

must make our election between economy and liberty, or profusion and servitude." Isn't it about time that Congress heeded the wise words of the author of the Declaration of Independence?

**JUSTICE FLORENCE K. MURRAY—
40 YEARS OF EXCELLENCE**

Mr. PELL. Mr. President, I rise to share with my colleagues the good news of a major landmark in Rhode Island history and in the life of Justice Florence Kerins Murray. This month we celebrated the 40th anniversary of her appointment as the first woman justice in Rhode Island history.

I have known and admired Justice Murray for much of my life, and I would like to share some of the many highlights of this remarkable woman's dramatic career with you.

She was born in Newport on October 21, 1916, educated in Newport public schools and received her B.A. from Syracuse University. After a brief teaching career at the Prudence Island School, she earned her LL.B. in 1942 from Boston University Law School and was admitted to the Massachusetts Bar.

With World War II in progress, Justice Murray enlisted in the Women's Army Corps, and was commissioned as a second lieutenant in 1942. Serving in a variety of posts she left the corps as a lieutenant colonel at war's end, only to be recalled to duty for a special assignment in 1947.

Returning to Rhode Island, she sat for the State bar, was admitted, and practiced law alone and in association with her husband, Paul F. Murray, to whom she was married in 1943 at St. Mary's Church, Newport. They are the parents of a son, Paul M. Murray.

She began her distinguished political career in 1948, serving simultaneously on the Newport School Committee and in the Rhode Island State Senate until 1956. She focused on issues ranging from the welfare of children and youth to facilities for the elderly.

In 1956, Florence Murray was appointed by Governor Dennis J. Roberts as an associate justice of the Rhode Island Superior Court, the first woman justice in Rhode Island history.

Twenty-two years later she became the first woman presiding justice of that court. In 1979, she was elected to her present position on the Rhode Island Supreme Court, one of the first women to serve on a State court of last resort in the United States.

Justice Murray's career is marked by service and leadership in the regional and national Trial Judges Association, and the National Judicial College—where she served as chair of the board of directors of the college.

The recipient of numerous awards for outstanding service, including nine honorary doctorates, Justice Murray was honored at a ceremony 6 years ago in which the Newport County Courthouse was rededicated as the Florence Kerins Murray Judicial Complex.

Once again, it was a first. The program notes from the ceremony state the rededication "marks the first time that a major court facility in the United States has been designated in honor of a woman jurist."

Justice Murray is truly a wonderful, remarkable individual who has earned her place in the history of both Rhode Island and the Nation. I know that I reflect the thoughts of countless Rhode Islanders as we wish her well on the 40th anniversary of her appointment as a Rhode Island State Justice.

VIETNAM HUMAN RIGHTS DAY

Mr. KENNEDY. Mr. President, this past Saturday was Vietnam Human Rights Day, and I join in urging all Members of the Senate to express their support for it. Six years ago, on May 11, 1990, one of Vietnam's foremost human rights advocates, Dr. Nguyen Dan Que, published the Manifesto of the Non-Violent Movement for Human Rights in Vietnam. Vietnam Human Rights Day marks that historic occasion. The manifesto calls on the Vietnamese Government to respect basic human rights, establish a multiparty system of government, and allow free and fair elections.

Tragically, Dr. Que's appeal led to his arrest and imprisonment in 1990. He was sentenced to 20 years of hard labor, and he has spent the past 2 years in solitary confinement.

Last November, Dr. Que and Prof. Doan Viet Hoat, a leading Vietnamese dissident who has also been imprisoned, were recipients of the Robert F. Kennedy Human Rights Award. At that time, I called on the Vietnamese Government to release Dr. Que and Professor Hoat and all political prisoners in Vietnam. Today, 6 months later, Dr. Que and Professor Hoat and other political prisoners remain in prison, and their plight and the future of human rights in Vietnam remain bleak.

