

extraneous to the debate. And for those who may still be unclear what a partial birth abortion procedure is, it is this: a fully formed baby—in most cases a viable fetus of 23–26 weeks—is pulled from its mother until all but the head is delivered. Then, a scissors is plunged into the base of the skull, a tube is inserted and the child's brains are suctioned out so that the head of the now-dead infant collapses and is delivered.

Partial birth abortion is tragic for the infant who loses his or her life in this brutal procedure. It is also a personal tragedy for the families who choose the procedure, as it is for those who perform it—even if they aren't aware of it. But partial birth abortion is also a profound social tragedy. It rips through the moral cohesion of our public life. It cuts into our most deeply held beliefs about the importance of protecting and cherishing vulnerable human life. It fractures our sense that the laws of our country should reflect long-held, commonly accepted moral norms.

Yet this kind of tragedy—can be an unexpected catalyst for consensus, for new coalitions and configurations in our public life. The partial birth abortion debate moves us beyond the traditional pro-life/pro-choice lines of confrontation to hollow out a place in the public square where disparate individuals and groups can come together and draw a line that they know should not be crossed.

The stark tragedy of partial birth abortion can be the beginning of a significant public discussion, where we define—or redefine—our first principles. Why is such a discussion important? Precisely because it throws into relief the fundamental truths around which a moral consensus is formed in this country. And, as John Courtney Murray reminds us in *We Hold These Truths*, Catholic Reflections on the American Proposition, a public consensus which finds its expression in the law should be “an ensemble of substantive truths, a structure of basic knowledge, an order of elementary affirmations . . .”

If we do not have fundamental agreement about first principles, we simply cannot engage one another in civil debate. All we have is the confusion of different factions locked in their own moral universe. If we could agree publicly on just this one point—that partial birth abortion is not something our laws should sanction, and if we could then reveal the consensus—a consensus that I know exists—against killing an almost-born infant, we would have significantly advanced the discussion about what moral status and dignity we give to life in all its stages. Public agreement, codified by law, on this one prohibition gives us a common point of departure, a common language even, because we agree, albeit in a narrow sense, on the meaning of fundamental terms such as life and death. And it is with this common point of departure and discourse—however narrow—that we gain a degree of coherence and unity in our public life and dialogue.

I truly believe that out of the horror and tragedy of partial birth abortions, we can find points of agreement across ideological, political and religious lines which enable us to work toward a life-sustaining culture. So, as hundreds of thousands of faithful and steadfast citizens come together to participate in this year's March for Life let us remember that such a culture, the culture for which we hope and pray daily, might very well be achieved one argument at a time. ●

PRESIDENT'S BUDGET PROPOSAL FOR AVIATION

● Mr. MCCAIN. Mr. President, I rise today to express my deep disappointment in the President's 1998 budget re-

quest for critical aviation safety and infrastructure purposes. Most notably, the administration proposes to fund the Airport Improvement Program [AIP] at only two-thirds of its current level. This represents a drastic cut to our Nation's airport grant program, which supports airport safety, security, and capacity programs.

Mr. President, the administration has assured the American public of its commitment to a safe and secure aviation system. Without adequate resources, this assurance rings hollow.

For instance, the White House Commission on Safety and Security is due to report tomorrow on a number of steps we should take to enhance the security of the aviation system. I expect the Commission will offer valuable insight on where we should go from here to implement additional security enhancements. How we pay for these enhancements is a significant issue.

In addition, Congress approved and the President signed into law the Federal Aviation Reauthorization Act of 1996. Administration officials hailed the importance of the bill's safety and security initiatives. We all joined together at the signing ceremony in praise of the legislation's security improvements. However, these improvements are meaningless without adequate financial support. For politicians to praise their own efforts in a press conference and yet fail to provide sufficient resources is cynical, at best.

Again, I want to be clear. The administration's actions and assurances are only as good as the resources allocated to implement them. Unfortunately, the administration submitted a budget request significantly short on aviation capital improvements, so that he can use these resources elsewhere in the budget to support his spending initiatives. Meanwhile, he knows he can count on Congress to step up to the plate and restore funding for vital aviation initiatives. Such budget chicanery is neither serious nor responsible.

Past experience bears out this point. When President Clinton took office, the Airport Improvement Program was a \$1.9 billion program. Every year, Congress has funded the program at a level higher than the request. For example, in fiscal year 1996, the AIP request was for \$1.3 billion, and Congress enacted a \$1.45 billion level. In fiscal year 1997, the administration requested \$1.35 billion and Congress responded with a \$1.46 billion appropriation. At the same time, the administration claimed record-level investments in transportation infrastructure improvements.

The AIP funds more than just airport construction projects, which make airports safer and enhance the system's ability to handle ever increasing levels of air traffic. Airports also use these funds to support their security programs and purchase security-related equipment.

The Administration's budget request also proposes reduced funding for the FAA facilities and equipment account.

This account is the principal resource for modernizing and improving the air traffic control system, providing enhanced baggage screening equipment, and enhanced weather detection programs.

I recognize that the Administration has made efforts to bolster its safety and security work force. Even so, a significant funding source for FAA operations depends on an unspecified user fee for which the FAA has no statutory authority to collect.

Mr. President, this is not a serious budget proposal. The Administration should back up its safety and security recommendations with enough funding to put them in place. The Nation's air travelers have paid taxes dedicated to support the aviation system. They rightfully expect the Government's commitment to spend these funds on their intended purpose. ●

RESTORING INCOME AVERAGING FOR FARMERS

● Mr. HAGEL. Mr. President, today I am cosponsoring S. 251, a measure that will provide farmers and ranchers with a valuable tool—income averaging—to help manage their agricultural operations, improve profitability, and reduce the tax burden on a crucial Nebraska livelihood. I commend Senator SHELBY, the bill's principal sponsor, for his leadership on this matter.

