that they are not lesser, not by any stretch of the imagination are they lesser. They are important members of the human family and they make a significant contribution. I bet you could ask some of those mothers and they would tell you that the child who lived 2 months made more contributions to them and to their community than people who lived there for 30 years.

I remember we in my generation always like to say when it comes to our children it is not the quantity of time, it is the quality of time you spend with your kids. How many times do you hear that? I wish that were true, but it is both. But certainly quality of time is important. Are we going to say that because their quantity of time is not going to be such for our standards, that their quality of life is not normal by our standards, that they are expendable by the most brutal procedure I think any of us have ever heard?

Oh, I have faith in the Senate. I have faith that, as I look at these empty chairs—and most of them are empty, all but the Senator from Iowa—I look at those chairs, and I can see in those chairs every Senator sitting there as they will be tomorrow, or standing down in the well, and they will have to be making a decision that they have to

come to terms with what is right and wrong, about what comes up to the line and what crosses the line. I believe that enough Senators will look inside and see that this calls for a moment to look at what the best of our humanity is about, not the worst, and they will do the right thing. I will pray for that tonight. I hope you will, too.

I yield the floor.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. I compliment the Senator from Pennsylvania for all the time he has devoted to this issue and how he causes everyone in this body and throughout America to think of the importance of this issue. I also compliment the Presiding Officer, the Senator from New Hampshire, for his leadership and his work as well.

I agree with everything the Senator from Pennsylvania has said. I am going to speak tomorrow on this issue during final debate.

CHILD PORNOGRAPHY PREVENTION ACT

Mr. GRASSLEY. Mr. President, I rise today in strong support of S. 1237, the Child Pornography Prevention Act, introduced by Senator HATCH. I am proud to be an original cosponsor of this very important piece of legislation, which would close loopholes in the current child pornography statutes created by computer technology. Now, due to the marvels of modern technology, child pornographers can use computers to create synthetic child pornography which is so realistic and life-like that no expert can distinguish it from traditional kiddie porn. S. 1237 would close that gap.

But the bill has not come up for a vote yet, even though the bill was put on the calendar over a month ago. Why is that? Why has not the Senate moved to pass this legislation quickly and send it to the House as the 104th Congress comes to an end?

The reason, Mr. President, is that some Senators from the other side of the aisle will not let the bill come up for a vote because they oppose stiff new mandatory penalties for child pornographers.

In the Judiciary Committee, I offered an amendment which would create a three-strikes-and-you're-out penalty structure for the production of child pornography. First time offenders will receive a 10-year minimum sentence. For a second offense, there would be a 15-year minimum sentence, and for a third offense, there would be a minimum sentence of 30 years to life. My amendment passed the committee after much debate.

But now, some Senators from the other side of the aisle are using senatorial privilege in order to have my amendment stripped out of the bill without ever having a vote on the matter. These Senators are literally holding the Senate hostage. In contrast,

Senators on my side of the aisle have informally offered to have another vote on this issue. But to no avail.

Mr. President, this is outrageous. I believe that the American people want tougher penalties for child molesters and child pornographers. And I am proud to have taken a leadership role on the issue. To the Democrat Senators who oppose minimum sentences for child pornographers, I say let's have a vote. Secret tricks like holds should not be used to drop the bottom out of the penalties for child pornographers.

I think that this is shameful, Mr. President. And I believe that the American people have a right to know why the Child Pornography Prevention Act is bottled up on the Senate floor. The roadblock to passage of this vitally important bill with tougher child pornography penalties is not the Republican caucus. It is not my side of the aisle which is blocking this bill trying to lower the penalties for child pornographers.

If the bill does not pass this year, the fault will rest squarely on the shoulders of the other side of the aisle.

I remain ready to vote on this matter. I encourage my friends on the other side of the aisle to come out and debate minimum sentences for child pornographers.

THE NATIONAL DEFENSE AUTHORIZATION ACT

Mr. GRASSLEY. Mr. President, I think the leadership of the Armed Services Committee deserves a lot of credit for wrapping up the conference on the fiscal year 1997 Defense authorization bill in record time.

This measure was ready before the August recess. We just could not get to it because of other pending business.

The chairman of the committee, Senator THURMOND, and the ranking Democrat, Senator NUNN, have done an outstanding job.

They resolved a number of very complicated and difficult issues, and they did it in a very timely and business-like way.

I would also like to thank the committee for protecting my amendments:

Section 217 that establishes a 1991 baseline for the independent cost estimate for the F-22 fighter; and

Section 809 that places a \$250,000 per year cap on executive compensation.

However, I am very unhappy with one part of the final bill—section 405.

I am very disappointed to see this provision in the final bill.

Section 405 authorizes an increase in the number of general officers on active duty in the Marine Corps.