I take this opportunity on Vietnam Human Rights Day to call on the Government of Vietnam to respect fundamental human rights and release their political prisoners. The people of Vietnam have waited too long for these basic changes to take place.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

**THE FUTURE OF THE ATLANTIC
ALLIANCE**

Mr. KYL. Mr. President, this weekend there was an important conference in Prague, the Czech Republic, in which both Europeans and Americans discussed the future of the Atlantic alliance.

I wanted to report briefly on that and submit statements for the RECORD later.

First, let me ask unanimous consent to have printed in the RECORD an op-ed piece written by our colleague, the Senator from Mississippi, Senator COCHRAN, relating to the subject of missile defense.

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

[From the Washington Post, May 8, 1996]

UNREADY FOR ROGUE THREATS

(By Thad Cochran)

When it comes to thinking about ballistic missile defense (BMD), most opponents of defending America are mired in the logic of the Cold War. Critics would do well to consider new ideas, as their old logic is inadequate for the emerging security environment.

It was suggested in an op-ed piece by Michael Krepon [The Last 15 Minutes, March 27] that the START process of reducing the number of Russian nuclear weapons should be a preferred alternative to national missile defense. This argument is, in fact, a staple from the past. The ability to defend against Soviet missiles was considered anathema to achieving U.S.-Soviet strategic arms control agreements, and therefore it was sacrificed for the goal of reducing Soviet nuclear arms through negotiation.

This position, questionable at the time, now ignores reality. It misses one of the primary features of the changed world: the proliferation of missiles and nuclear weapons to rogue states outside the old East Bloc. The central point of the Defend America Act now before Congress is that American cities must be protected against those rogues now bent on acquiring long-range missiles and nuclear, biological and chemical weapons. The START process does not help us here—it doesn't even apply.

START II, ratified by the Senate with overwhelming bipartisan support, cannot and does not pretend to take a single missile or mass-destruction weapon out of the hands of countries such as North Korea, Iran and Libya. The Defend America Act calls for defenses against the limited missile arsenals existing and sought by such rogue states.

The notion is also put forward that we should focus on various multilateral and nonproliferation measures instead of national missile defense. Again, the old Cold War debating tactic of pitting diplomatic efforts against BMD shines through. And again, it does not fit the new world. We know that diplomatic efforts to prevent the spread of missile technology alone are inadequate to address the proliferation threat.

Despite some modest diplomatic successes, such as with the Missile Technology Control Regime, the list of countries acquiring missiles and mass-destruction weapons continues to grow. Rogue states have proven themselves capable of sidestepping our diplomatic nonproliferation measures. For example, inspections in Iraq, the world's most heavily inspected regime, have been on the ground for years, yet we are regularly surprised by new revelations of previously unknown Iraqi proliferation efforts.

Diplomatic efforts to help slow the pace of proliferation must continue. But nobody should be fooled into believing that arms control agreements alone can solve the problem; and nobody should be fooled by the old Cold War argument that missile defense must be sacrificed to pursue various arms control efforts. This is not an either/or choice, as the critics would like us to believe.

It should be common knowledge, but it isn't, that America has no operational national missile defense system. Consequently, because we cannot be confident in our various diplomatic efforts to stop missiles before the "last 15 minutes" of their deadly flight, it makes sense to focus attention and resources now on the capability to intercept missiles and warheads before they reach their targets. The proliferation of missiles and mass-destruction weapons now makes missile defenses essential to American security.

Some argue that there is no missile threat to the United States for the foreseeable future. This notion comes on the heels of statements by Chinese officials to American officials that the United States would not support Taiwan in a crisis because of the Chinese capability to rain nuclear bombs on Los Angeles. It also ignores the fact that, according to U.S. intelligence estimates and private accounts, the North Koreans have in development a missile that, when operations, will be able to target parts of the United States. In the past, the North Koreans have sold missiles to anybody with the cash to pay. How far and wide might this missile be sold? Nobody inside or outside the intelligence community knows.

