

running a huge deficit in the Social Security trust fund. And, in fact, the Social Security trust fund could go absolutely bankrupt, could it not, and yet under that proposal the budget would still be balanced?

Mr. DOMENICI. The Senator is correct. In fact, I did not bring to the floor a chart showing that, but it is one of the wonderful, factual presentations about how, after a few years, what they have been talking about down here, about "the Social Security fund ought to be off budget so we can handle our matters within the rest of the budget and how we can protect its solvency," it turns out that down the line a little—and if we do a constitutional amendment, it is going to be down the line for a long time, it should be here forever—when the Social Security fund starts to spend out and go in the red, guess what we can do? We can let it go right on in the red and spend. But over here on the rest of the budget, which we call the unified budget less Social Security, you can spend so much money in that budget and still be in balance because you are not charged with the deficit in Social Security. It is billions, about 18 or 20 years from now. You are going to be able to spend on this unified budget, less Social Security, something like \$7 trillion more than you are currently expecting to spend, and be in balance, because you let this other big deficit occur and you do not do anything about it.

I want to add one thing. You could have asked me, "Senator, when you have this trust fund sitting out here all by itself and it starts to go in the red, because we did not have the guts to fix it, and over here is the rest of this budget, it has been kind of wallowing around, now, Congress gets together and says, 'How do we fix that Social Security?'" Guess what, they can borrow money without being subject to the constitutional amendment and put it in that trust fund. They could borrow \$5 trillion. And guess what we would be doing? We would be getting ourselves right back in the mess of borrowing to pay deficits.

Mr. GORTON. That \$5 trillion figure, you did not pull that out of thin air, did you? That is what the indicators show we would have?

Mr. DOMENICI. That is correct. And, frankly, I have to say, in all honesty—I had a group of seniors I talked to today. They said to me, "You may be right, and you may be more right than them." But then they said, "Can't Congress, if you take it off budget, can't you just pass a law so none of these terrible things will happen to this wonderful trust fund?"

And I said, "By asking me if we could pass a law, you have just answered your own question. Of course we could." But Congress makes the laws and Congress changes the laws. Consequently, we could protect it by statute and then, when it got in trouble, we could unprotect it by statute. But if you insist that it be counted in the

unified budget, then what you are saying is when money is spent out of it, it counts. And you have to find, within a budget, some cuts to make up for it. And that is especially the case when Social Security starts to go in the red, if it does, and probably at some period in its history it will for awhile.

Mr. GORTON. In summary, then, I ask my friend from New Mexico, that is just one of the reasons that this proposed change in the balanced budget constitutional amendment is a risky gimmick, and the risk is to Social Security and its beneficiaries themselves; is that not correct?

Mr. DOMENICI. That is absolutely right.

Mr. GORTON. I thank my colleague.

Mr. DOMENICI. So I want to wrap up my few minutes. I thank the Senator for his questions which made my presentation far more understandable than had I gone on rambling for 15 minutes.

But essentially the truth of the matter is, if the risky gimmick being offered by some defeats the constitutional amendment, that will inure to the detriment of senior citizens, for we will probably never have a sustained and long-term balanced budget, and that is what Social Security needs more than anything else.

Second, the risky gimmick is to take it off budget and subject the entire trust fund to the will and whim of Congress and Presidents, without any of the discipline that would come from the spending and borrowing that you must account for within a unified budget.

I have a couple of graphs that explicitly show what I have been showing. I am going to have them printed in the RECORD, especially with respect to what happens when Social Security starts to spend out more than it has taken in, the future amount of money that is then available on budget to spend without having any effect on the budget.

I yield the floor and thank the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from North Dakota.

Mr. DORGAN. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are. The Senator is authorized to speak for up to 5 minutes.

Mr. DORGAN. Mr. President, the Senator from New Mexico is one of those I admire most in this Chamber. He is one of the brightest and most interesting Members to serve with. He has demonstrated over many years and many disciplines a great knowledge and great intellect. I have always enjoyed serving with him.

With great respect, I think he is so wrong on this issue, but I say that with the greatest respect.

