

Weekly Compilation of
**Presidential
Documents**



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WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS

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Week Ending Friday, May 19, 1995

**Executive Order 12960—
Amendments to the Manual for
Courts-Martial, United States, 1984**

May 12, 1995

By the authority vested in me as President by the Constitution and the laws of the United States of America, including chapter 47 of title 10, United States Code (Uniform Code of Military Justice, 10 U.S.C. 801-946), in order to prescribe amendments to the Manual for Courts-Martial, United States, 1984, prescribed by Executive Order No. 12473, as amended by Executive Order No. 12484, Executive Order No. 12550, Executive Order No. 12586, Executive Order No. 12708, Executive Order No. 12767, Executive Order No. 12888, and Executive Order No. 12936, it is hereby ordered as follows:

Section 1. Part I of the Manual for Courts-Martial, United States, 1984, is amended as follows:

Preamble, paragraph 4, is amended to read as follows:

“4. Structure and application of the Manual for Courts-Martial.

The Manual for Courts-Martial shall consist of this Preamble, the Rules for Courts-Martial, the Military Rules of Evidence, the Punitive Articles, and the Nonjudicial Punishment Procedures (Parts I–V). The Manual shall be applied consistent with the purpose of military law.

The Manual shall be identified as “Manual for Courts-Martial, United States (19xx edition).” Any amendments to the Manual made by Executive Order shall be identified as “19xx Amendments to the Manual for Courts-Martial, United States.””

Sec. 2. Part II of the Manual for Courts-Martial, United States, 1984, is amended to read as follows:

a. R.C.M. 810(d) is amended to read as follows:

“(d) *Sentence limitations.*

(1) *In general.* Sentences at rehearings, new trials, or other trials shall be adjudged within the limitations set forth in R.C.M. 1003. Except as otherwise provided in subsection (d)(2) of this rule, offenses on which a rehearing, new trial, or other trial has been ordered shall not be the basis for an approved sentence in excess of or more severe than the sentence ultimately approved by the convening or higher authority following the previous trial or hearing, unless the sentence prescribed for the offense is mandatory. When a rehearing or sentencing is combined with trial on new charges, the maximum punishment that may be approved by the convening authority shall be the maximum punishment under R.C.M. 1003 for the offenses being reheard as limited above, plus the total maximum punishment under R.C.M. 1003 for any new charges of which the accused has been found guilty. In the case of an “other trial” no sentence limitations apply if the original trial was invalid because a summary or special court-martial improperly tried an offense involving a mandatory punishment or one otherwise considered capital.

(2) *Pretrial agreement.* If, after the earlier court-martial, the sentence was approved in accordance with a pretrial agreement and at the rehearing the accused fails to comply with the pretrial agreement, by failing to enter a plea of guilty or otherwise, the approved sentence resulting at a rehearing of the affected charges and specifications may include any otherwise lawful punishment not in excess of or more serious than lawfully adjudged at the earlier court-martial.”

b. R.C.M. 924(a) is amended to read as follows:

“(a) *Time for reconsideration.* Members may reconsider any finding reached by them before such finding is announced in open session.”

c. R.C.M. 924(c) is amended to read as follows:

“(c) *Military judge sitting alone.* In a trial by military judge alone, the military judge may reconsider any finding of guilty at any time before announcement of sentence and may reconsider the issue of the finding of guilty of the elements in a finding of not guilty only by reason of lack of mental responsibility at any time before announcement of sentence or authentication of the record of trial in the case of a complete acquittal.”

d. R.C.M. 1003(b)(9) and the accompanying discussion are deleted.

e. R.C.M. 1003(b)(10), (11), and (12) are redesignated as subsections (9), (10), and (11), respectively.

f. R.C.M. 1009 is amended to read as follows:

“(a) *Reconsideration.* Subject to this rule, a sentence may be reconsidered at any time before such sentence is announced in open session of the court.

(b) *Exceptions.*

(1) If the sentence announced in open session was less than the mandatory minimum prescribed for an offense of which the accused has been found guilty, the court that announced the sentence may reconsider such sentence after it has been announced, and may increase the sentence upon reconsideration in accordance with subsection (e) of this rule.

(2) If the sentence announced in open session exceeds the maximum permissible punishment for the offense or the jurisdictional limitation of the court-martial, the sentence may be reconsidered after announcement in accordance with subsection (e) of this rule.

(c) *Clarification of sentence.* A sentence may be clarified at any time prior to action of the convening authority on the case.

(1) *Sentence adjudged by the military judge.* When a sentence adjudged by the military judge is ambiguous, the military judge shall call a session for clarification as soon as practical after the ambiguity is discovered.

(2) *Sentence adjudged by members.* When a sentence adjudged by members is ambiguous, the military judge shall bring the

matter to the attention of the members if the matter is discovered before the court-martial is adjourned. If the matter is discovered after adjournment, the military judge may call a session for clarification by the members who adjudged the sentence as soon as practical after the ambiguity is discovered.

(d) *Action by the convening authority.* When a sentence adjudged by the court-martial is ambiguous, the convening authority may return the matter to the court-martial for clarification. When a sentence adjudged by the court-martial is apparently illegal, the convening authority may return the matter to the court-martial for reconsideration or may approve a sentence no more severe than the legal, unambiguous portions of the adjudged sentence.

(e) *Reconsideration procedure.* Any member of the court-martial may propose that a sentence reached by the members be reconsidered.

(1) *Instructions.* When a sentence has been reached by members and reconsideration has been initiated, the military judge shall instruct the members on the procedure for reconsideration.

(2) *Voting.* The members shall vote by secret written ballot in closed session whether to reconsider a sentence already reached by them.

(3) *Number of votes required.*

(A) *With a view to increasing.* Subject to subsection (b) of this rule, members may reconsider a sentence with a view of increasing it only if at least a majority of the members vote for reconsideration.

(B) *With a view to decreasing.* Members may reconsider a sentence with a view to decreasing it only if:

(i) In the case of a sentence which includes death, at least one member votes to reconsider;

(ii) In the case of a sentence which includes confinement for life or more than 10 years, more than one-fourth of the members vote to reconsider; or

(iii) In the case of any other sentence, more than one-third of the members vote to reconsider.

(4) *Successful vote.* If a vote to reconsider a sentence succeeds, the procedures in R.C.M. 1006 shall apply.”