We do know that North Korea has sold its missiles to rogue states in the past, including Iran. We also know that Libya's Qadhafi and Saddam Hussein have both expressed their longing for missiles and nuclear weapons with which to threaten the United States, and willing sources of technology and brain power exist to help them.

For America to delay moving ahead on BMD until multiple rogue missile threats emerge—and there is consensus in the intelligence community that such is the case—carries high risks that Americans need not be vulnerable to.

Some think tanks may be able to convince American leaders that they should not worry about emerging missile threats, but providing the common defense is a constitutional responsibility those in authority dare not forfeit or ignore. That is why I support the Defend America Act and that is why the president should sign it.

Mr. KYL. Mr. President, the conference to which I referred was to discuss the future of the Atlantic alliance given the fact that the Central European nations of Europe have not yet been taken into either the economic or the political organizations to which the Western European nations have belonged since the end of World War II. Specifically, would these countries be taken into NATO, and would they be taken into the community of European nations in terms of the economic arrangements that currently exist? The answer to those questions by most of the members at this conference was that it was time for the Western European nations, including the United States, to reach out to the Central European countries like the Czech Republic, Poland, Hungary, and others who wished to be a part of the alliance both to develop stronger economic ties and also to provide for common security arrangements. The basis for this conclusion was primarily philosophical, not practical, though the practical benefits of the arrangement are clear for all to see.

From a practical standpoint, it goes without saying that exports and imports benefit all nations participating,

that there are benefits to common defense, and certainly from the United States' perspective a forward defense by having friends in Europe as preferable to an isolationist position. But the philosophical reasons were the ones that were dwelt upon by the participants in this Atlantic alliance conference because of the understanding that the Western nations, among others in the world, share a common set of values, a common heritage, and an understanding that mankind should be free, that government should protect that freedom and independence based upon the philosophical and moral values of the Western nations. There is a sense that we do not have an option to be apart but rather must continue to work together to advance that philosophy.

Why is that so? Mr. President, it is important for the people of the United States to see the advantages of democracy in the world. If I could sum up in one sentence what our national interest is abroad, it would be to advance the cause of democracy for the peoples who share that common value with us.

As I said, it benefits the United States from a philosophical point of view because, if there is conflict in the world, the United States is less free not only from a military point of view but from the point of view of the rights that we exercise as American citizens. We know from the depths of the cold war that Americans were less free at home because of the commitments that we had to make abroad.

That is why, both from a practical and a philosophical point of view, it is important for the United States to participate with our Western European allies and why it is important for all of us to try to advance the cause of freedom by extending the number of democratic states in the world.

There is another important point that was reached by most participants in the conference. That was that of all of the threats that face the civilized nations of the world today, as Lady Margaret Thatcher said in one of the key addresses at the conference, the most critical threat of all is the threat of weapons of mass destruction and the missiles to deliver those weapons. That same theme was articulated by others at the conference as well.

The conclusion of the policy statement at the conference was that a concerted action by the alliance leaders to develop and to deploy an effective ballistic missile defense for all of the democratic peoples of the world was an important goal for us to be achieving, and that, if we could achieve that goal, we would no longer have to answer the question of why NATO continued to have a purpose in the world today.

Conceived as an organization to protect Western Europe from the threat of communism and the expansion of communism, some have felt that NATO has no more purpose because that ideological threat no longer exists. That is true; but what does exist is the threat

from rogue nations, whether ideologically oriented or not, rogue nations who are, one could say, the world's criminal element because they have no regard for the democratic rights of other nations and have exhibited aggressive tendencies. Iraq and Iran are two of the most recent examples. These are nations, along with others like North Korea, who have acquired or are acquiring both weapons of mass destruction and the missiles, the means, to deliver them, and who can use those missiles not only in military activity against the Western alliance such as in the gulf war but also in conduct of their foreign policy to blackmail states such as the Western European nations and the United States.

