

our allies?" In 1983, many critics answered "no." Today, such questions are themselves—as Reagan would say—largely "impotent and obsolete."

But still, 13 years later, America has not deployed, nor is it committed to deploy, any national missile defense system. Why? In a fundamental sense, the answer lies in the triumph of politics over science. The real technological barriers have been broken. We have the know-how. Even funding is no longer the real issue.

Rather, it is the many political barriers that remain, and they are formidable. The Soviet Union is gone, and with it, the perceived threat posed by its awesome missile arsenal. Proliferation of missiles to other countries continues, but we are told that any real concern about it is premature. Today's Democrat President, like the Democrat Congresses before him, argues strenuously that the 1972 Anti-Ballistic Missile Treaty should remain as the "cornerstone" of U.S. strategic defense policy. It prohibits the deployment of effective defenses on the theory that deterrence should rest solely on threat of instant retaliation—the same theory President Reagan sought to transcend.

So the struggle for national missile defense continues. "It will take years, probably decades, of effort on many fronts," President Reagan said, and he was right.

Today, I stand proudly with those who remain committed to the moral vision articulated by President Reagan: "That the human spirit must be capable of rising above dealing with other nations and human beings by threatening their existence."

We will continue the efforts President Reagan began. And I hope, that in marking this anniversary, we can take increased devotion to the cause of world peace and freedom—that we can learn from the wisdom, the foresight, the courage and the example of President Reagan.

Like Ronald Reagan before us, we pursue this cause not because some public opinion poll told us it was the popular thing to do. We act because we know it is the right thing to do for our country and for future generations.

EXHIBIT 1

ADDRESS TO THE NATION ON NATIONAL SECURITY BY PRESIDENT RONALD REAGAN, MARCH 23, 1983

The calls for cutting back the defense budget come in nice, simple arithmetic. They're the same kind of talk that led the democracies to neglect their defenses in the 1930's and invited the tragedy of World War II. We must not let that grim chapter of history repeat itself through apathy or neglect.

This is why I'm speaking to you tonight—to urge you to tell your Senators and Congressmen that you know we must continue to restore our military strength. If we stop in midstream, we will send a signal of decline, of lessened will, to friends and adversaries alike. Free people must voluntarily, through open debate and democratic means, meet the challenge that totalitarians pose by compulsion. It's up to us, in our time, to choose and choose wisely between the hard but necessary task of preserving peace and

freedom and the temptation to ignore our duty and blindly hope for the best while the enemies of freedom grow stronger day by day.

The solution is well within our grasp. But to reach it, there is simply no alternative but to continue this year, in this budget, to provide the resources we need to preserve the peace and guarantee our freedom.

Now, thus far tonight I've shared with you my thoughts on the problems of national security we must face together. My predecessors in the Oval Office have appeared before you on other occasions to describe the threat posed by Soviet power and have proposed steps to address that threat. But since the advent of nuclear weapons, those steps have been increasingly directed toward deterrence of aggression through the promise of retaliation.

This approach to stability through offensive threat has worked. We and our allies have succeeded in preventing nuclear war for more than three decades. In recent months, however, my advisers, including in particular the Joint Chiefs of Staff, have underscored the necessity to break out of a future that relies solely on offensive retaliation for our security.

Over the course of these discussions, I've become more and more deeply convinced that the human spirit must be capable of rising above dealing with other nations and human beings by threatening their existence. Feeling this way, I believe we must thoroughly examine every opportunity for reducing tensions and for introducing greater stability into the strategic calculus on both sides.

One of the most important contributions we can make is, of course, to lower the level of all arms, and particularly nuclear arms. We're engaged right now in several negotiations with the Soviet Union to bring about a mutual reduction of weapons. I will report to you a week from tomorrow my thoughts on that score. But let me just say, I'm totally committed to this course.

If the Soviet Union will join with us in our effort to achieve major arms reduction, we will have succeeded in stabilizing the nuclear balance. Nevertheless, it will still be necessary to rely on the specter of retaliation, on mutual threat. And that's a sad commentary on the human condition. Wouldn't it be better to save lives than to avenge them? Are we not capable of demonstrating our peaceful intentions by applying all our abilities and our ingenuity to achieving a truly lasting stability? I think we are. Indeed, we must.

After careful consultation with my advisers, including the Joint Chiefs of Staff, I believe there is a way. Let me share with you a vision of the future which offers hope. It is that we embark on a program to counter the awesome Soviet missile threat with measures that are defensive. Let us turn to the very strengths in technology that spawned our great industrial base and that have given us the quality of life we enjoy today.