Mr. DOMENICI. I thank the Senator for his kind remarks.

#### BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

Mr. DORGAN. Mr. President, I want to give the other side of exactly the

issue the Senator from New Mexico has just spent some time describing. I say this not because I believe my side is right and therefore he is here doing something untoward. That is not the case. I think we have a disagreement here about this issue that is very substantial, and it is very important. I do not suggest that someone who does not agree with me on this position is out here deciding to play games or to take a position for anything other than a noble purpose. But, by the same token, I feel so strongly that the discussion I just heard is wrong, I feel compelled to correct it, at least from my perspective.

Let me describe what we have. We have a proposal to change the Constitution of the United States. Some refer to it repeatedly as a proposal to balance the budget. It will not do that, and no one who understands the difference between a statute and a constitutional change should refer to it as balancing the budget. You can change the Constitution 2 minutes from now, and 3 minutes from now you will not have altered by one penny the Federal debt or the Federal deficit, and there is not anyone in here who would stand up and contest that, I would judge. So this is not about balancing the budget. It is about altering the Constitution.

I am prepared to alter the Constitution under certain circumstances, but I will not—repeat, not—support an approach that changes the Constitution of the United States in a manner that I think will create more problems than it solves.

We have, and will vote for, a constitutional amendment to balance the budget. We will all be required to vote on a couple of versions of that, one, the version proposed by the majority, one, a version that I will introduce as a substitute amendment. So we will have an opportunity to vote on a constitutional amendment to balance the budget. The version proposed by the majority says this. It says that revenues and expenditures in future years must be relatively equal so that you are not running a deficit. And that includes counting all of the revenues and all of the expenditures. Period. End of description—I think a fair description of what the majority is proposing.

The problem with that is this. We have a separate program in Government, one of the largest programs, called the Social Security system. It has been a very successful program. But we have a demographic problem with our Social Security system. We have a group of babies born who represented the largest group of babies born in our history, and when they hit the retirement rolls, we are going to have a significant strain on that system. And so, a decision was made some years ago to save for that purpose, and therefore this year, and last year, and next year, to run a surplus, a very significant budget surplus in the Social Security accounts, only in those accounts, in order to have that available to save for the future.

The amendment that is being offered by the majority is an amendment that would say: Let's not distinguish between one dollar and another dollar. Yes, we're running a surplus in Social Security, but it doesn't matter. We can use the surplus of Social Security to just pay for other spending elsewhere.

Well, I do not think that is the way we say to those with whom we have decided that we are going to provide for their future and have a Social Security trust fund, I do not think that is the way for us to say to them we are meeting our responsibilities. That is not meeting our responsibilities. What that is doing is allowing us to say we have balanced the budget when we have not. We have taken trust funds that we said would be used for only one purpose and brought it to say, now we have balanced the budget.

I am waiting—and I will ask the question again; there is only one other Member on the floor—but I would ask the question again, and I have not yet heard an answer: If under this constitutional amendment and a budget plan that is proposed to meet this constitutional amendment of balancing the budget, if in the year in which they claim they have balanced the budget the Federal debt limit must be increased by \$130 billion, how do you claim you have balanced the budget?

If you have balanced your family budget, do you have to borrow more money? I would not think so. If you have balanced your business budget, would you have to borrow more money? I do not think so. Why, in this plan, in the year in which they say they balance the budget, does the Congressional Budget Office tell us in that very year they have to increase the Federal debt limit by \$130 billion? Why? Can anybody tell me? They have not told me for a couple weeks because there is not an answer to that. There is not an answer.

The answer, if everyone here were honest, would be that this is not truly balancing the budget. The budget will be called in balance, they will describe it as in balance, and the Federal debt will continue to increase. So the folks who moved the Federal debt clock around that shows how the Federal debt is increasing will still have a clock that keeps ticking. The Federal debt will keep rising. I do not understand that.

I would like us to balance the Federal budget. I think there is a compelling reason for us to balance the Federal budget. In fact, the budget deficit is down 60 percent in the last 4 years in part because some of us have had the courage to cast hard votes, votes that were not popular. I am glad I did it. They were not very popular votes, but we cast the votes to bring the budget deficit down.

