

allow the situation to get even further out of hand.

In Iraq, troubling questions have been raised about an unwillingness to deal with continued Iraqi intransigence over weapons inspections. Russia's economy and indeed her very government appear on the verge of dissolution. North Korea has launched a long range missile right over our ally, Japan. In China and elsewhere, many tens of thousands of people face the coming winter hungry and homeless as a result of floods and fires and droughts. And, not least, acts of terrorism against U.S. embassies and interests continue to threaten. All of these unhappy circumstances will challenge the U.S. economy and U.S. leadership. It ill behooves us all to become so enmeshed in the current web of scandal that we ignore or obscure opportunities to deal with these serious challenges before they escalate into full-blown crises.

We cannot continue to swirl in this miasma of misery if we are to judiciously carry out our duties as the representatives of the people. Impeachment is among the most serious, if not the most serious, duty meted out to us in the Constitution that we are sworn to support and defend. Let us wait for the facts to come out before we rush to judgment as to the action we should take. Let us wait for the House to determine those facts from the report that will shortly be presented to it. And then, hopefully, we can all see what the facts are.

There are serious challenges to our nation ahead. Here in the Senate, we may be called upon to help restore such forgotten qualities as courage, integrity, dignity, fairness, and thoughtfulness to a situation marked, for the most part, by the absence of those characteristics. For my part, I shall pray that we who serve here will do our best to restore the sense of serious contemplation and quiet duty expected of us under the Constitution and by the good people of this nation during times of testing and crisis.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I wanted to respond, if I might, for just a minute, to Senator BYRD. First of all, I would like to thank him for the lesson of his speech today. Our founders did not write the Constitution and then sit down and wonder about what they would do about corruption in public men. In fact, when they wrote the Constitution the first power enumerated for the House of Representatives in the Constitution is the power to impeach. This was no afterthought. When the founders wrote, in article I, section 3, about the first power of the Senate, it was the power to try all impeachments. So Senator BYRD, I would like to thank you for reminding us that this is a high constitutional responsibility.

None of us will be judged based on what the President did or did not do,

but we will be judged on what we do or what we do not do. One of the quotes from the Federalist Paper No. 65, from Alexander Hamilton, that you did not use, which I think defines the role you have taken in this debate, is the line where Hamilton sees a Senate which is "unawed and uninfluenced." I think your lesson today to us is we should be unawed, but we should also be uninfluenced. And I can say that if I were to be tried in the Senate, if I were innocent, I would look to Senator BYRD as my greatest hope; if I were guilty, I would look to him as my greatest fear.

Finally, before yielding the floor, the Senator asked, Where are the heroes? I would like to say that for those who know him, ROBERT C. BYRD is a hero. When I think of great men and women who have sat in this body as Senators whose names you might want to put up next to Cicero and Cato, I include the name of ROBERT C. BYRD on that list. I am very proud to serve in the Senate with him.

I think his comments today really reflect on the posture that the Senate should take. I have no doubt that Senator BYRD will take that posture. I intend to do my best to take it as well. I yield the floor.

Mr. BYRD. Mr. President, I thank the distinguished Senator for his words, which I take very seriously, and for his kindness, as always, to me.

I hope that I have spoken wisely. I hope that I will not be misunderstood. I simply think that before we reach a judgment on this President or any other President—and I said this when Mr. Nixon was in the docks, as it were—I hope that we Senators will not advocate impeachment or censure or resignation at least until the Starr report has reached the House and the House has had an opportunity to conduct hearings, if it so chooses, and has formulated articles, if it so chooses. There will be plenty of time then for Senators to reach that judgment. In the meantime, we have much to do. I thank the distinguished Senator.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I appreciate the remarks of the Senator from West Virginia, obviously, as fundamental a matter as we can have before us, but I share the Senator's view that prior to the release of the report, there are many matters that need our attention. First on that list is what we have been debating today and will be debating tomorrow, and that is the extremely urgent need to pass campaign finance reform.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, September 8, 1998, the federal debt stood at \$5,548,700,311,164.48 (Five trillion, five hundred forty-eight billion, seven hundred million, three hundred eleven thousand, one hundred sixty-four dollars and forty-eight cents).

One year ago, September 8, 1997, the federal debt stood at \$5,411,319,000,000 (Five trillion, four hundred eleven billion, three hundred nineteen million).

Five years ago, September 8, 1993, the federal debt stood at \$4,391,317,000,000 (Four trillion, three hundred ninety-one billion, three hundred seventeen million).

Ten years ago, September 8, 1988, the federal debt stood at \$2,605,450,000,000 (Two trillion, six hundred five billion, four hundred fifty million).

