

Bill Clinton from implementing the agreement, and it is this opposition that yet drives labor's handservants, who now control the Senate.

This position should be an embarrassment to a party that makes a show of its concerns for the poor and downtrodden. It is a setback to U.S.-Mexican relations, and an insult to Mexico's good and earnest efforts to improve relations with its northern neighbor. It is an abrogation of our treaty responsibilities, and it must not be allowed to stand.

At least from the perspective of Ohio's largest newspaper, looking in on what happened last Friday is a pretty good indication how many Americans feel about what happened last week. It wasn't some effort to delay the Transportation bill but a legitimate concern on the part of many people in the Senate that we sit down and try to work out language that would guarantee safe trucks in the United States, the safety of the people in the United States of America, and at the same time guarantee that we not violate the NAFTA agreement.

AMENDMENT NO. 1209

Mr. VOINOVICH. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. VOINOVICH] proposes an amendment numbered 1209.

Mr. VOINOVICH. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To protect the social security surpluses by preventing on-budget deficits)

At the appropriate place, insert the following:

SEC. ____ PROTECT SOCIAL SECURITY SURPLUSES ACT OF 2001.

(a) **SHORT TITLE.**—This section may be cited as the "Protect Social Security Surpluses Act of 2001".

(b) **REVISION OF ENFORCING DEFICIT TARGETS.**—Section 253 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 903) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) **EXCESS DEFICIT; MARGIN.**—The excess deficit is, if greater than zero, the estimated deficit for the budget year, minus the margin for that year. In this subsection, the margin for each fiscal year is 0.5 percent of estimated total outlays for that fiscal year.”;

(2) by striking subsection (c) and inserting the following:

“(c) **ELIMINATING EXCESS DEFICIT.**—Each non-exempt account shall be reduced by a dollar amount calculated by multiplying the baseline level of sequesterable budgetary resources in that account at that time by the uniform percentage necessary to eliminate an excess deficit.”; and

(3) by striking subsections (g) and (h).

(c) **MEDICARE EXEMPT.**—The Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in section 253(e)(3)(A), by striking clause (i); and

(2) in section 256, by striking subsection (d).

(d) **ECONOMIC AND TECHNICAL ASSUMPTIONS.**—Notwithstanding section 254(j) of the

Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 904(j)), the Office of Management and Budget shall use the economic and technical assumptions underlying the report issued pursuant to section 1106 of title 31, United States Code, for purposes of determining the excess deficit under section 253(b) of the Balanced Budget and Emergency Deficit Control Act of 1985, as added by subsection (b).

(e) **APPLICATION OF SEQUESTRATION TO BUDGET ACCOUNTS.**—Section 256(k) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(k)) is amended by—

(1) striking paragraph (2); and

(2) redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

(f) **STRENGTHENING SOCIAL SECURITY POINTS OF ORDER.**—

(1) **IN GENERAL.**—Section 312 of the Congressional Budget Act of 1974 (2 U.S.C. 643) is amended by inserting at the end the following:

“(g) **STRENGTHENING SOCIAL SECURITY POINT OF ORDER.**—It shall not be in order in the House of Representatives or the Senate to consider a concurrent resolution on the budget (or any amendment thereto or conference report thereon) or any bill, joint resolution, amendment, motion, or conference report that would violate or amend section 13301 of the Budget Enforcement Act of 1990.”.

(2) **SUPER MAJORITY REQUIREMENT.**—

(A) **POINT OF ORDER.**—Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2).”.

(B) **WAIVER.**—Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2).”.

(3) **ENFORCEMENT IN EACH FISCAL YEAR.**—The Congressional Budget Act of 1974 is amended in—

(A) section 301(a)(7) (2 U.S.C. 632(a)(7)), by striking “for the fiscal year” through the period and inserting “for each fiscal year covered by the resolution”; and

(B) section 311(a)(3) (2 U.S.C. 642(a)(3)), by striking beginning with “for the first fiscal year” through the period and insert the following: “for any of the fiscal years covered by the concurrent resolution.”.