It raises the current ceiling from 68 to 80 generals.

That is an increase of 12 generals.

I attempted to block this measure but failed. My amendment was defeated by a vote of 79 to 21.

The House had rejected it earlier but could not prevail in conference.

So we lost the fight.

The Marine Commandant, General Krulak, visited me in late July and helped to soften some of my objections.

For example, he assured me that the 12 new generals will be assigned to warfighting billets. That is good.

He promised me that the new generals will not fill mushrooming headquarters billets.

Those are the billets that Marine General Sheehan is so worried about.

But General Krulak's guarantees do not overcome my basic objection to the idea of adding brass at the top when the military is downsizing.

From that standpoint, section 405 of the bill defies understanding.

With 80 generals on board, the Marine Corps will have more generals than it had at the height of World War II when the Marine Corps was three times as big as it is today.

The Marine Corps is critically short of platoon sergeants. That is where we should add money—not for generals.

The Marine Corps is already top-heavy with brass.

That came through loud and clear during Operation Restore Hope in Somalia, according to Col. David Hackworth.

Colonel Hackworth's thoughts are presented in his new book entitled:

Hazardous Duty: America's Most Decorated Living Soldier Reports From the Front and Tells It the Way It Is.

Marine Lt. Gen. Robert Johnson was in charge of Operation Restore Hope in late 1992.

He had 12 rifle companies under his command or about 1,200 fighters.

But as Colonel Hackworth points out, General Johnson's headquarters strength was 1,141.

So General Johnson's headquarters staff almost outnumbered the fighters.

In all, he said, there were 12 American generals in Somalia, one for every rifle company.

A rifle company is commanded by a captain, and a captain does not need a bunch of generals giving him orders.

All he needs is one good colonel.

Colonel Hackworth concludes with this thought: "Never had so few been commanded by quite so many."

So why does a shrinking Marine Corps need more generals? The Marine Corps already has too many generals commanding troops in the field. Somalia proved that point. They aren't needed for combat. They are needed for bureaucratic infighting in the Pentagon budget wars.

The Committee makes that point crystal clear in its report. I quote: "The increase is intended to permit the Marine Corps to have greater representation at the general officer level on the Department of the Navy-Secretariat staff and in the joint arena."

The Marines think more generals at the table will mean a bigger slice of the pie or a better piece of the action somewhere down the road.

That's what this is all about: capturing important bureaucratic real estate.

Mr. President, in my mind, this is bad public policy. It's going to backfire—big time. Giving in to the Marine Corps's request will not lay this issue to rest. This is not the end of it. It's just the beginning.

It is an ominous sign of interservice rivalry that could ignite a war over who can get the most stars.

The Army, Navy, and Air Force are now going to complain: The Marines got theirs. Now we want ours.

The floodgates are about to open.

The Army, Navy, and Air Force are already lining up with their requests for more generals.

The Navy went on record in March, saying it has "331 valid flag officer requirements."

The Navy is authorized to have 220 today. Does this mean the Navy needs another 111 admirals?

The Navy is already topheavy with brass, having just about one admiral per ship.

The Army and the Air Force are even more topheavy—fatter with brass.

Yet both the Army and the Air Force are lobbying Secretary Perry to get their requests for more generals approved.

Now, while Mr. Perry is doing this, he is also telling the military to continue downsizing.

Does this make sense, Mr. President? Does it make sense to topsize when you're downsizing?

Former Chairman of the Joint Chiefs of Staff, Gen. Colin Powell, shed some light on this issue back in 1990 when post-cold-war downsizing began in earnest.

General Powell's thinking on this issue was outlined in an article that appeared in the August 1 issue of the *Washington Post*.

The article was written by Mr. Walter Pincus.

I ask unanimous consent to have this report printed in the *RECORD*.

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

[From the *Washington Post*, Aug. 1, 1996]

MARINES LAND GENERALS DESPITE SOME OPPOSITION

(By Walter Pincus)

The Marines have landed their 12 more generals and despite some opposition appear to have the situation well in hand.

House conferees yesterday reached an agreement on the fiscal 1997 defense authorization bill that will allow the Corps to appoint a dozen more generals, enlarging its top tier so that the Marines will have a fair share of representatives in joint commands and be able to fill vacant positions.

If the conference report passes both houses and is signed by President Clinton, the Marines will be entitled to raise the number of active duty generals from 68 to 80. That would give the 174,000-member Corps, one more general than it had in June 1945 when the force was 475,000 strong, according to Rep. G.V. "Sonny" Montgomery (D-Miss.), who opposed the increase.

Sen. Charles E. Grassley (R-Iowa), who led the opposition in the Senate, said yesterday he was "very disappointed and frustrated" by the House conferees' action. He said he had hoped the increase could have been held off pending a study "based on recent downsizing in the rank and file."