Today's Federal Tax Code is hardly a friend to the family farmer.

For example, farmers and ranchers do not have access to company or government pensions and retirement plans, in which many other Americans have the ability to participate. Farmers and ranchers will receive fewer Social Security benefits than workers in most other careers since they plow much of their income back into the farm. And, as self-employed workers, farmers and ranchers are charged with payroll taxes that are nearly double that of most any other private business employee. Even retirement can be a painful proposition for agricultural producers who have spent their lives building a security nest egg only to be faced with onerous capital gains tax rates and, later, with a confiscatory estate tax when they want to pass their farm along to their children.

The American consumer still enjoys the most plentiful food supply at the lowest cost in the developed world—thanks to our Nation's agricultural might. Population growth, rising per capita incomes, expanded trade opportunities, along with new production and marketing technologies, are a few of the reasons why the future of American agriculture is so bright. However, flexibility in our U.S. Tax Code is still needed to strengthen our position as the world's leader in production agriculture.

Before 1986, agricultural producers were allowed to average their income over a 2-year period, which allowed greater flexibility in both profit potential and management decisions. This

tax management tool was repealed in the 1986 tax reform bill, but the need for this instrument to reduce the farm tax burden still remains.

A fairer and more equitable tax policy will also have a profound effect upon the creation and sustenance of jobs in rural America. The economic vitality of our rural communities continues to hinge on the success of our agricultural industry. A prosperous rural economy means greater opportunities for the local men and women who sell the farm implements, drive the grain and livestock trucks, deliver the feed and fuel, market the seed and fertilizer, and process the fruits of our harvest so as to maintain our position as the world's most efficient and reliable food supplier.

As we continue to move toward a more market-oriented farm program, farm and ranch producers will need to derive a greater proportion of their income from the marketplace—and to retain a greater proportion of their hard-earned income through tax relief. Income averaging is clearly a practice that will bring some degree of fairness to the U.S. Tax Code.

The current Tax Code adds up to higher taxes, more regulatory burdens, and added retirement worries for Nebraska farmers who labor year in and year out in order to feed and clothe the world. This simply must change. Income averaging is one tool that agricultural producers can utilize to enhance profits and keep rural dollars in rural communities. It's time that Congress properly recognizes the contributions of the family farmers by reducing rather than raising their taxes.●

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

● Mr. HELMS. Mr President, pursuant to the requirements of paragraph 2 of Senate rule XXVI, I ask to have printed in the RECORD the rules of the Committee on Foreign Relations for the 105th Congress adopted by the committee on January 30, 1997.

The rules follow:

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted January 30, 1997)

RULE 1—JURISDICTION

(a) Substantive.—In accordance with Senate Rule XXV.1(j), the jurisdiction of the Committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.

10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).

11. Intervention abroad and declarations of war.

12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.

13. National security and international aspects of trusteeships of the United States.

14. Ocean and international environmental and scientific affairs as they relate to foreign policy.

15. Protection of United States citizens abroad and expatriation.

16. Relations of the United States with foreign nations generally.

17. Treaties and executive agreements, except reciprocal trade agreements.

18. United Nations and its affiliated organizations.

19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The Committee is also mandated by Senate Rule XXV.1(j) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) Oversight.—The Committee also has a responsibility under Senate Rule XXVI.8, which provides that "... each standing Committee ... shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the Committee."

(c) "Advice and Consent" Clauses.—The Committee has a special responsibility to assist the Senate in its constitutional function of providing "advice and consent" to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

RULE 2—SUBCOMMITTEES

(a) Creation.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the Committee and shall deal with such legislation and oversight of programs and policies as the Committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the Chairman or by vote of a majority of the Committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the Chairman or the Committee may refer the matter to two or more subcommittees for joint consideration.

(b) Assignments.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the Committee may receive assignment to a second subcommittee until, in order of seniority, all members of the Committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the Committee may serve on more than four subcommittees at any one time.

The Chairman and Ranking Minority Member of the Committee shall be ex officio members, without vote, of each subcommittee.

(c) Meetings.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the Chairman of the full Committee or by decision of the full Committee. Meetings of subcommittees shall be scheduled after consultation with the Chairman of the Committee with a view toward avoiding conflicts with meetings of other subcommittees insofar as possible. Meetings of subcommittees shall not be scheduled to conflict with meetings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full Committee, subject to such authorizations or limitations as the Committee may from time to time prescribe.

RULE 3—MEETINGS

(a) Regular Meeting Day.—The regular meeting day of the Committee on Foreign Relations for the transaction of Committee business shall be on Tuesday of each week, unless otherwise directed by the Chairman.

(b) Additional Meetings.—Additional meetings and hearings of the Committee may be called by the Chairman as he may deem necessary. If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for that special meeting. Immediately upon filing of the request, the Chief Clerk of the Committee shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour of that special meeting. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk shall notify all members of the Committee that such special meeting will be held and inform them of its date and hour.

(c) Minority Request.—Whenever any hearing is conducted by the Committee or a subcommittee upon any measure or matter, the minority on the Committee shall be entitled, upon request made by a majority of the minority members to the Chairman before the completion of such hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

(d) Public Announcement.—The Committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least one week in advance of such hearings, unless the Chairman of the Committee, or subcommittee, determines that there is good cause to begin such hearing at an earlier date.

(e) Procedure.—Insofar as possible, proceedings of the Committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the Chairman, in consultation with the Ranking Minority Member. The Chairman, in consultation with the Ranking Minority Member, may also propose special procedures to govern the consideration of particular matters by the Committee.