- g. R.C.M. 1103(b)(3)(L) is deleted.
- h. R.C.M. 1103(b)(3)(M) and (N) are redesignated as subsections (L) and (M), respectively.
- i. R.C.M. 1103(c)(2) is amended to read as follows:
“(2) *Not involving a bad-conduct discharge.* If the special court-martial resulted in findings of guilty but a bad-conduct discharge was not adjudged, the requirements of subsections (b)(1), (b)(2)(D), and (b)(3)(A)–(F) and (I)–(M) of this rule shall apply.”
- j. R.C.M. 1104(b)(2) is amended to read as follows:
“(2) *Summary courts-martial.* The summary court-martial record of trial shall be disposed of as provided in R.C.M. 1305(d). Subsection (b)(1)(D) of this rule shall apply if classified information is included in the record of trial of a summary court-martial.”
- k. R.C.M. 1106(d)(3) is amended by adding a new subsection (B) as follows:
“(B) A recommendation for clemency by the sentencing authority, made in conjunction with the announced sentence;”
- l. R.C.M. 1106(d)(3) (B)–(E) are redesignated as subsections (C)–(F), respectively.
- m. R.C.M. 1107(d) is amended by adding a new subparagraph (3) as follows:
“(3) *Postponing service of a sentence to confinement.*
(A) In a case in which a court-martial sentences an accused referred to in subsection (B), below, to confinement, the convening authority may postpone service of a sentence to confinement by a court-martial, without the consent of the accused, until after the accused has been permanently released to the armed forces by a state or foreign country.
(B) Subsection (A) applies to an accused who, while in custody of a state or foreign country, is temporarily returned by that state or foreign country to the armed forces for trial by court-martial; and after the court-martial, is returned to that state or foreign country under the authority of a mutual agreement or treaty, as the case may be.
(C) As used in subsection (d)(3), the term “state” means a state of the United States, the District of Columbia, a territory, and a possession of the United States.”
- n. R.C.M. 1107(d)(3) is redesignated as R.C.M. 1107(d)(4).
- o. R.C.M. 1107(e)(1)(C)(iii) is amended to read as follows:
“(iii) *Rehearing on sentence only.* A rehearing on sentence only shall not be referred to a different kind of court-martial from that which made the original findings. If the convening authority determines a rehearing on sentence is impracticable, the convening authority may approve a sentence of no punishment without conducting a rehearing.”
- p. R.C.M. 1107(f)(2) is amended to read as follows:
“(2) *Modification of initial action.* The convening authority may recall and modify any action taken by that convening authority at any time before it has been published or before the accused has been officially notified. The convening authority also may recall and modify any action at any time prior to forwarding the record for review, as long as the modification does not result in action less favorable to the accused than the earlier action. In addition, in any special court-martial, the convening authority may recall and correct an illegal, erroneous, incomplete, or ambiguous action at any time before completion of review under R.C.M. 1112, as long as the correction does not result in action less favorable to the accused than the earlier action. When so directed by a higher reviewing authority or the Judge Advocate General, the convening authority shall modify any incomplete, ambiguous, void, or inaccurate action noted in review of the record of trial under Article 64, 66, 67, or examination of the record of trial under Article 69. The convening authority shall personally sign any supplementary or corrective action.”
- q. R.C.M. 1108(b) is amended to read as follows:
“(b) *Who may suspend and remit.* The convening authority may, after approving the sentence, suspend the execution of all or any part of the sentence of a court-martial except for a sentence of death. The general court-martial convening authority over the accused at the time of the court-martial may, when taking the action under R.C.M. 1112(f), suspend or remit any part of the sentence. The Secretary concerned and, when designated

by the Secretary concerned, any Under Secretary, Assistant Secretary, Judge Advocate General, or commanding officer may suspend or remit any part or amount of the unexecuted part of any sentence other than a sentence approved by the President. The commander of the accused who has the authority to convene a court-martial of the kind which adjudged the sentence may suspend or remit any part or amount of the unexecuted part of any sentence by summary court-martial or of any sentence by special court-martial which does not include a bad-conduct discharge regardless of whether the person acting has previously approved the sentence. The "unexecuted part of any sentence" includes that part which has been approved and ordered executed but which has not actually been carried out."

r. R.C.M. 1113(d)(2)(A) is amended by adding a new subparagraph (iii) as follows:

"(iii) Periods during which the accused is in custody of civilian or foreign authorities after the convening authority, pursuant to Article 57(e), has postponed the service of a sentence to confinement;"

s. R.C.M. 1113(d)(2)(A)(iii)-(iv) are redesignated 1113(d)(A)(iv)-(v), respectively.

t. R.C.M. 1113(d)(5) is deleted.

u. R.C.M. 1113(d)(6) is redesignated as subsection (5).

v. R.C.M. 1201(b)(3)(A) is amended to read as follows:

"(A) *In general.* Notwithstanding R.C.M. 1209, the Judge Advocate General may, *sua sponte* or, except when the accused has waived or withdrawn the right to appellate review under R.C.M. 1110, upon application of the accused or a person with authority to act for the accused, vacate or modify, in whole or in part, the findings, sentence, or both of a court-martial that has been finally reviewed, but has not been reviewed either by a Court of Military Review or by the Judge Advocate General under subsection (b)(1) of this rule, on the ground of newly discovered evidence, fraud on the court-martial, lack of jurisdiction over the accused or the offense, error prejudicial to the substantial rights of the accused, or the appropriateness of the sentence."

w. R.C.M. 1305(d) is deleted.

x. R.C.M. 1305(e) is redesignated as subsection (d).

Sec. 3. Part III of the Manual for Courts-Martial, United States, 1984, is amended as follows:

a. M.R.E. 311(g)(2) is amended to read as follows:

"(2) *False statements.* If the defense makes a substantial preliminary showing that a government agent included a false statement knowingly and intentionally or with reckless disregard for the truth in the information presented to the authorizing officer, and if the allegedly false statement is necessary to the finding of probable cause, the defense, upon request, shall be entitled to a hearing. At the hearing, the defense has the burden of establishing by a preponderance of the evidence the allegation of knowing and intentional falsity or reckless disregard for the truth. If the defense meets its burden, the prosecution has the burden of proving by a preponderance of the evidence, with the false information set aside, that the remaining information presented to the authorizing officer is sufficient to establish probable cause. If the prosecution does not meet its burden, the objection or motion shall be granted unless the search is otherwise lawful under these rules."

b. M.R.E. 506(e) and (f) are amended to read as follows:

"(e) *Pretrial session.* At any time after referral of charges and prior to arraignment, any party may move for a session under Article 39(a) to consider matters relating to government information that may arise in connection with the trial. Following such motion, or *sua sponte*, the military judge promptly shall hold a pretrial session under Article 39(a) to establish the timing of requests for discovery, the provision of notice under subsection (h), and the initiation of the procedure under subsection (i). In addition, the military judge may consider any other matters that relate to government information or that may promote a fair and expeditious trial.