But the job is not done. The job is half done. We need to finish the job. We can alter the Constitution, but that will not finish the job. The only way this job gets finished is if individual

men and women in the U.S. Senate make spending and taxing decisions that say we want to balance the budget. When they say to their constituents, "We've balanced the budget," and then must confess to their bankers back home, "But, yes, we increased the Federal debt by \$130 billion," no one here can claim that with a straight face, unless they have no sense of humor, that they have done what they promised back home they are doing.

That is the point I am making. If we are going to alter the Constitution, let us make those changes in the Constitution in a careful, measured way that does not create more problems than it solves.

My time is up. I will be on the floor for a few minutes and perhaps have some other discussion. I know another Senator is waiting to discuss this. But, Mr. President, this is an important issue. We are finally talking about what we ought to talk about. And I hope we can have some exchange of views in the coming days on this very subject because this is not a nuisance issue. This is not a nettlesome issue or some tiny, little issue. This is a trillion-dollar issue that deals with people who earn paychecks and pay taxes, expecting certain results from them, and a trillion-dollar issue that deals with senior citizens on Social Security who expect something from that program as well.

Mr. President, I yield the floor.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(The remarks of Mr. HUTCHINSON pertaining to the introduction of S. 328 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### THE CHEMICAL WEAPONS CONVENTION

Mr. LEVIN. Mr. President, I rise today to speak on an issue of great importance to our national security: the Chemical Weapons Convention.

This convention, which is commonly known as the CWC, has been a high priority for the past three administrations, and is a perfect example of a bipartisan foreign and security policy issue. It was negotiated beginning under President Reagan, it was signed under President Bush, and the Clinton administration is now seeking Senate advice and consent to its ratification.

The United States has always taken the lead on negotiating the CWC, and we should soon have before us an opportunity to improve the security of our Nation and of the world by ratifying this convention. Some 160 countries have already signed the CWC, and more than 65 have ratified it—including all our major NATO allies and China. It will enter into force on April 29 of this year, whether or not we ratify it. But our ratification will make a big difference in the effect the treaty has on us and on the effectiveness of the treaty worldwide.

Mr. President, let me summarize what the Chemical Weapons Convention will do: it will drastically reduce the stockpiles of chemical weapons; require the destruction of chemical weapon production facilities; provide for the most intrusive verification procedures ever negotiated—including challenge on-site inspections; improve our intelligence of foreign chemical weapon activities; require domestic laws that will permit nations to investigate and prosecute chemical weapon activities; and, perhaps most importantly, make it much more difficult for rogue nations or terrorists to make or acquire chemical weapons.

As the Defense Department leadership and the Joint Chiefs of Staff have testified on numerous occasions over several years: this convention is in our national security interest, and we should ratify it as soon as possible.

Mr. President, on January 22 the Senate Armed Services Committee held a nomination hearing for our former colleague, Senator Bill Cohen, to be the Secretary of Defense. That afternoon the Senate voted unanimously to confirm him by a vote of 99-0. He is now the new Secretary of Defense, and I am looking forward to working with him on the many important and challenging national security issues that will come before the Armed Services Committee and before the Senate.

I want to share with my colleagues the comments of then Secretary-designate Cohen about the CWC, because it is important that we consider the views of the President's chief defense adviser.

At his nomination hearing, Senator Cohen made three important points about the CWC.

First, he told the Committee "whether we ratify it or not, we are engaged in the unilateral disarmament of chemical weapons. We are eliminating all our stocks of chemical weapons, and they will be completely gone by the year 2004. That was initiated under the administration of Ronald Reagan. So, whether we sign it or not, we are getting rid of ours."

Second, he told us that whether we sign it or not, the convention will go into effect. Given that fact, it makes sense for us to ratify the treaty and to take part in making the rules by which it will be implemented, as well as having our own inspectors on the inspection teams.

Third, he told the Committee that the American chemical industry stands to lose up to \$600 million in sales if we do not ratify because of sanctions which were intended for rogue nations but which will apply to our industry and prevent it from selling precursor chemicals to signatory nations.