Fifteen years ago, September 8, 1983, the federal debt stood at \$1,355,323,000,000 (One trillion, three hundred fifty-five billion, three hundred twenty-three million) which reflects a debt increase of more than \$4 trillion—\$4,193,377,311,164.48 (Four trillion, one hundred ninety-three billion, three hundred seventy-seven million, three hundred eleven thousand, one hundred sixty-four dollars and forty-eight cents) during the past 15 years.

COMPREHENSIVE TEST BAN TREATY

Mr. BIDEN. Mr. President, I want to commend to my colleagues the exceptionally thoughtful lead editorial in yesterday morning's Washington Post. It is entitled "The Test Ban and Arms Control," and it makes some cogent points about the Comprehensive Test-Ban Treaty and a Senate where few objections are raised to the Treaty itself, but most Republicans still cast symbolic votes against it.

The Post notes correctly that leading Senate Republicans seem to assume that a national missile defense is the only answer to the problems of nuclear proliferation and the risk of nuclear war.

As the Post concludes, however, treaties like the Chemical Weapons Convention and the Comprehensive Test-Ban Treaty "are capable of serving American requirements well." Whatever one's views on national missile defense, those treaties "would strengthen the American position in the world."

I would note two areas in which I disagree with the Post editorial. First of all, the Test-Ban Treaty was signed 2 years ago, rather than "earlier this year." The Treaty was submitted to the Senate nearly a full year ago, and has languished because the Republican leadership is afraid to let it come up.

I do not accept the Post's pessimistic view, moreover, of the Test-Ban Treaty's chances on the floor. In last week's vote, moderate Republicans could support their Leader without doing any tangible harm.

When the Test-Ban Treaty finally comes up for a vote on ratification, however, I am confident that at least 67 members will support it, just as they supported the Chemical Weapons Convention last year.

With those two caveats, I strongly urge my colleagues to read Tuesday's Post editorial and I ask unanimous consent that it be printed in the RECORD.

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

[From the Washington Post, Sept. 8, 1998]

THE TEST BAN AND ARMS CONTROL

An early Senate vote on funds for implementation of the comprehensive nuclear test ban treaty indicates that the two-thirds majority needed to ratify the test ban may be lacking. There would be some votes from the Republican majority for a treaty, but at this moment the dominant blocking position of the party leadership looks strong. The evident resistance to ratification is attributed not simply to dissatisfaction with some of the treaty's terms—there isn't all that much dissatisfaction—but to a fundamental and wrongheaded quarrel with the premises of arms control itself.

Modern arms control was invented during the Cold War to restrict the nuclear armories of the then-two great powers and, if not to bring something deserving of the name of peace between them, then to lessen the risks and costs of their preparing for nuclear war. There were ups and downs, and their ultimate worth can be argued, but there is no denying that at a certain point Ronald Reagan demolished arms control as everyone had known it.

From being a policy aimed at producing nuclear parity or stalemate in a condition of reduced but continuing political hostility, arms control became under President Reagan a bold program to end Soviet-American nuclear competition and beyond that, to close out the Cold War itself by seeing to the transformation of the Soviet Union. Many other hands, especially Mikhail Gorbachev's, shared in this task. But Ronald Reagan was a leading contributor to the different state of affairs we enjoy with Russia to this day.

Since the Cold War's demise, the urgency has gone out of classical arms control. The United States, far from deterring Russia and preserving a balance of terror, is helping Russia dismantle its excessive and expensive nuclear capability, concentrating on the specter of "loose nukes"—weapons under uncertain official control and vulnerable to private theft and misuse. Still, the weapons that most trouble the United States and Russia are those in the hands, or in the aspirations, of third countries. Nonproliferation or counter-proliferation is at the heart of post-Cold War arms control.

This is the context in which the comprehensive test ban treaty, which was decades in the making, finally was signed earlier this year. This arms-control perennial had changed from being a check on Russian and American arms programs into a restraint on the spread of weapons of mass destruction among assorted regimes around the world. This is the test ban's 21st century mission: to give the multitude of nations an additional lever with which to press Iran and Iraq, North Korea, India, Pakistan and Israel—and rogues elsewhere—to abandon or slow their nuclear urges.

Leading Senate Republicans perversely persist in blaming the test ban, and by extension the whole updated post-Cold War framework of arms control, for nuclear and chemical and other programs being pursued by various countries. These naive senators seem to believe that arms-control measures are magically self-enforcing. They fail to understand that the signatories of arms-control agreements must take upon themselves the burdens of observing their terms and of enforcing compliance to others' formal pledges of self-denial. If the signatories fall short, the responsibility falls on them, not on the agreements.