(f) *Action after motion for disclosure of information.* After referral of charges, if the defense moves for disclosure of government information for which a claim of privilege has been made under this rule, the matter shall

be reported to the convening authority. The convening authority may:

(1) institute action to obtain the information for use by the military judge in making a determination under subdivision (i);

(2) dismiss the charges;

(3) dismiss the charges or specifications or both to which the information relates; or

(4) take other action as may be required in the interests of justice.

If, after a reasonable period of time, the information is not provided to the military judge, the military judge shall dismiss the charges or specifications or both to which the information relates.”

c. M.R.E. 506(h) is amended to read as follows:

“(h) *Prohibition against disclosure.* The accused may not disclose any information known or believed to be subject to a claim of privilege under this rule unless the military judge authorizes such disclosure.”

d. M.R.E. 506(i) is amended to read as follows:

“(i) *In camera proceedings.*

(1) *Definition.* For purposes of this subsection, an “in camera proceeding” is a session under Article 39(a) from which the public is excluded.

(2) *Motion for in camera proceeding.* Within the time specified by the military judge for the filing of a motion under this rule, the Government may move for an in camera proceeding concerning the use of any proceeding of any government information that may be subject to a claim of privilege. Thereafter, either prior to or during trial, the military judge for good cause shown or otherwise upon a claim of privilege may grant the Government leave to move for an in camera proceeding concerning the use of additional government information.

(3) *Demonstration of public interest nature of the information.* In order to obtain an in camera proceeding under this rule, the Government shall demonstrate, through the submission of affidavits and information for examination only by the military judge, that disclosure of the information reasonably could be expected to cause identifiable damage to the public interest.

(4) *In camera proceeding.*

(A) *Finding of identifiable damage.*

Upon finding that the disclosure of some or all of the information submitted by the Government under subsection (i)(3) reasonably could be expected to cause identifiable damage to the public interest, the military judge shall conduct an in camera proceeding.

(B) *Disclosure of the information to the defense.* Subject to subsection (F), below, the Government shall disclose government information for which a claim of privilege has been made to the accused, for the limited purpose of litigating, in camera, the admissibility of the information at trial. The military judge shall enter an appropriate protective order to the accused and all other appropriate trial participants concerning the disclosure of the information according to subsection (g), above. The accused shall not disclose any information provided under this subsection unless, and until, such information has been admitted into evidence by the military judge. In the in camera proceeding, both parties shall have the opportunity to brief and argue the admissibility of the government information at trial.

(C) *Standard.* Government information is subject to disclosure at the court-martial proceeding under this subsection if the party making the request demonstrates a specific need for information containing evidence that is relevant to the guilt or innocence or to punishment of the accused, and is otherwise admissible in the court-martial proceeding.

(D) *Ruling.* No information may be disclosed at the court-martial proceeding or otherwise unless the military judge makes a written determination that the information is subject to disclosure under the standard set forth in subsection (C), above. The military judge will specify in writing any information that he or she determines is subject to disclosure. The record of the in camera proceeding shall be sealed and attached to the record of trial as an appellate exhibit. The accused may seek reconsideration of the determination prior to or during trial.

(E) *Alternatives to full disclosure.* If the military judge makes a determination under this subsection that the information is subject to disclosure, or if the Government elects not to contest the relevance, necessity,

and admissibility of the government information, the Government may proffer a statement admitting for purposes of the court-martial any relevant facts such information would tend to prove or may submit a portion or summary to be used in lieu of the information. The military judge shall order that such statement, portion, summary, or some other form of information which the military judge finds to be consistent with the interests of justice, be used by the accused in place of the government information, unless the military judge finds that use of the government information itself is necessary to afford the accused a fair trial.

(F) *Sanctions.* Government information may not be disclosed over the Government's objection. If the Government continues to object to disclosure of the information following rulings by the military judge, the military judge shall issue any order that the interests of justice require. Such an order may include:

- (i) striking or precluding all or part of the testimony of a witness;
- (ii) declaring a mistrial;
- (iii) finding against the Government on any issue as to which the evidence is relevant and necessary to the defense;
- (iv) dismissing the charges, with or without prejudice; or
- (v) dismissing the charges or specifications or both to which the information relates."

e. A new M.R.E. 506(j) is added as follows:

"(j) *Appeals of orders and rulings.* In a court-martial in which a punitive discharge may be adjudged, the Government may appeal an order or ruling of the military judge that terminates the proceedings with respect to a charge or specification, directs the disclosure of government information, or imposes sanctions for nondisclosure of government information. The Government also may appeal an order or ruling in which the military judge refuses to issue a protective order sought by the United States to prevent the disclosure of government information, or to enforce such an order previously issued by appropriate authority. The Government may not appeal an order or ruling that is, or amounts to, a finding of not guilty with respect to the charge or specification."

f. M.R.E. 506(j) and (k) are redesignated as (k) and (l), respectively.

Sec. 4. Part IV of the Manual for Courts-Martial, United States, 1984, is amended to read as follows:

a. Paragraph 4.c. is amended by adding a new subparagraph (4) as follows:

"(4) *Voluntary abandonment.* It is a defense to an attempt offense that the person voluntarily and completely abandoned the intended crime, solely because of the person's own sense that it was wrong, prior to the completion of the crime. The voluntary abandonment defense is not allowed if the abandonment results, in whole or in part, from other reasons, such as, the person feared detection or apprehension, decided to await a better opportunity for success, was unable to complete the crime, or encountered unanticipated difficulties or unexpected resistance. A person who is entitled to the defense of voluntary abandonment may nonetheless be guilty of a lesser included, completed offense. For example, a person who voluntarily abandoned an attempted armed robbery may nonetheless be guilty of assault with a dangerous weapon."

b. Paragraph 4.c.(4), (5), and (6) are redesignated as subparagraphs (5), (6) and (7), respectively.

c. Paragraph 30a.c(1), is amended to read as follows:

"(1) *Intent.* "Intent or reason to believe" that the information "is to be used to the injury of the United States or to the advantage of a foreign nation" means that the accused acted in bad faith *and* [delete "or otherwise"] without lawful authority with respect to information that is not lawfully accessible to the public."

d. Paragraph 35 is amended to read as follows:

"35. Article 111—Drunken or reckless operation of a vehicle, aircraft, or vessel

a. *Text.*

"Any person subject to this chapter who—

(1) operates or physically controls any vehicle, aircraft, or vessel in a reckless or wanton manner or while impaired by a substance described in section 912a(b) of this title (Article 112a(b)), or

(2) operates or is in actual physical control of any vehicle, aircraft, or vessel while drunk or when the alcohol concentration in the person's blood or breath is 0.10 grams of alcohol per 100 milliliters of blood or 0.10 grams of alcohol per 210 liters of breath, as shown by chemical analysis, shall be punished as a court-martial may direct."

b. *Elements.*

(1) That the accused was operating or in physical control of a vehicle, aircraft, or vessel; and

(2) That while operating or in physical control of a vehicle, aircraft, or vessel, the accused:

(a) did so in a wanton or reckless manner, or

(b) was drunk or impaired, or

(c) the alcohol concentration in the accused's blood or breath was 0.10 grams of alcohol per 100 milliliters of blood or 0.10 grams of alcohol per 210 liters of breath, or greater, as shown by chemical analysis.

[Note: If injury resulted add the following element]

(3) That the accused thereby caused the vehicle, aircraft, or vessel to injure a person.

c. *Explanation.*

(1) *Vehicle.* See 1 U.S.C. § 4.

(2) *Vessel.* See 1 U.S.C. § 3.

(3) *Aircraft.* Any contrivance used or designed for transportation in the air.

(4) *Operates.* Operating a vehicle, aircraft, or vessel includes not only driving or guiding a vehicle, aircraft, or vessel while it is in motion, either in person or through the agency of another, but also setting of its motive power in action or the manipulation of its controls so as to cause the particular vehicle, aircraft, or vessel to move.

(5) *Physical control and actual physical control.* These terms as used in the statute are synonymous. They describe the present capability and power to dominate, direct, or regulate the vehicle, vessel, or aircraft, either in person or through the agency of another, regardless of whether such vehicle, aircraft, or vessel is operated. For example, the intoxicated person seated behind the steering wheel of a vehicle with the keys of the vehicle in or near the ignition but with the engine not turned on could be deemed

in actual physical control of that vehicle. However, the person asleep in the back seat with the keys in his or her pocket would not be deemed in actual physical control. Physical control necessarily encompasses operation.

(6) *Drunk or impaired.* "Drunk" and "impaired" mean any intoxication which is sufficient to impair the rational and full exercise of the mental or physical faculties. The term "drunk" is used in relation to intoxication by alcohol. The term "impaired" is used in relation to intoxication by a substance described in Article 112(a), Uniform Code of Military Justice.

(7) *Reckless.* The operation or physical control of a vehicle, vessel, or aircraft is "reckless" when it exhibits a culpable disregard of foreseeable consequences to others from the act or omission involved. Recklessness is not determined solely by reason of the happening of an injury, or the invasion of the rights of another, nor by proof alone of excessive speed or erratic operation, but all these factors may be admissible and relevant as bearing upon the ultimate question: whether, under all the circumstances, the accused's manner of operation or physical control of the vehicle, vessel, or aircraft was of that heedless nature which made it actually or imminently dangerous to the occupants, or to the rights or safety of others. It is operating or physically controlling a vehicle, vessel, or aircraft with such a high degree of negligence that if death were caused, the accused would have committed involuntary manslaughter, at least. The nature of the conditions in which the vehicle, vessel, or aircraft is operated or controlled, the time of day or night, the proximity and number of other vehicles, vessels, or aircraft, and the condition of the vehicle, vessel, or aircraft, are often matters of importance in the proof of an offense charged under this article and, where they are of importance, may properly be alleged.

(8) *Wanton.* "Wanton" includes "reckless", but in describing the operation or physical control of a vehicle, vessel, or aircraft, "wanton" may, in a proper case, connote willfulness, or a disregard of probable consequences, and thus describe a more aggravated offense.

(9) *Causation.* The accused's drunken or reckless driving must be a proximate cause of injury for the accused to be guilty of drunken or reckless driving resulting in personal injury. To be proximate, the accused's actions need not be the sole cause of the injury, nor must they be the immediate cause of the injury; that is, the latest in time and space preceding the injury. A contributing cause is deemed proximate only if it plays a material role in the victim's injury.

(10) *Separate offenses.* While the same course of conduct may constitute violations of both subsections (1) and (2) of the Article, (e.g., both drunken and reckless operation or physical control), this article proscribes the conduct described in both subsections as separate offenses, which may be charged separately. However, as recklessness is a relative matter, evidence of all the surrounding circumstances that made the operation dangerous, whether alleged or not, may be admissible. Thus, on a charge of reckless driving, for example, evidence of drunkenness might be admissible as establishing one aspect of the recklessness, and evidence that the vehicle exceeded a safe speed, at a relevant prior point and time, might be admissible as corroborating other evidence of the specific recklessness charged. Similarly, on a charge of drunken driving, relevant evidence of recklessness might have probative value as corroborating other proof of drunkenness.

d. *Lesser included offense.*

(1) Reckless or wanton or impaired operation or physical control of a vessel. Article 110—improper hazarding of a vessel.

(2) Drunken operation of a vehicle, vessel, or aircraft while drunk or with a blood or breath alcohol concentration in violation of the described per se standard.

(a) Article 110 - improper hazarding of a vessel

(b) Article 112 - drunk on duty

(c) Article 134 - drunk on station

e. *Maximum punishment.*

(1) *Resulting in personal injury.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 18 months.

(2) *No personal injury involved.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 6 months.

f. *Sample specification.*

In that _____ (personal jurisdiction data), did (at/onboard—location)(subject-matter jurisdiction data, if required), on or about _____ 19____, (in the motor pool area)(near the Officer's Club)(at the intersection of _____ and _____)(while in the Gulf of Mexico)(while in flight over North America) physically control [a vehicle, to wit: (a truck)(a passenger car) (_____)] [an aircraft, to wit: (an AH-64 helicopter)(an F-14A fighter)(a KC-135 tanker)(_____)] [a vessel, to wit: (the aircraft carrier USS _____)(the Coast Guard Cutter _____) (_____)], [while drunk] [while impaired by _____] [while the alcohol concentration in his (blood was 0.10 grams of alcohol per 100 milliliters of blood or greater)(breath was 0.10 grams of alcohol per 210 liters of breath or greater) as shown by chemical analysis] [in a (reckless)(wanton) manner by (attempting to pass another vehicle on a sharp curve)(by ordering that the aircraft be flown below the authorized altitude)] [and did thereby cause said (vehicle)(aircraft)(vessel) to (strike and) (injure _____)].”