Secretary-designate Cohen concluded that it is in our national interest to ratify the CWC because we are already getting rid of our chemical weapons, and by ratifying we can help assure that other countries which ratify the CWC will get rid of theirs. Those are

three points I hope our colleagues will keep in mind as the Senate considers the Chemical Weapons Convention.

Prior to his confirmation hearing before the Armed Services Committee, Secretary-designate Cohen had an opportunity to provide a more comprehensive explanation of his support for the CWC. I would like to share those views with our colleagues because they clearly enumerate why the CWC is in our national security interests.

Here is the committee's question and Senator Cohen's answer:

*Question.* The President has made ratification of the Chemical Weapons Convention a very high priority for early Senate action. The Convention will enter into force on April 29, 1997, and ratification must occur prior to that date for the U.S. to be an original party.

Do you agree that ratification of the CWC is very much in our national security interest and do you support the goal of ratification prior to the April 29 deadline?

*Answer.* Yes. The CWC, as both a disarmament and nonproliferation treaty, is very much in our national security interests because it establishes an international mandate for the destruction of chemical weapons (CW) stockpiles. Congress has mandated that the Army, as executive agent for CW destruction, eliminate its unitary CW, which constitute the bulk of its CW stockpile, by 31 December 2004. That destruction process is well under way at the CW destruction facilities at JOHNSTON Atoll and Tooele, UT. The CWC mandates that state parties destroy, under a strict verification regime, their entire CW stockpiles within 10 years after the Convention enters into force (April 2007). Given that the U.S. does not need CW for its security, and given that we are currently legally committed to eliminating unilaterally the vast majority of our CW stockpile, common sense suggests that it would be preferable to secure a commitment from other nations to do the same; prohibits the development, retention, storage, preparations for use, and use of CW. These expansive prohibitions establish a broadly accepted international norm that will form a basis for international action against those states parties that violate the CWC. Unlike the 1925 Geneva Protocol, which only bans the use of CW in war, the CWC includes a verification regime; restricts the export of certain dual-use CW precursor chemicals to non-state parties; prohibits assisting other states, organizations, or personnel in acquiring CW; and requires state parties to implement legislation prohibiting its citizens and organizations from engaging in activities prohibited by the Convention. The CWC also contains mechanisms for recommending multilateral sanctions, including recourse to the UN Security Council; increases the probability of detecting militarily significant violations of the CWC. While no treaty is 100% verifiable, the CWC contains complementary and overlapping declaration and inspection requirements. These requirements increase the probability of detecting militarily significant violations of the Convention. While detecting illicit production of small quantities of CW will be extremely difficult, it is easier to detect large scale production, filling and stockpiling of chemical weapons. Over time, through declaration, routine inspections, fact-finding, consultation, and challenge inspection mechanisms, the CWC's verification regime should prove effective in providing information on significant CW programs that would not otherwise be available; hinders the development of clandestine CW stockpiles. Through systematic on-site verification, rou-

tine declarations and trade restrictions, the Convention makes it more difficult for would-be proliferators to acquire, from CWC state parties precursor chemicals required for developing chemical weapons. The mutually supportive trade restrictions and verification provisions of the Convention increase the transparency of CW-relevant activities. These provisions will provide the U.S. with otherwise unavailable information that will facilitate U.S. detection and monitoring of illicit CW activities.

I strongly support the Chemical Weapons Convention and the goal of U.S. ratification of the Convention by 29 April 1997, and I understand that the Department of Defense shares that view. U.S. ratification of the CWC prior to this date will ensure that the U.S. receives one of the 41 seats on the Executive Council of the Organization for the Prohibition of Chemical Weapons (OPCW), the international organization that will oversee CWC implementation. Early ratification will also ensure that U.S. citizens will fill key positions within the OPCW and act as inspectors for the Organization. Direct U.S. involvement and leadership will ensure the efficacy and efficiency of the OPCW during the critical early stages of the Convention's implementation. The U.S., upon ratification and implementation of the CWC, will also receive CW-related information from other state parties. As a state party and a member of the Executive Council, the U.S. will be in the best position to assure the effective implementation of the Convention's verification provisions.