The senators also profess to rely on American power and American technology alone—

especially on a new national missile defense—to ensure the security of the United States. Such a missile defense is in the works, but questions remain about its strategic purpose, efficacy and cost. The pace of pondering these questions has itself become a sharp political issue. Meanwhile, some senators carelessly would throw away the increments to American security that could be added by cooperation with other friendly countries in matters such as the chemical weapons treaty, the nuclear nonproliferation treaty and the test ban.

These are imperfect instruments, but they are capable of serving American requirements well. Even if a missile defense of minimal cost, deadly accuracy and reliability were ready today, which it is not, those instruments would strengthen the American position in the world.

THE PROPOSED UNANIMOUS CONSENT AGREEMENT FOR REPUBLICAN JUVENILE CRIME BILL, S. 10

Mr. LEAHY. Mr. President, last Thursday, after Senators had been informed that there would be no more votes that day and after I had already headed for home to Vermont, Republicans came to the floor to propose a narrow procedural device in connection with the Republican juvenile crime bill, S.10.

No one had advised me that the Senate Republican leadership planned to proceed to S.10 on Thursday. After a year of inaction on this bill—which was voted on by the Judiciary Committee in July 1997—the Republicans did not even seek a response to their proposal. Instead, they rushed to the floor in ambush fashion.

The failure of this Congress to take up and pass responsible juvenile crime legislation does not rest with the Democrats, and no procedural floor gimmick by the Republican majority can change that fact.

Over the past year, I have spoken on the floor of the Senate and at hearings on several occasions about my concerns with this legislation. At the same time, I have expressed my willingness to work with the Chairman in a bipartisan manner to improve this juvenile crime bill.

I am not alone in my criticisms and in wanting to see changes in this bill. It has been blasted by virtually every major newspaper in the United States. The Philadelphia Inquirer concluded that the bill "is fatally flawed and should be rejected." The Los Angeles Times described the bill as "peppered with ridiculous poses and penalties" and as taking a "rigid, counter-productive approach" to juvenile crime prevention. The St. Petersburg Times called the bill "an amalgam of bad and dangerous ideas."

The bill has also been criticized by national leaders ranging from Chief Justice Rehnquist to Marian Wright Edelman, President of the Children's Defense Fund.

In May, the Chief Justice criticized S.10 because it would "eviscerate this traditional deference to state prosecu-

tions, thereby increasing substantially the potential workload of the federal judiciary." Earlier in the year, the Chief Justice raised concerns about "federalizing" certain juvenile crimes, noting that "federal prosecutions should be limited to those offenses that cannot and should not be prosecuted in the state courts."

The National District Attorneys Association (NDAA) and other law enforcement agencies have also written me with their concerns about this bill. In May, William Murphy, President of the NDAA, expressed NDAA's serious concerns about parts of S.10, including the fact that "S.10 goes too far" in changing the "core mandates" which have kept juveniles safer and away from adults while in jail for over 25 years. Mr. Murphy also criticized S.10's new juvenile record keeping requirements as "burdensome and contrary to most state laws." He further noted that S.10 failed to provide "any lee way to give juveniles a second chance by providing for the option to seal or expunge records."

I have also heard from numerous State and local officials across the U.S., including the National Governors' Association, the Council of State Governments (Eastern Regional Conference), the U.S. Conference of Mayors, the National Association of Counties and the National Conference of State Legislatures. All of them have expressed concerns about the restrictions this bill would place on their ability to combat and prevent juvenile crime effectively. Last June, the President of the National Conference of State Legislatures cautioned that the new mandates placed on the States by S.10 could "imbalance the constitutionally designed relationship between the federal government and the states."

He further noted that "[s]tates handle crime in a more flexible and more responsive manner than the federal government" and urged the Senate not to impose a single "federal 'fix' upon all fifty states and the territories."

In short, S.10 as reported by the Judiciary Committee is a bill laden with problems—so much so that, at last count, the bill has lost a quarter of its Republican cosponsors since introduction.

The unanimous consent agreement proposed by the Republicans would limit debate of juvenile justice and other crime matters. Ironically, it would permit the Republicans to offer a substitute to their own bill, but not allow Democrats the same opportunity. The only additional amendments in order under their plan would be five on each side.

When the Judiciary Committee Chairman indicated on the floor that the minority has had the text of the proposed Hatch-Sessions substitute for "well over a month," he was incorrect. In fact, we only got a copy of the substitute on the same day that the Republicans proposed their unanimous