e. Paragraph 43.a.(3) is amended to read as follows:

“(3) is engaged in an act that is inherently dangerous to another and evinces a wanton disregard of human life; or”

f. Paragraph 43.b.(3)(c) is amended to read as follows:

“(c) That this act was inherently dangerous to another and showed a wanton disregard for human life;”

g. Paragraph 43.c.(4)(a) is amended to read as follows:

“(a) *Wanton disregard for human life.* Intentionally engaging in an act inherently dangerous to another—although without an intent to cause the death of or great bodily harm to any particular person, or even with a wish that death will not be caused—may also constitute murder if the act shows wanton disregard of human life. Such disregard is characterized by heedlessness of the probable consequences of the act or omission, or indifference to the likelihood of death or great bodily harm. Examples include throwing a live grenade toward another or others

in jest or flying an aircraft very low over one or more persons to cause alarm.”

h. Paragraph 45.a.(a) is amended to read as follows:

“(a) Any person subject to this chapter who commits an act of sexual intercourse by force and without consent, is guilty of rape and shall be punished by death or such other punishment as a court-martial may direct.”

i. Paragraph 45.b.(1) is amended to read as follows:

“(a) That the accused committed an act of sexual intercourse; and

(b) That the act of sexual intercourse was done by force and without consent.”

j. Paragraph 45.c.(1)(a) and (b) are amended as follows:

“(a) *Nature of offense.* Rape is sexual intercourse by a person, executed by force and without consent of the victim. It may be committed on a victim of any age. Any penetration, however slight, is sufficient to complete the offense.

(b) *Force and lack of consent.* Force and lack of consent are necessary to the offense. Thus, if the victim consents to the act, it is not rape. The lack of consent required, however, is more than mere lack of acquiescence. If a victim in possession of his or her mental faculties fails to make lack of consent reasonably manifest by taking such measures of resistance as are called for by the circumstances, the inference may be drawn that the victim did consent. Consent, however, may not be inferred if resistance would have been futile, where resistance is overcome by threats of death or great bodily harm, or where the victim is unable to resist because of the lack of mental or physical faculties. In such a case there is no consent and the force involved in penetration will suffice. All the surrounding circumstances are to be considered in determining whether a victim gave consent, or whether he or she failed or ceased to resist only because of a reasonable fear of death or grievous bodily harm. If there is actual consent, although obtained by fraud, the act is not rape, but if to the accused's knowledge the victim is of unsound mind or unconscious to an extent rendering him or her incapable of giving consent, the act is rape. Likewise, the acquiescence of a child of such tender years that he or she is

incapable of understanding the nature of the act is not consent.”

k. Paragraph 89.c. is amended to read as follows:

“(c) *Explanation.* “Indecent” language is that which is grossly offensive to modesty, decency, or propriety, or shocks the moral sense, because of its vulgar, filthy, or disgusting nature, or its tendency to incite lustful thought. Language is indecent if it tends reasonably to corrupt morals or incite libidinous thoughts. The language must violate community standards. See paragraph 87 if the communication was made in the physical presence of a child.”

l. The following new paragraph is added after paragraph 103:

“103a. Article 134 (Self-injury without intent to avoid service)

a. *Text.* See paragraph 60.

b. *Elements.*

(1) That the accused intentionally inflicted injury upon himself or herself;

(2) That, under the circumstances, the conduct of the accused was to the prejudice of good order and discipline in the armed forces or was of a nature to bring discredit upon the armed forces.

[Note: If the offense was committed in time of war or in a hostile fire pay zone, add the following element]

(3) That the offense was committed (in time of war) (in a hostile fire pay zone).

c. *Explanation.*

(1) *Nature of offense.* This offense differs from malingering (see paragraph 40) in that for this offense, the accused need not have harbored a design to avoid performance of any work, duty, or service which may properly or normally be expected of one in the military service. This offense is characterized by intentional self-injury under such circumstances as prejudice good order and discipline or discredit the armed forces. It is not required that the accused be unable to perform duties, or that the accused actually be absent from his or her place of duty as a result of the injury. For example, the accused may inflict the injury while on leave or pass. The circumstances and extent of injury, however, are relevant to a determination that the accused's conduct was preju-

dicial to good order and discipline, or service-discrediting.

(2) *How injury inflicted.* The injury may be inflicted by nonviolent as well as by violent means and may be accomplished by any act or omission that produces, prolongs, or aggravates a sickness or disability. Thus, voluntary starvation that results in a debility is a self-inflicted injury. Similarly, the injury may be inflicted by another at the accused's request.

d. *Lesser included offense.* Article 80—attempts

e. *Maximum punishment.*

(1) *Intentional self-inflicted injury.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 2 years.

(2) *Intentional self-inflicted injury in time of war or in a hostile fire pay zone.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 5 years.

f. *Sample specification.*

In that _____ (personal jurisdiction data), did, (at/on board—location) (in a hostile fire pay zone) on or about _____ 19____, (a time of war,) intentionally injure himself/herself by _____ (nature and circumstances of injury).”

Sec. 5. These amendments shall take effect on June 10, 1995, subject to the following:

a. Nothing in these amendments shall be construed to make punishable any act done or omitted prior to June 10, 1995.

b. The maximum punishment for an offense committed prior to June 10, 1995, shall not exceed the applicable maximum in effect at the time of the commission of such offense.

c. Nothing in these amendments shall be construed to invalidate any nonjudicial punishment proceeding, restraint, investigation, referral of charges, trial in which arraignment occurred, or other action begun prior to June 10, 1995, and any such nonjudicial punishment, restraint, investigation, referral of charges, trial, or other action may proceed in the same manner and with the same effect

as if these amendments had not been prescribed.

William J. Clinton

The White House,
May 12, 1995.

[Filed with the Office of the Federal Register, 2:56 p.m., May 15, 1995]

NOTE: This Executive order was published in the *Federal Register* on May 17. This item was not received in time for publication in the appropriate issue.

Proclamation 6799—National Defense Transportation Day and National Transportation Week, 1995
May 12, 1995

By the President of the United States of America

A Proclamation

We Americans enjoy the benefits of the finest transportation system in the world. Our Nation has built a wide network of airports and seaports, railroads and bridges, highways, waterways, and subways. This infrastructure is a mainstay of our economy, an essential part of our national defense, and the means by which our citizens enjoy unprecedented mobility. Such ease of travel unites our land, brings cities and communities closer together, and links our society to the world.