(g) **EFFECTIVE DATE.**—This section and the amendments made by this section shall apply to fiscal years 2002 through 2006.

Mr. VOINOVICH. I apologize to the majority leader for taking more time than I expected. I hope he will forgive me.

Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There does not appear to be a sufficient second for the yeas and nays.

Mr. DASCHLE. Will the Senator from Ohio yield for a unanimous consent request at this time?

Mr. VOINOVICH. Yes, I yield.

The PRESIDING OFFICER. The majority leader.

ORDERS FOR WEDNESDAY,
AUGUST 1, 2001

Mr. DASCHLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, August 1. I further ask unanimous consent that on Wednesday, immediately following the prayer and

the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the Agriculture supplemental authorization bill.

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

PROGRAM

Mr. DASCHLE. Mr. President, on Wednesday the Senate will convene at 9:30 a.m. and resume consideration of the Agriculture supplemental authorization bill. To ensure that all of our colleagues are given adequate notice, I will make the motion to proceed to the reconsideration of the Transportation appropriations bill, the bill that the distinguished Senator from Ohio has just been addressing. We will do that tomorrow at 9:30. There will be the likelihood of more than one vote. That will begin at 9:30, and we will stay on the bill for whatever length of time it takes.

If cloture is invoked, it is my intention to complete our work on the bill. If necessary, we will stay through the night, and we will be in session. We will not have the opportunity to go out, but we will take that into account tomorrow morning.

My hope is we can complete our work on the bill, and that we can also take up the HUD-VA bill at an appropriate time. That will be the schedule tomorrow.

I thank the Senator from Ohio for yielding.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative 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. Mr. President, the distinguished Senator from Ohio had asked for the yeas and nays on his amendment. We are prepared to again pose the question.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now stand in a period of morning business, with Senators allowed to speak therein for a period of up to 10 minutes each.

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

THE NOMINATION OF MARY SHEILA GALL TO BECOME CHAIRWOMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION

Mr. BIDEN. Mr. President, I rise today to express my serious concerns about the President's nominee to Chair the Consumer Product Safety Commission, Mary Sheila Gall.

The Consumer Product Safety Commission was created nearly 30 years ago with the mission of protecting our families from consumer products that pose serious health or safety risks. The Commission serves as the consumer advocate for our Nation's children, protecting them from potentially dangerous, and in some cases deadly, products. In short, the Commission is charged with saving lives, and it has done so with great success over the past several years. This success is based primarily on the advocacy role that the Commission has assumed in fulfilling its duties for America's families and children. And it is Ms. Gall's apparent opposition to this advocacy role that has given me serious concerns about her nomination.

As a Commissioner for the past ten years, Ms. Gall has opposed reasonable attempts to review questionable products and implement common sense protections for consumers. Perhaps the most troubling example of this trend has been Ms. Gall's record on fire safety issues. Ms. Gall opposed a review of upholstered furniture flammability and small open flame ignition sources, such as matches, lighters, and candles. In opposing the review, she stated that ". . . the benefits from imposing a small open flame ignition standard on upholstered furniture are overestimated."

With all sincerity, I doubt that the brave men and women who risk their lives every day fighting house fires in Delaware and throughout the Nation would agree with that assessment. Nor would they agree with Ms. Gall's decision to walk away from fire safety standards for children's sleepwear. In 1996, Ms. Gall voted to weaken fire safety standards that required children's sleepwear to be made from flame-resistant fabrics. Ms. Gall joined another commissioner in exempting from this standard any sleepwear for children less than nine months old, and any sleepwear that is tight-fitting for children sizes 7-14. I support the original standard, which worked for more than two decades before it was weakened by the Commission. And I have cosponsored legislation with my former colleague from Delaware, Senator Bill Roth, that called on the Commission to restore the original standard that all children's sleepwear be flame-resistant.