Mr. President, this is a very strong and persuasive statement of support for the Chemical Weapons Convention. I urge my colleagues to consider Secretary Cohen's views. We should take up the CWC for advice and consent to ratification without delay.

Mr. President, I want to provide an additional item for the record, and will ask unanimous consent at the conclusion of my remarks that it be printed in the RECORD.

The additional item is a letter from Dr. Lori Esposito Murray, Special Adviser to the President and ACDA Director on the Chemical Weapons Convention, to this Senator dated January 14, 1997. This letter provided a review of a number of issues concerning the CWC where there was some confusion during our consideration last September. I think this letter is a useful contribution to the Senate debate.

Mr. President, I hope the Senate will take up the Chemical Weapons Convention early enough to permit ratification before the April 29 deadline. I hope the Senate leadership can make sure the Senate has an opportunity to exercise its unique constitutional responsibility for advice and consent to treaty ratification.

I ask unanimous consent that the item I referred to previously be printed in the RECORD.

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

U.S. ARMS CONTROL AND,  
DISARMAMENT AGENCY,  
Washington, DC, January 14, 1997.

DEAR SENATOR LEVIN: We understand that the Center for Security Policy recently re-circulated to you a letter on the Chemical Weapons Convention (CWC) dated September

6, 1996 that had originally been sent to Majority Leader Lott. The letter urges Senator Lott to reject ratification of the CWC "unless it is made genuinely global, effective, and verifiable." Since the letter contains significant misinformation about the Convention, we thought the following information might be helpful as you assess this vital treaty.

*Misstatement:* "The CWC is not effective because it does not ban or control possession of all chemicals that could be used for lethal purposes. For example, it does not prohibit two chemical agents that were employed with deadly effect in World War I—phosgene and hydrogen cyanide."

*Fact:* Phosgene and hydrogen cyanide are covered by the Convention and are explicitly listed on the Schedule of Chemicals (Schedule 3). Moreover, the CWC definition of a chemical weapon covers all toxic chemicals and their precursors "except where intended for purposes not prohibited under this Convention, as long as the types and quantities are consistent with such purposes." Furthermore, the CWC also includes provisions to expand the lists of chemicals subject to declaration and verification as new CW agents are identified and to improve verification procedures and equipment as technology and experience improve.

*Misstatement:* "The CWC is not global since many dangerous nations (for example, Iran, Syria, North Korea, and Libya) have not agreed to join the treaty regime."

*Fact:* Of the approximately twenty countries believed to have or to be seeking a CW program, more than two thirds already have signed the CWC. It is unlikely that those outside the regime would join if the United States also remained outside, giving them political cover. Additionally, the CWC goes further than any other multilateral agreement to date in applying pressure on nonsignatories to join the regime.

Along with the political and diplomatic muscle that a multilateral arms control agreement provides against rogue states, the CWC explicitly applies trade restrictions to states that are not Parties to the CWC. The Non-Proliferation Treaty, which relied solely on diplomatic pressure to encourage states to join, went from 43 State Parties in 1970 to 184 in 1997. The CWC already has 67 State Parties and 160 signatories, Iran among them. Most recently, China's Parliament approved the CWC and the Russian Duma passed its CW destruction plan. Without the CWC, these rogue states would proceed, business as usual, in their efforts to acquire chemical weapons. With the CWC, not only will we know more about what they are doing, but it will be harder for them to do it, and it will cost them—even if they hold off on joining.

*Misstatement:* "The CWC is not verifiable as the U.S. intelligence community has repeatedly acknowledged in congressional testimony."

*Fact:* The Clinton Administration has determined that the CWC is effectively verifiable because, among other things, it will facilitate the ability of our Intelligence Community to detect significant violations in a timely manner. The Intelligence Community has emphasized in its testimony that the CWC provides additional tools to do a job we would have to do anyway with or without the CWC—track and control the spread of chemical weapons worldwide.