Recent international trade agreements have dramatically changed the global marketplace, creating new opportunities and expanding horizons for all Americans. Our success in this increasingly competitive environment depends as never before on transportation. A system that moves people and goods safely and efficiently helps us to sell our products overseas, spawning new industries and generating jobs at an unprecedented rate.

The national transportation system, with government and industry working together, is a keystone of America's national security strategy. The world is still an unpredictable

place, and America continues to have worldwide security and economic interests. The national transportation system gives America the capability to rapidly move military equipment and personnel to meet contingencies, crises, and humanitarian efforts anywhere in the world.

Today, American transportation is moving forward to embrace the exciting possibilities and challenges of the 21st century. Using state-of-the-art technology, we are developing a single integrated system that links all forms of transportation and enables the user—passenger or shipper—to choose the service that best meets the immediate need. The Department of Transportation is working on a National Transportation System to address modern concerns of efficiency and environmental safety, and we are looking toward States, communities, and the private sector to join in investing strategically in the transportation infrastructure of the future.

This week, Americans honor the men and women who build, maintain, and monitor the safety of our transportation system—from air traffic controllers to railroad safety inspectors to aerospace machinists building the planes of tomorrow. We salute our transportation industry workers for their countless contributions to our Nation and for helping to ensure that our transportation system remains the finest in the world.

In recognition of the millions of Americans who work every day to meet our transportation needs, the Congress, by joint resolution approved May 16, 1957 (36 U.S.C. 160), has designated the third Friday in May of each year as “National Defense Transportation Day” and, by joint resolution approved May 14, 1962 (36 U.S.C. 166), declared that the week in which that Friday falls be designated “National Transportation Week.”

Now, Therefore, I, William J. Clinton, President of the United States of America, do hereby proclaim Friday, May 19, 1995, as National Defense Transportation Day and May 14 through May 20, 1995, as National Transportation Week. I urge all Americans to observe these occasions with appropriate ceremonies and activities, giving due recognition to the individuals and organizations that build, operate, safeguard, and maintain this country’s modern transportation system.

In Witness Whereof, I have hereunto set my hand this twelfth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

William J. Clinton

[Filed with the Office of the Federal Register, 10:58 a.m., May 15, 1995]

NOTE: This proclamation was published in the *Federal Register* on May 16. This item was not received in time for publication in the appropriate issue.

Message to the Congress Transmitting the District of Columbia Supplemental Budget and Rescissions

May 12, 1995

To the Congress of the United States:

In accordance with section 446 of the District of Columbia Self-Government and Governmental Reorganization Act, I am transmitting the District of Columbia’s 1995 Supplemental Budget and Rescissions of Authority Request Act of 1995. This transmittal does not represent an endorsement of the contents of the District’s budget.

William J. Clinton

The White House,
May 12, 1995.

NOTE: This item was not received in time for publication in the appropriate issue.

The President’s Radio Address

May 13, 1995

Good morning. It’s good to be back home after my trip this week to Russia and Ukraine. I went there to join with two of our brave allies in World War II to commemorate the 50th anniversary of our victory over fascism in Europe.

Just as we did here at home this week, people all over the world remembered the sacrifices that protected our freedom and made our world more secure. But I also went

on this trip to make Americans more secure in the future.

I want to take a moment to report on some of the highlights of my meeting with Russian President Yeltsin that will increase our security.

First, he agreed to move ahead with Russia's participation in the Partnership For Peace. That's the military cooperation program between NATO and other European democracies, who all pledge to respect each other's borders and to work together to strengthen collective security in Europe.

Second, President Yeltsin agreed to cancel the sale of nuclear enrichment technology to Iran, which clearly could be used to develop nuclear weapons.

Third, we agreed to ask the Special Commission, headed by Vice President Gore and Russian Prime Minister Chernomyrdin, to look into whether Russia's sale of nuclear reactors to Iran could help to produce nuclear weapons.

Fourth, we resolved outstanding issues that will help lead Russia to close down conventional arms sales to Iran.

Fifth, we agreed to begin visits to biological weapons factories this August as a part of our common efforts to reduce the threat of biological and chemical weapons proliferation. This has particular importance to us now in the wake of the use of poison gas by a radical group in Japan's subways and indications that such groups all over the world are working to get access to chemical and biological weapons.

And sixth, in light of the tragedies in Oklahoma City and Russia's plague of organized crime, we agreed to share technology and information and law enforcement resources in increasing our common efforts to combat terrorism and organized crime.

One other important decision this week will also help to make this a much safer world for many years to come. The United Nations agreed to make the Nuclear Non-proliferation Treaty permanent. This Treaty has been our main weapon in limiting the spread of nuclear weapons for 25 years. And now it will be in effect indefinitely. This was not an easy fight to win, and I am very proud that the United States led the effort to extend this essential and powerful tool in our com-

mon efforts to make all Americans and all people throughout the world more secure.

This week, besides working for a more secure world for Americans, we've also worked to open economic opportunities for our people throughout the world. The United States is deeply committed to open and fair trade among the nations of the world. That's why I have fought so hard in the last 2 years for the largest market opening initiatives in over a generation: NAFTA, the North American Free Trade Agreement; the GATT world trade agreement. I've worked to get our partners through the Asia-Pacific region and here in our own hemisphere to commit to free and fair trade by certain dates. And that's why I have fought to eliminate Japanese trade barriers that shut out competitive American products made by skilled American workers.

We've concluded 14 results-oriented agreements in 27 months to open Japan to everything from our apples to our rice, our telecommunications equipment to our construction services. And these agreements are beginning to pay off in terms of jobs and profits here in America.

But when it comes to selling cars and auto parts to Japan, we are still hitting a brick wall. Foreigners have about 30 percent of our market but only 4 percent of Japan's market, both for cars and for car parts. We've been hitting that brick wall long enough. Now we must act to protect and create American jobs.

In the United States, auto and auto parts industries employ nearly 2.5 million Americans and account directly for 5 percent of our total economy. But because of all the other products purchased by automakers, when we sell more cars, it has a positive ripple effect throughout our economy.

Our efforts to open Japan's markets as wide as ours is good for American workers and American companies. It's also good for Japanese consumers, who today pay much higher prices because of their trade barriers.

Opening Japan's markets is a win-win situation for everyone. But old habits and entrenched interests die hard. For more than 20 years, every American President has wrestled with this problem. Our administration has talked with Japan for 20 months now. But there's a big difference between talk and

results. I am determined to open Japan's auto market. That's why I've asked my administration to draw up a list of potential sanctions to impose against Japanese imports. We are prepared to act, and we will act soon if we must.