What if free people could live secure in the knowledge that their security did not rest upon the threat of instant U.S. retaliation to deter a Soviet attack, that we could intercept and destroy strategic ballistic missiles before they reached our own soil or that of our allies?

I know this is a formidable, technical task, one that may not be accomplished before the end of this century. Yet, current technology has attained a level of sophistication where it's reasonable for us to begin this effort. It will take years, probably decades of effort on many fronts. There will be failures and setbacks, just as there will be successes and breakthroughs. And as we proceed, we must remain constant in preserving the nuclear

deterrent and maintaining a solid capability for flexible response. But isn't it worth every investment necessary to free the world from the threat of nuclear war? We know it is.

In the meantime, we will continue to pursue real reductions in nuclear arms, negotiating from a position of strength that can be ensured only by modernizing our strategic forces. At the same time, we must take steps to reduce the risk of a conventional military conflict escalating to nuclear war by improving our nonnuclear capabilities.

America does possess—now—the technologies to attain very significant improvements in the effectiveness of our conventional, nonnuclear forces. Proceeding boldly with these new technologies, we can significantly reduce any incentive that the Soviet Union may have to threaten attack against the United States or its allies.

As we pursue our goal of defensive technologies, we recognize that our allies rely upon our strategic offensive power to deter attacks against them. Their vital interests and ours are inextricably linked. Their safety and ours are one. And no change in technology can or will alter that reality. We must and shall continue to honor our commitments.

I clearly recognize that defensive systems have limitations and raise certain problems and ambiguities. If paired with offensive systems, they can be viewed as fostering an aggressive policy, and no one wants that. But with these considerations firmly in mind, I call upon the scientific community in our country, those who gave us nuclear weapons, to turn their great talents now to the cause of mankind and world peace, to give us the means of rendering these nuclear weapons impotent and obsolete.

Tonight, consistent with our obligations of the ABM treaty and recognizing the need for closer consultation with our allies, I'm taking an important first step. I am directing a comprehensive and intensive effort to define a long-term research and development program to begin to achieve our ultimate goal of eliminating the threat posed by strategic nuclear missiles. This could pave the way for arms control measures to eliminate the weapons themselves. We seek neither military superiority nor political advantage. Our only purpose—one all people share—is to search for ways to reduce the danger of nuclear war.

My fellow Americans, tonight we're launching an effort which holds the promise of changing the course of human history. There will be risks, and results take time. But I believe we can do it. As we cross this threshold, I ask for your prayers and your support.

Thank you, good night, and God bless you.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 5 minutes each.

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

QUARTERLY REPORTS—1996 APRIL

The mailing and filing date of the April quarterly report required by the Federal Election Campaign Act, as amended, is Monday, April 15, 1996. All principal campaign committees supporting Senate candidates in the 1996 races must file their reports with the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116. Senators may wish to advise their campaign committee personnel of this requirement.

The Public Records office will be open from 8 a.m. until 7 p.m. on April 15, to receive these filings. For further information, please contact the Office of Public Records on (202) 224-0322.

REGISTRATION OF MASS MAILINGS

The filing date for 1996 first quarter mass mailings is April 25, 1996. If a Senator's office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office on (202) 224-0322.

COAST GUARD AUTHORIZATION ACT OF 1996

Mr. LOTT. Mr. President, I support the motion to go to conference on S. 1004, the Coast Guard Authorization Act of 1996. Both the House and the Senate have passed versions of this bill. The House called for a conference with the Senate to resolve differences in the bill and appointed conferees. The Senate must respond to this request. We need to do this before the recess so staff can meet and have issues ready for the conferees to vote on in early April.

My colleague from South Carolina opposes going to conference on this bill. I do not understand why he is so opposed to going forward with this basic process. Last time I checked, conference is the process to resolve differences between the House and the Senate. The House has its bill. We have the Senate bill. Conferees sit down together to iron out the differences. Why should he object?

I know there is a provision in the House-passed Coast Guard bill that my colleague opposes. Each year, hundreds of foreign crewmembers file suit in U.S. courts against foreign ship owners in U.S. courts. Since 1989, 724 of these cases have been filed in one Florida county alone. The House bill includes a provision that would address this flood of nonresident crew cases against ship owners being brought in the United States. The House passed this provision as part of the Coast Guard bill twice.