Let me conclude with this point. As Margaret Thatcher pointed out to the conference, the threat is primarily against nations of the so-called civilized world attempting to advance legitimate foreign policy goals by making threats with the use of ballistic missiles. If Iraq, for example, had had a nuclear capability and we knew that, the question that I posed in the conference was, would the United States have, and would the United States conference have voted to use military action against Saddam Hussein? It was a close enough question in the conference even knowing that we could defeat Saddam Hussein, but if Saddam Hussein had had a nuclear warhead, or if we knew that he would use chemical or biological weapons, would the United States Congress have voted to thwart his actions after he invaded Kuwait? For that matter, would the European nations have joined the grand coalition if they knew that they were vulnerable to a missile attack from Saddam Hussein?

Asking that question raises the point of the use of these weapons for blackmail, because a nation which can blackmail, others obviously is a criminal nation and a nation who can expand its foreign policy goals and thwart ours. But with the development and deployment of effective missile defenses, that ability to blackmail is gone because the United States and the Western European allies, who would have such an effective defense at that point, would be able to say to Saddam Hussein or to the rulers of Iran or North Korea or Syria, whatever country it might be, "You cannot push us around; you cannot threaten the nations of Europe; you cannot threaten your neighbors with these ballistic missiles because, as you know, we can destroy them; we have a defense against them."

So, Mr. President, I think it is an important development that, at this Atlantic alliance, leaders there concluded by and large that it was important for us to develop in a concerted way—our European allies as well as the United States—an effective ballistic missile defense to thwart this blackmail use of weapons of mass destruction by the outlaw or so-called rogue regimes of the world.

I will just conclude by saying that the importance of the United States proceeding with this and bringing it to the floor in the next couple of weeks, along with the budget that we will be debating later this week and the authorization bill for the Armed Services Committee which the distinguished Presiding Officer sits on—as we debate this bill we will be discussing specifically the issue of whether or not we will continue to adequately fund and to begin deployment of an effective missile defense system.

That will be a matter of great debate on this Senate floor, and I hope my colleagues, in consideration of that, will pause and reflect upon the conclusions of this Atlantic alliance which, as I said, has now come much farther along the path of agreeing that in the end there should be a coordinated, combined effort. It would not just be the United States, but it would be our Atlantic allies as well participating with us in some kind of effective global ballistic missile defense system.

Mr. President, I will at a future time insert in the RECORD some of the statements that were made at this important conference. For the moment, I simply wanted to alert my colleagues to the fact that, as we begin this budget debate and as we begin the debate on the Defense authorization bill, a consensus is developing around the world, and the United States needs to lead in this effort. I know the distinguished Presiding Officer and I will be involved in that debate in a significant way as it unfolds in the next few days.

Thank you, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMITH). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

Under the previous order, the time until 3:30 shall be under the control of the Senator from Georgia.

Mr. COVERDELL. I thank the Chair.

It is my understanding that before the Senate we have a cloture motion against the travel provision against which lays the majority leader's proposal to repeal the administration's 4.3-cent gas tax inaugurated in August 1993. Is that correct?

The PRESIDING OFFICER. The motion the Senator talks about will be voted on tomorrow.

Mr. COVERDELL. At what time, if I might ask the Chair?

The PRESIDING OFFICER. It is set for 2:15 p.m.

GAS TAX AND THE BUDGET

Mr. COVERDELL. Mr. President, for an extended period of time, we have been engaged in an attempt to repeal the President's and this administra-

tion's imposition of a 4.3-cent gas tax that was imposed on the country in August 1993. The President has now said that he will sign the repeal of this gas tax, and he gave several suggestions as to how it should be funded. The other side of the aisle for the last week has been standing in front of our attempt to repeal this gas tax; it has gotten caught up in the minimum wage, whereupon the majority leader came forward with new suggestions about the new workplace. That was objected to by the other side of the aisle.

We are now in the midst of having to file a cloture motion to see if we can end debate on the majority leader's suggestion and proposal to repeal the gas tax. As the Chair has suggested, there will be a vote at 2:15 p.m. tomorrow on whether or not we can come to cloture, whether or not we can end debate, whether or not we can stop day after day after day of standing in the way of the repeal which is so important to America's average working families.