We don't want a trade conflict with Japan, but we won't hesitate to fight for a fair shake for American products. And I want to emphasize two things: We seek no special preference for American cars and auto products over those of others. We want all, all countries to have equal access to Japanese markets. We'll always take our chances with fair competition.

I also want to emphasize that Japan is a valued friend and partner. We cooperate on many important issues, including efforts to open trade in other areas and to advance our common security interests. Japan should join us again. Together we must make sure that the future is not only safer and more secure but also prosperous, more prosperous for the American people and for people throughout the world.

Thanks for listening.

NOTE: The address was recorded at 8:50 p.m. on May 12 in the Map Room at the White House for broadcast at 10:06 a.m. on May 13.

Statement Honoring Police Officers at the National Law Enforcement Officers' Memorial

May 13, 1995

You are gathered here tonight to honor the memory of 298 of your fellow law enforcement officers who laid down their lives to make our society more lawful and our lives more secure. In the finest tradition of America's law enforcement, every day these officers took to the streets and put the safety and well-being of other Americans above their own. By giving their lives to uphold the rule of law, these officers made the ultimate sacrifice to preserve our freedom. They are American heroes, and I thank them and their families on behalf of a grateful nation.

Tonight then, as you add the names of these brave men and women to the many thousands of fallen officers whose names already adorn the walls of this great memorial,

let us honor the memory of all of these officers by rededicating ourselves to restoring the line between right and wrong and purging our society of the dark forces that threaten our common peace, our freedom and our way of life.

NOTE: Attorney General Janet Reno read the statement to participants assembled at the memorial for the seventh annual candlelight vigil.

Remarks at the Peace Officers Memorial Service

May 15, 1995

Thank you very much. Thank you, Dewey Stokes, for your kind introduction, for your stirring call to continued vigilance in the cause of law enforcement, and for your 8 years of fine leadership of the FOP. I have enjoyed working with you, and I know that I speak for all law enforcement and, indeed, all Americans who know anything about what has been done in this town in the last 8 years to fight for more sensible and more peaceful laws for our people, when I thank you for 8 years of service and congratulate you on what you have done. Thank you, Karen Lippe, for what you said. Attorney General Reno; Secretary Rubin; Senator Biden; Congressman Lightfoot—I see Senator Thurmond and Congressman Ramstad out in the audience—there may be others; members of the law enforcement community in the United States and their family members; and most especially to the fine families whom we honor here today for the awful losses they have sustained.

I am proud to be with you here today to honor the 157 men and women who died for their country, for law, for order, for peace and freedom last year. They will long be remembered for their service to our communities, to their families, and to the Nation. They were in every sense American heroes.

Just before I came out here I had the privilege of meeting with the family of Hank Daly, who was gunned down in Washington last November by a man who brought an assault weapon to the station house. To the Daly family and to all the families who are here, I say a profound thank you.

Today we pay tribute not only to those who died but to the families and friends who lost them and to the fellow officers who carry on the work that they did. We are here as well to carry on that work, to ensure that we live in a nation that is safe, just, and free.

Freedom has endured in this country for more than 200 years now because we have always recognized that we cannot have liberty without responsibility. If we are going to preserve the enormous freedom we have in America, the freedom to speak, the freedom to assemble, the freedom to bear arms, then all Americans must join in and join you and recognize that we cannot preserve the freedoms without responsibility.

If we aren't safe in our homes at night, if our children aren't safe as they go to and from school, if our parents and grandparents are afraid to leave their apartments, if our shopkeepers are afraid to go to work and stay there, if our police officers have to live in mortal fear every single day, then to that extent, my fellow Americans, we are not free. And it is not enough for citizens to say, "Fighting crime is the Government's job, and as long as I'm not violating the law, I have utterly no responsibility to help. I'll oppose any reasonable law enforcement measure I don't like. I will go about my business. I have no responsibility." Neither is it enough for people in Government to say, "We've gone so far; we can't go any further. Until our people, our culture, our values change, we'll just be too lawless and too violent."

My friends, violence in America cannot pose a choice between individual responsibility and social responsibility. The level of violence and crime, the death we mourn and honor today demands more of both.

Government's first responsibility is law and order, to prevent crime, to punish criminals, to give you in law enforcement the tools you need to do both. That is why I was proud to stand shoulder to shoulder with you last year to pass the crime bill and the Brady bill before it. The FOP and every major organization of law enforcement in our country supported and fought for those measures.

The crime bill, as Dewey said, will put 100,000 more police officers on our streets, prevent crime, and toughen sentences. And it will make clear, as Dewey called for, that

anyone who murders a law enforcement officer from now on will face the death penalty.

Police officers like you engaged in community policing are the single best way to fight crime and to prevent it. I will not stand for any attempt to undermine our common efforts to put 100,000 more police officers on the street. I will not allow you to be outnumbered or to be outgunned. The Brady bill was the right thing to do. And it is saving lives in America today. The people who are against you and would not support you were wrong. We have evidence you were right, and we must stand with you.

And you asked us to ban deadly assault weapons for a reason. You were tired of seeing criminals like drug dealers use weapons of war to gun down police officers on our streets. We did that in a bill which also protected hundreds of sporting and hunting weapons. And because of the ban on assault weapons, every year from now on there will be fewer names on the memorial not far from here.

We have also done a great deal to increase the partnership between national law enforcement and those at the State and local level. For that I thank the Attorney General and the Secretary of the Treasury. I thank the Directors of the Secret Service and Alcohol, Tobacco and Firearms who are here and the FBI Director and all who have worked so hard so that we could do our part to help you to keep America safer.

But the guts of what we did was in the crime bill, the Brady bill, and the assault weapons ban. So when the NRA holds its annual meeting later this week, I want them to know they can pressure Congress all they want to try to repeal the assault weapons ban, but as long as I am President that ban will be the law of our land.

I also agree with the fine letter that President Bush wrote just a few days ago. Law enforcement officers in this country deserve our respect and support. No one has the right to run them down or to suggest that somehow it is all right for them to be put in harm's way. That is not the American way, and anybody who does it ought to be ashamed of themselves.

You never walk away from your responsibility. And your country is not about to walk

away from you. If you're going to do your job on the streets, we all have to do a better job, not just here in Government but as citizens and parents. We have to do a better job knowing that we are raising children who understand that actions have consequences, who know the difference between right and wrong, who understand that they need to be part of a country and a community that looks out for them and gives them people to look up to, like all of you and all the men and women we honor today.