*Misstatement:* "... governments tend to look the other way at evidence of non-compliance rather than jeopardize a treaty regime."

*Fact:* Our recent experience with the North Korean nuclear program demonstrates that

governments can and will respond to evidence of non-compliance and rally to uphold the integrity of an arms control agreement, in this case the Non-Proliferation Treaty. Indeed, the very existence of multilateral arms control agreements provides a legal and political basis for taking action against proliferators.

Misstatement: "The CWC will create a massive new, UN-style international inspection bureaucracy (which will help the total cost of this treaty to U.S. taxpayers amount to as much as \$200 million per year)."

Fact: The Congressional Budget Office estimates that the costs to the U.S. taxpayer to comply with the declaration, inspection, and verification procedures of the CWC would average \$33 million per year, not \$200 million. These activities would include paying our \$25 million assessment to the CWC implementing organization. The United States has worked diligently to ensure that the organization contains only those elements essential to the completion of the task. This contribution is certainly worth the investment in reducing the risk that our troops will face poison gas on the battlefield.

Misstatement: "The CWC will jeopardize U.S. citizens' constitutional rights by requiring the U.S. Government to permit searches without either warrants or probable cause."

Fact: The Administration expects that access to private facilities will be granted voluntarily for the vast majority of inspections under the CWC. If this is not the case, the United States Government will obtain a search warrant prior to an inspection in order to ensure that there will be no trampling of constitutional rights.

Misstatement: "As many as 8,000 companies across the country may be subjected to new reporting requirements entailing uncompensated annual costs between thousands to hundreds of thousands of dollars per year to comply."

Fact: The CWC will affect approximately 2,000 not 8,000 companies. Approximately 1,800 of these companies will not have to do anything more than check a box regarding production range. They will not even be required to specify which chemicals they produce. No information will be required regarding imports, exports, or domestic shipments. The CWC provisions covering commercial facilities were developed with the active participation of industry representatives. The chemical industry has long supported the CWC. In fact, the biggest expense to industry could come as the result of the United States not ratifying the CWC. The CWC's trade restrictions for non-Parties will apply to the United States if we have not ratified the Convention by entry into force in April 1997. According to the Chemical Manufacturer's Association, these trade restrictions could place at risk \$600 million in export sales.

The Chemical Weapons Convention will enhance U.S. security. No one disputes that the spread of weapons of mass destruction to rogue states and terrorists is among the gravest security challenges we face in the post Cold War era. We will need every available tool to respond to it successfully. The CWC is just such a tool. As Secretary of Defense Perry and Attorney General Reno have stated, "To increase the battlefield safety of our troops and to fight terror here and around the globe, the Senate should ratify the Chemical Weapons Convention now." General Shalikashvili, Chairman of the Joint Chiefs of Staff, has also testified, "The non-proliferation aspect of the Convention will retard the spread of chemical weapons and in so doing reduce the probability that U.S. forces may encounter chemical weapons in a regional conflict."

The Chemical Weapons Convention is mainly about other countries' chemical

weapons, not our own. The United States has already made the decision to get out of the chemical weapons business. In fact, we are currently destroying the vast majority of our chemical weapons stockpile, and the Chemical Weapons Convention will require other countries to do the same.

As noted above, the Chemical Weapons Convention has the strong support of industry. The impact on small business, in particular, will be negligible. But should the United States fail to ratify the CWC, trade restrictions originally intended to put pressure on rogue states would be imposed on U.S. chemical companies.

The United States has been a consistent and strong world leader in the 25-year effort to ban these horrific and indiscriminate weapons. This effort, which culminated in President Bush's success in concluding the CWC, has had strong bipartisan support over the years.

I urge your support for this Convention and hope the Senate will act promptly and favorably so that the United States can be among the original parties to the Convention when it comes into force on April 29, 1997.

Sincerely,

LORI ESPOSITO MURRAY,  
*Special Adviser to the President.*

#### REGULATIONS REGARDING STAFF ACCESS TO THE SENATE FLOOR

Mr. WARNER. Mr. President, yesterday, the Rules Committee approved an amendment to the Regulations Controlling the Admission of Employees of Senators and Senate Committees to the Senate Floor.

