

News accounts indicate that the Republican leadership is open to modifying the underlying amendment. I understand that as we speak some are shopping language they believe would address this issue. As long as they focus on Social Security, I am willing to do that. I have been very narrow in my advocacy on this floor. While I think some of the other ideas about capital budgeting, emergencies and the military are good, I am not willing to focus on those amendments. I want to focus on Social Security and the importance I think it plays in our society, and therefore I hope those who are shopping amendments will shop in a very narrow fashion and wind up supporting the amendment where we give continued dignity to the seniors of this country.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### VICTIMS OF NATURAL DISASTERS

Mr. DEWINE. Mr. President, I rise today, on behalf of the people of Ohio, to express our deepest sympathy to the families of all those who have suffered injury and loss of life in this weekend's tornadoes, flooding, and other natural disasters. Our hearts certainly go out to everyone who has suffered, at this time of their need.

I personally experienced the Xenia tornado of 1974, and I know how awful such devastation can be. When I saw the pictures over the weekend of the homes totally torn apart in Arkansas, I was reminded of what I saw in 1974 in Xenia, OH. I was assistant prosecuting attorney at the time. We heard the tornado was coming and got down in the basement. After the tornado had passed over, I literally crawled out of the basement of the building, what was left of it, and looked at Xenia and saw the unbelievable devastation. So I have some understanding of what the people of Arkansas and the people of other States are going through with regard to these natural disasters.

Let me talk for a moment about the terrible tragedy that took place in my home State of Ohio this weekend, and what we possibly can do to give assistance. The southern part of our State was ravaged by the worst flooding we have experienced in at least 33 years. At least four people have died so far, and 14 counties are now in a state of emergency. Bridges have been wiped out; houses and cars have been swept away. Our thoughts and prayers go to the families of those who have lost their lives, and to all those who have been evacuated from their homes and all those who face this disaster.

Along with Senator GLENN and my colleagues from Ohio in the House of Representatives, I will be working with the administration to make sure the Federal Government helps these Ohioans get back to their homes. I am encouraged by President Clinton's swift response with Federal aid for Arkansas, and I encourage him to help Ohioans as well. We will be working to make sure everyone gets home safely as soon as possible.

Let me also talk about the tremendous job the American Red Cross, the Ohio National Guard, local volunteer groups, local fire departments, and rescue squads are doing in my home State. They have been working this weekend, they are working right now, as we speak. My hat is off to them. I send my congratulations and thanks for the tremendous amount of work they are doing. They are offering a desperately needed helping hand to some families who are having a very, very difficult time.

My wife Fran and I extend our prayers to all who have been touched in any way by this tragedy. To those who have lost their lives and those who have been forced from their homes, and to their families, I stand ready to work with all Ohioans to help their communities return to normal just as soon as possible.

#### PARTIAL-BIRTH ABORTION

Mr. DEWINE. Mr. President, at this point let me turn to something I have talked about on this floor on many occasions in the past 2 years, the issue of the banning of partial-birth abortion.

When the President of the United States justified his veto of the partial-birth abortion bill last year, this is what he said. I will quote now from President Clinton as he vetoed our bill:

There are a few hundred women every year who have personally agonizing situations where their children are born or about to be born with terrible deformities, which will cause them to die either just before, during or just after childbirth. And these women, among other things, cannot preserve the ability to have further children. . . .

That was a quote from the President, when he vetoed the partial-birth abortion bill.

In light of those remarks by President Clinton, I hope all Americans heard the media reports last week about the shocking confession of a leader in the abortion rights movement. It turns out that in every material detail the President's comments that I have just quoted, the comments he made in defense of his veto, are false. And the confession of this leader in the abortion rights movement, the confession he made last week which I am going to talk about in more detail in just a moment, that confession shows the comments made by our President were simply not true because the fact is, President Clinton based his veto on information that was not true.