The specific amendment offered by Senator DOLE, repeals the 4.3-cent-per-gallon gas tax until December 31, 1996, although there are many of us—this is the interim repeal—who, in the budget, want to repeal it permanently. It expresses the sense of Congress that 4.3 cents per gallon should be passed on to the consumers.

There has been a lot of discussion about whether or not this would actually get to the pump and that the price was lowered in the midst of these very large gasoline prices at the pumps all across the country. So this has a sense of the Congress that this reduction in tax we expect to see occur at the pump. It authorizes a study by the Comptroller General as to whether the 4.3-cents-per-gallon savings were passed through to the consumer. That report would be due January 31, 1997.

The repeal does not add to the deficit. It specifically pays for it. This has been modified; \$800 million of this tax relief will come in reduced expenditures at the Department of Energy in their administrative overhead; \$2.5 billion of this tax relief will come from the spectrum auction completed by March 1997, and \$1.7 billion in the offset from the bank insurance fund and the savings association insurance fund, raising the revenues to capitalize that fund, reduce pressure on the general fund, bringing \$1.7 billion in additional tax relief.

So, as you can see here, it is about \$4.5 billion worth of tax reductions on the average working families in our country.

With regard to the suggestions which began to surface last week that this was an exercise in futility because the American people would never see it, you will note that it commissions the Comptroller General to certify that the consumers got it. It has a sense of the Congress suggesting that it must be passed on to the consumers.

In addition to this, when Senator DOLE spoke late last week, he intro-

duced into the RECORD letters from Arco, Texaco, and Exxon. Here is one:

ARCO Chairman and CEO, Mike R. Bowlin, said today that "if the Federal Government reduces the gasoline excise tax by 4.3 cents per gallon, ARCO will immediately reduce its total price at its company-operated stations and to its dealers by 4.3 cents per gallon."

A similar letter from Texaco, Incorporated; a letter to Senator DOLE from the American Bus Association:

DEAR SENATOR DOLE: On behalf of the American Bus Association, I thank you once again for your proposal to repeal the 4.3 cents per gallon deficit reduction fuel tax. We fully support your efforts in this regard.

From Carol Hallett, the Air Transport Association:

DEAR MR. LEADER: We have been asked whether the reduction in the 4.3 cents-per-gallon transportation fuels tax will result in lower air fares to consumers. As you know, the Air Transport Association has no role in the setting of air fares. Moreover, we do not suggest or take any action which may result in our member carriers adjusting fares. However, notwithstanding those limits, I would like to address your inquiry.

It goes on to say that it would, indeed, reduce air fares.

So air fares, bus fares, cab fares, the working family, the car pool, this effort puts additional and very much needed funds into the checking account of every working family, every working business, all those who depend on public transportation and private transportation. It has a positive effect that is reached all across the board.

So, I am very hopeful that this week we will see a conclusion and a positive step taken on behalf of American families and businesses all across our land as we begin the process of reducing the economic burden on those families.

Mr. President, I understand the Presiding Officer would like to speak on this proposal. I am prepared to yield up to 10 minutes to the Presiding Officer to match with his schedule, and then I will assume the role of Presiding Officer during the remarks of the Senator from Wyoming.

(Mr. COVERDELL assumed the chair.)

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Wyoming.

Mr. THOMAS. Mr. President, I would like to take advantage of the 10 minutes you granted to talk a little bit about this tax decrease that is on our menu today. We have talked about it for some time, but I think it is always useful to refresh ourselves about exactly what we are talking about, as the Senator from Georgia indicated, and I appreciate him bringing together this time to talk about it.

We are talking about 4.3-cent tax cut on the gas tax. The average gas tax in this country is about 38 cents, about half of which is Federal, half of which is State. We had a chart the other day at a hearing that we held. It showed the cost of crude, the cost of refining, and the cost of taxes. The three of