The amendment to the regulations regarding staff floor access provides full floor access for leadership staff and committee staff directors and chief counsels.

I ask unanimous consent that a letter from Senators LOTT and DASCHLE to Ranking Member FORD and myself be printed in the RECORD along with the amended Regulations Controlling the Admission of Employees of Senators and Senate Committees to the Senate Floor.

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

U.S. SENATE,

Washington, DC, February 3, 1997.

Hon. JOHN WARNER,  
*Chairman.*

Hon. WENDELL H. FORD,  
*Ranking Member, Committee on Rules and Administration, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN AND SENATOR FORD: Senator Byrd wrote us a thoughtful letter last December that dealt with what he characterized as "a small but important matter: decorum in the Senate." We share Senator Byrd's view "of the importance of maintaining proper order in the Senate at all times" and wish to encourage the Committee on Rules and Administration to recommend a method for better management of staff access to the Chamber. We understand the Sergeant at Arms has developed such a proposal which has merit and is deserving of a rapid review by the Committee.

Senators often require their staff to assist them in the Senate Chamber, and Senators must continue to have access to their staff when they determine it is necessary. We would in no way wish to limit Senators' rights in this regard. Indeed, Senators may at any time request unanimous consent to

grant a staff member the privileges of the Floor, and we would not support limiting that right in any way. Door keepers in the Chamber should urge staff to use the seating provided rather than lean against the walls.

We feel confident that the Committee proposal will protect the important balance between Senators' individual rights and the needs of the larger body.

Sincerely,

TRENT LOTT,  
TOM DASCHLE.

#### REGULATIONS CONTROLLING THE ADMISSION OF EMPLOYEES OF SENATORS AND SENATE COMMITTEES TO THE SENATE FLOOR

1. Of those persons entitled to the privilege of the Senate Floor, under Rule XXIII of the Standing Rules of the Senate, card admissions *henceforth* will apply solely to employees of Senators and Committees. *All cards for admission to the Senate Floor, currently in possession of Senators or officers and employees of the Senate under previous rules, shall be withdrawn by the Sergeant at Arms.*

2. Senators and Committee Chairman are requested to prepare and forward to the Sergeant at Arms a list of those staff and Committee employees who may have reason to apply for a Floor Pass in the actual discharge of their official duties. These provisions will not deprive any employee of the privilege of the Senate Floor if he is entitled thereto under Rule XXIII. They will, however, permit closer supervision over employees admitted to the Senate Floor.

3. Serially numbered cards, referred to as Floor Passes, will be retained at an admission table in the foyer of the Vice President's Entrance to the Senate Floor. This table will be manned by a representative of the Sergeant at Arms of the Senate from one-half hour before each daily session until one-half hour after recess or adjournment. When the actual discharge of their official duties requires their presence on the Senate Floor, employees of Senators and Committees, otherwise entitled to admittance under Rule XXIII, will apply to the attendant at the designated table for a Floor Pass.

4. Admission cards under the system will be available at the admission table in quantities as follows:

All Committees of the Senate, including Joint Committees—4 cards to each Committee having jurisdiction of pending legislation.

All Committees of the Senate, including Joint Committees—2 cards to each Committee for official duties, with a 15-minute limitation.

Staffs of individual Senators—2 cards for each Senator and the Vice President.

Although two admission cards are provided for the qualified staff personnel of each Senator, only one member of a Senator's staff shall be allowed in the Senate Chamber itself at any given time, with a time limitation of 15 minutes if the individual Senator is not present. The other card (of different color) may be used by an additional member of the Senator's staff only to gain admittance to the Senate Lobby (but not the Senate Chamber) for the sole purpose of conferring with the Senator.

*Each Committee may request two 15 minute Floor passes to be used for the transaction of official business.*

Should the occasion arise when an individual Senator desires the assistance on the Senate Floor of personnel additional to the number permitted under the above allocations, he should request unanimous consent to augment the maximum number allowed herein.

5. When an eligible employee presents [himself] *his Senate identification (ID) card* at