For the last 2 years, a number of us here in the Senate have been trying to

ban this horrible practice of partial-birth abortion, a practice in which a baby is partially removed from the mother, partially delivered, and then killed. I believe the horror of this practice is so clear, so heinous, it should truly offer some common ground for those of us who oppose abortion and those who do, in fact, support abortion rights. In my view, one does not have to join the pro-life side in order to oppose this practice. In fact, if you look to some of the Members of the House, for example, who voted with us on this issue, who voted to ban the partial-birth abortion, many of them by their own definition would be classified as pro-choice.

So, this should be an area where pro-choice and pro-life come together. The sad fact is though, Mr. President, we were not, last year, able to get our bill banning partial-birth abortion past President Clinton's veto pen, in large measure because of the rationale used by the President, which was simply wrong. The American people were assured that partial-birth abortion was an extremely rare procedure—one that occurs only a few hundred times a year—and is only used to save mothers whose lives are in extreme danger or where the child has been malformed.

Thomas Jefferson had a good phrase for arguments like this. He called them, "false facts." Because these very impressive sounding arguments, as many of us suspected, turn out to be wrong.

For those of my colleagues—and there can't be very many by now—who have not heard about the startling revelations by Ron Fitzsimmons, let me talk for a moment about them.

Mr. Fitzsimmons is the national director of the National Coalition of Abortion Providers. In 1995, when the Senate was considering the partial-birth abortion bill, he was helping lead the fight against it. In fact, he went on "Nightline" to argue that the procedure ought to remain legal.

At that time, Mr. Fitzsimmons said that the procedure was rare and was primarily performed to save the lives or the fertility of the mothers.

Now, as we found out last week, because of Mr. Fitzsimmons' own comments, own revelations, own confession, his conscience started gnawing him almost immediately after he had appeared on "Nightline." He says now that he felt physically ill at the lies that he had told. He said to his wife the very next day, according to him, "I can't do this again. I can't do this again."

Meanwhile, President Clinton was using Mr. Fitzsimmons' false statements to buttress his case for vetoing the partial-birth abortion bill. And, as I said last week, Mr. Fitzsimmons at long last came in from the cold. He admitted that, to use his own words, he "lied through his teeth."

#### LIED THROUGH HIS TEETH

The facts, as he now publicly acknowledges them, are clear. Partial-

birth abortion is not a rare procedure. It happens all the time, and it is not limited to mothers and fetuses who are in danger. It is performed on healthy women and healthy babies all the time, and that is what the facts are.

Mr. President, it is true that everyone is entitled to his or her own opinion, but people are not entitled to their own facts. On partial-birth abortion, the facts are out, the facts are clear, and I join our distinguished colleague, the senior Senator from New York, in hoping, as he was quoted this weekend, in light of these facts, that the President will reverse his decision to veto this bill.

Mr. President, it would seem fairly simple that when one makes a decision, in this case President Clinton's decision to veto this bill that was passed overwhelmingly by the House and overwhelmingly by the Senate, that when he made his decision to veto the bill and when he publicly stated why he made that decision to veto the bill, when it turns out later that the facts are proven to be false, the underlying facts, the underlying rationale by which he apparently made his decision, it would seem that it would not be too hard for the President then to change his mind, based on a new understanding of what the facts truly are.

We will be debating this issue again on the floor, we will be holding hearings again in the Judiciary Committee, and we will be back out here again talking about this very important matter. I hope that as we do that, my friends and colleagues who opposed us on this issue will remember what Mr. Fitzsimmons said, what he said when he could no longer apparently stand it anymore, that he had, in fact "lied through his teeth," that the facts he gave the public, the facts he gave Congress, the facts he gave the President were simply not true.

I thank the Chair and yield the floor. 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. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DASCHLE. I thank the Presiding Officer and appreciate the opportunity to come to the floor.

#### COMPLIMENTING SENATOR JOHNSON ON HIS MAIDEN SPEECH IN THE SENATE

Mr. DASCHLE. Mr. President, let me begin by complimenting the junior Senator from South Dakota on his maiden speech in the U.S. Senate. As all of us recall, those are very important moments in the career of any Senator, and I appreciate very much having had the opportunity to listen to him. I applaud him for his comments and wish him well in his many years of service in the U.S. Senate.

#### BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

Mr. DASCHLE. Mr. President, I did not have the opportunity to hear our majority leader last week discuss matters of concern to him, especially as they related to the balanced budget amendment. But I was disappointed to read press reports, and then read the RECORD this morning, with regard to some of his comments relating to some of our colleagues.

He has noted on the floor that in the past, this has been a positive debate, an instructive debate and a debate that clarifies differences among us. I think that characterization is accurate. Oftentimes on the Senate floor, in heated debate, we say and espouse things we wish we could take back later. But this debate has largely been devoid of that. I think that has been productive and ought to be the way we conduct ourselves.

So it was somewhat surprising to me to hear the majority leader so personally attack some of our colleagues and express himself as he did. It was, in my view, uncharacteristic of the majority leader. I hope that we can retain the level of decorum and the level of civility on the Senate floor that will lend itself to a good debate on this and many other very controversial and extraordinarily contentious issues in the future. We, as leaders, need to set the example. We, as leaders, need to demonstrate that there is a threshold of civility and a standard which we should follow that, in my view, ought to be demonstrated first and foremost by the leadership.

I know of many cases where colleagues on the Senate floor, Republican and Democratic, have taken positions on any one of a number of issues and concluded, having been presented with more information, that the original position they took was not one they could accept now. That has happened in cases involving constitutional amendments, involving statutory law, and involving other legislation. I hope it would be the way we conduct ourselves in considering many of the issues affecting our country and its future.

Obviously, with new information, and under different circumstances, one comes to different conclusions. I, myself, faced a similar set of circumstances early on. I have always wanted to be on the side of those supporting a constitutional amendment to balance the budget.

On reflection, much of the language that we have resorted to in the past, that we have used in the past, is language that, in retrospect, is not as appropriate for the Constitution as we had originally thought it might be.

I am very concerned about the implications of any amendment to the U.S. Constitution, but especially one involving our economy, especially one involving our own fiscal responsibility, especially one involving our ability to cope with a myriad of circumstances that

this country is going to confront at some point in the future.

So clearly, as my colleagues have indicated, new information has been presented to us this year. We have received new information from the Congressional Research Service, new information from the Office of Management and Budget, and new information from the Treasury Department, all reporting that the circumstances involving the Social Security trust fund are vastly different than what we were originally led to believe during the 1980's.

There is a difference in the interpretation of the Social Security trust fund than what I was originally presented as fact in years past. What we are now told, not by some partisan organization but by the nonpartisan Congressional Research Service, and by the Office of Management and Budget, is that funds used for Social Security purposes are going to have to be offset with other funds, such as tax increases or spending cuts, in order to be paid out at an appropriate time in the future.

Now, if we worked for a company and we were told that we had invested a certain amount of dollars—say \$100,000—in our own retirement fund and then told that, before we could draw those funds out, the company would have to replenish those funds with other funds in order for that to be available, Mr. President, I think every single prospective retiree would feel very cheated. They would feel robbed.

Yet, that is exactly the circumstances now with the Social Security trust fund. Workers are paying into that fund with the expectation that it would be paid out in time to those who paid in. That will not be the case if we enshrine in the Constitution the utilization of the Social Security trust fund for purposes other than Social Security.

The same can be said for the capital budget. I know that we could have a good debate for days about whether or not we have a capital budget in this country. We all recognize that most States have them. We recognize that most businesses have them. There is not a family I know of, that pays off its mortgage in any one year. Families, businesses, and States currently have capital budgets or a very similar budgeting concept that allow them to differentiate between long-term investment and operating expenses. My family does that. My father's business used to do that.

The question is, Should we as a country do that at some point in the future? I think the answer is resoundingly, yes, we should. We need to differentiate between long-term investment and capital costs.

Mr. President, we are not doing that. But whether we subscribe to that concept or not, the question should be, Should we forevermore preclude this country from even considering a capital budget? We are now told by the Congressional Research Service that we will preclude the consideration of a