Mr. President, I happen to agree with the House provision. There is no public or private policy reason to litigate these cases in the U.S. legal system.

These cases: Contribute to the overcrowding of court dockets, frustrate the ability of U.S. citizens to obtain timely resolution of their claims, and require citizens to serve as jurors on cases which do not affect U.S. public or private interests.

In Dade County, FL, it costs about \$3,000 a day to conduct a jury trial. The U.S. taxpayer and consumer should not bear the cost of litigating these cases in our courts.

Of course we know who opposes this provision—the trial lawyers. There is no reason for these foreign cases to be heard in U.S. courts at the expense of the U.S. taxpayer, but a small handful of trial attorneys enriched by these cases resist any change. The trial lawyers as a group resist this tiny change because they see it as the camel's nose under the tent.

We have seen this from the trial lawyers before:

We saw it with reform of the general aviation liability laws. The lawyers nearly wrecked a whole industry before Congress was able to enact a very modest reform.

We saw it with modest efforts to reform securities laws. The President vetoed this measure at the urging of the trial lawyers and sustained his first veto override.

We saw it as recently as last week with efforts to oppose reasonable product liability laws. The trial lawyers may prevail on the President to veto this as well.

To take a quote from a former candidate, the trial lawyers will oppose any legal reform until hell freezes over, and then they will fight on the ice. That is what is happening here.

The trial lawyers do not care what is good for the country, what makes sense for consumers and businesses, what the burden is to the taxpayer. They only care if it enhances their ability to rake in huge contingency fees. If a change affects that ability, they will oppose it no matter how reasonable or meritorious.

A recent Florida Supreme Court case highlighted the problem created in Florida by lawyers using its courts for the whole world's litigation. In *Kinney System, Inc. versus The Continental Insurance Co.*, the Florida court noted that the growing trend of lawyers filing suit in the United States for injuries occurring outside the United States was growing to abusive levels. The court was concerned about the burden these cases impose on trial courts. The court concluded, "(n)othing in our law establishes a policy that Florida must be a courthouse for the world, nor that the taxpayers of the State must pay to resolve disputes utterly unconnected with this State's interests." I agree.

Mr. President, the forum selection provision in the House Coast Guard bill

is a reasonable legal reform that attempts to address part of the problem described in the Kinney case.

The provision will: Help assure the U.S. courts are available for U.S. citizens, provide an alternative to devoting scarce judicial resources to cases utterly unconnected to the Nation's interests, and assure that nonresident alien seamen receive fair treatment.

It does not affect the ability of U.S. citizens or permanent resident aliens to bring suit in U.S. courts.

It does not leave foreign crewmembers without a remedy. The provision would honor forum selection provisions in foreign employment contracts where there is an adequate remedy available to the seaman. And these remedies are available in other countries. Contrary to what the trial lawyers may want to believe, the United States is not the only civilized nation in the world. I have a whole stack of letters from different countries outlining the remedies available to seamen: Jamaica, Canada, Greece, Italy, Norway.

Mr. President, I could go on, but this issue should be resolved in conference. Its in the House bill—its not in the Senate bill. We need to resolve the differences between the House and the Senate on this important bill and go on and send it to the President. The only way we are going to do this is agree to the House request for a conference and appoint conferees. I urge my colleagues to do that and let the Senate get on about its business.

TRIBUTE TO SENATOR RUSSELL AND SENATOR NUNN

Mr. BYRD. Mr. President, I want to comment on two very distinguished Senators from Georgia, Senator Richard Brevard Russell and his successor, the very able Senator SAMUEL AUGUSTUS NUNN. On January 24, 1996, I had the great pleasure of taking part in the dedication of a statute of Senator Russell in the rotunda of the Russell Senate Office building. The unveiling of Senator Russell's statue last month occurred 25 years after Senator Russell's death in 1971. I was very pleased to be a part of this ceremony, because of my own high regard and esteem for Senator Russell. Twenty-four years ago, in 1972, I offered the resolution to rename the "Old Senate Office Building," as it was then known, in honor of Senator Russell. The grandeur embodied in both the building and the statue are fitting monuments to the very great legacy of statesmanship bequeathed to us by Senator Richard Brevard Russell.

The statue of Senator Russell stands in front of the entry to the Senate Armed Services Committee, where Senator Russell served as chairman for fifteen years during his 38-year Senate career, and where Senator NUNN has served as chairman and ranking member for ten years. Senator SAM NUNN is a worthy successor to Senator Russell's great legacy on national defense.