But it's not just her record on children's sleepwear and fire safety issues that concerns me about Ms. Gall. She has turned her back on children and families on a number of occasions, rejecting moderate, common-sense warnings and improvements dealing with choking hazards, bunk bed slats, and

crib slats. In some of these cases, Ms. Gall has even opposed efforts to merely review questionable products, to mention nothing about imposing regulatory standards to correct any potentially dangerous problems. For instance, Ms. Gall opposed a safety review of baby walkers that, according to the Commission, were associated with 11 child deaths between 1989 and 1994, and as many as 28,000 child injuries in 1994, alone.

This safety review brought to light ways to produce walkers that were safer for children, which were then used by manufacturers to develop a voluntary standard for producing a safer product. This voluntary standard was applied within the industry, and a media campaign followed to educate parents about the new, safer walkers that were entering the marketplace. The Commission has estimated that since the review process took place in 1995, injuries related to baby walkers dropped nearly 60 percent for children under 15 months of age, from an estimated 20,100 injuries in 1995 to 8,800 in 1999.

These statistics are proof that the Commission's role as child advocate produces results. But if Ms. Gall had her way, we would not have had a review of baby walkers at all. And without this review, it is unlikely we would have had the important voluntary standards that have protected thousands of children. If Ms. Gall is unwilling to even take the first step in reviewing potentially dangerous products, I question whether we can expect her to fulfill the Commission's responsibility as the Nation's child advocate.

I do not make this decision to oppose Mary Sheila Gall's nomination lightly. I have long recognized that the President should generally be entitled to have an administration comprised of people of his choosing. While his selections should be given considerable deference, that power is nonetheless limited by the duty of the United States Senate to provide "advice and consent" to such appointments.

Throughout my tenure in the Senate, I have supported countless nominees for Cabinet and other high-level positions, including many with whom I have disagreed on certain policies. But I have also cast my vote against confirmation when I have become convinced that the nominee is not suitable to fill the role to which the person was nominated. I have reluctantly reached the conclusion that this is one such case. It is one thing to serve as a commissioner, as Ms. Gall has done these past ten years. But serving as chair of this important Commission is a very different role. As such, I strongly urge my colleagues on the Senate Commerce Committee to oppose Ms. Gall's nomination as Chairwoman of the Consumer Product Safety Commission. To put it simply, there is nothing less than children's lives at stake.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 8, 1994 in Reno, NV. A gay man, William Douglas Metz, 36, was stabbed to death. A self-proclaimed skinhead, Justin Suade Slotto, 21, was charged with murder. Slotto allegedly went to a park with the intent of assaulting gays.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

ECONOMIC AND POLITICAL DIFFICULTIES IN TURKEY

Mr. SARBANES. Mr. President, as my colleagues are well aware, the people of Turkey, a NATO ally, are experiencing extremely serious economic and political difficulties.

On April 10, 2001, at the Bosphorous University in Istanbul, Turkey, our distinguished former colleague in the House of Representatives, the Honorable John Brademas, delivered a most thoughtful address, on this subject, "Democracy: Challenge to the New Turkey in the New Europe." Dr. Brademas' speech was sponsored by TESEV, the Turkish Economic and Social Studies Foundation. Its contents some four months later still resonate with timely wisdom and creative analysis.

A long-time and effective advocate of democracy and transparency, John Brademas served for 22 years, 1959-1981, in the House of Representatives from Indiana's Third District, the last four as House Majority Whip. He then became President of New York University, the Nation's largest private university, in which he served for 11 years, 1981-1992. He is now president emeritus.

Among Dr. Brademas' involvements include Chairman of the Board of the National Endowment for Democracy, NED, from 1993-2001, and founding director of the Center for Democracy and Reconciliation in Southeast Europe. Located in Thessalonike, Greece, the Center seeks to encourage peaceful and democratic development of the countries in that troubled region of Europe.

I believe that Members of the Senate and the House of Representatives and other interested citizens will read with interest Dr. Brademas' significant discussion of the challenge of creating a truly more open and democratic Turkey. I ask unanimous consent to print Dr. Brademas' address in the RECORD.