The tragic bombing in Oklahoma City last month first unmasked the evil that humans are capable of. But the incredible response of the brave people of Oklahoma City and those who came from all over America to lend a hand also shows us that in this country of ours, in the end, good can prevail.

Eight Federal law enforcement officials died in the line of duty in the Oklahoma City bombing. One of them, Al Whicher, a Secret Service agent who served on my security detail and President Bush's, had just recently moved to Oklahoma City, where we all thought he and his family would have a more regular and more relaxed life.

I will never forget the look I saw this morning in Mrs. Daly's face when she said, "I knew my husband was going to be in law enforcement, and I was proud of that. But I never expected this to happen to us." As I look across this sea of people wearing their corsages today, I'm sure that you never expected it to happen to you.

Let me say, first of all to you, that I know this is a painful day for you. And I applaud your personal courage in enduring the pain to be here. But you have set an example for your country by being willing to be here. You have let America see you. And as long as America sees you, we will not be able to forget what our duty is to those whom you loved and all others who do that work. Thank you for your courage for being here.

Here in Washington our duty is to bring the terrorists who committed the horrible act in Oklahoma City to justice. And we will do that. And we must do everything in our power to make sure such a tragedy never happens again. Because open societies all over the world are now more vulnerable to the organized forces of destruction and evil,

whether they rise up from within our country or come here from without, we must do what we can to ensure that law enforcement has the tools to deal with this profound threat to our security and our way of life. I have sent Congress legislation that will do exactly that.

Last month, in the wake of the Oklahoma City tragedy, congressional leaders promised that I would have the antiterrorism legislation on my desk by Memorial Day. Since then we have seen disturbing signs of the old politics of diversion and delay. This plays into the hands of those who would blame the law enforcement officers who keep the law, rather than the criminals who break it. We make a grave mistake in this country, my fellow Americans, when we confuse responsibility in that way. And we must not tolerate it.

Come Friday, a month will have passed since the Oklahoma City bombing. Congress must act and act quickly. It would be a good way to honor the victims of Oklahoma City and the police officers we honor today if the Congress would say, "This is not a political issue; this is an American issue. We're going into the next century with the tools to fight the kind of outrage we endured in Oklahoma City. And we are going to do it without delay."

My fellow Americans, we can win the fight against terrorism, and we can lower the crime rate in America. We can reduce the number of law enforcement officers we have to honor here every year. And we can reduce the number of innocent citizens who are killed, the number of innocent children who are deprived of the chance even to grow up. We can do this if we will stand shoulder to shoulder, citizens and law enforcement, and do what we know works to lower the crime rate, catch criminals, and punish them appropriately. If every law-abiding citizen will raise a voice against crime and violence, that is the beginning of wisdom and progress.

So I ask you all today, never forget that the overwhelming majority of people in this country honor you, value you, care for your welfare and the welfare of your families. But never forget, until our job is done we must live with the burning reminder of the heart-break of the families here today, and we must

do our duty. No turning back. And we must not let any group in this country say that they don't have responsibility for improved law enforcement and a lower crime rate, that they don't have a responsibility to help, that they can ignore what you know works to save lives and build a better future.

You can be very proud of the progress which has been made in the last couple of years, not just here in Washington with the crime bill, the assault weapons ban, and the Brady law but on your streets, on your streets where in place after place the crime rate is declining. But we are a long way from home.

The happiest day in the lives of people in law enforcement will be the day when we can come here and have not one single solitary heartbroken family to honor.

Thank you, and God bless you all.

NOTE: The President spoke at 12:49 p.m. at the West Front of the Capitol. In his remarks, he referred to Dewey Stokes, national president, Fraternal Order of Police, and Karen Lippe, president, Fraternal Order of Police Grand Lodge Auxiliary.

Proclamation 6800—Peace Officers Memorial Day and Police Week, 1995

May 15, 1995

By the President of the United States of America

A Proclamation

Each year, we pause to remember and to honor the brave men and women whose heartfelt commitment to the law and to their fellow citizens cost them their lives. During 1994, we lost 56 law enforcement officers to on-duty accidents. Seventy-six officers—72 State and local police and four Federal agents—were murdered. Thirty-three of these officers were wearing body armor when they were killed. All but one were killed with a firearm. Three were gunned down inside police headquarters in our Nation's capital.

America's law enforcement officers face extraordinary risks—breaking up a drug ring, apprehending a fugitive, responding to an incident of domestic violence, even making a traffic stop. Since the first recorded police

death in this country in 1794, more than 13,500 law enforcement officers have been killed in the line of duty. On average, more than 62,000 officers are assaulted and some 20,000 are injured each year.

Tragically, the dangers of law enforcement service are increasing. From 1960 to 1993, the number of violent crimes in America increased 567 percent. In the past 10 years, it increased 51 percent. During 1993, more than 1.9 million violent crimes—murders, rapes, robberies, and assaults—were reported to police. And our police responded.

Despite the rising tide of crime, good and brave men and women continue to join the ranks of law enforcement. Today, more than 600,000 sworn officers work every day to preserve the peace and improve the safety of cities and towns across America. These heroic individuals and their fallen colleagues come from many different backgrounds. But they are linked by a common faith—that freedom is worth defending and that justice shall prevail. For those who died to uphold these ideals and for those who still stand to protect them, we salute America's law enforcement officials.

The Congress, by a joint resolution approved October 1, 1962 (76 Stat. 676), has authorized and requested the President to designate May 15 of each year as "Peace Officers Memorial Day," and the week in which it falls as "Police Week," and by Public Law 103-322 (36 U.S.C. 175) has requested that the flag be flown at half-staff on Peace Officers Memorial Day.

Now, Therefore, I, William J. Clinton, President of the United States of America, do hereby proclaim May 15, 1995, as Peace Officers Memorial Day, and May 14-20, 1995, as Police Week. I call upon the people of the United States to observe this occasion with appropriate programs, ceremonies, and activities. I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff on Peace Officers Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control, and I invite the people of the United

States to display the flag at half-staff from their homes on that day.

In Witness Whereof, I have hereunto set my hand this fifteenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

William J. Clinton

[Filed with the Office of the Federal Register, 2:38 p.m., May 15, 1995]

NOTE: This proclamation was published in the *Federal Register* on May 17.

Remarks Prior to a Meeting With Congressional Leaders and an Exchange With Reporters

May 16, 1995

Budget Proposals

The President. First of all, I want to welcome the Members here for this meeting. And as you know, we're going to be discussing the budget. And we'll just make a couple of observations.

I have just returned, as you know, from my trip, and I look forward to having the opportunity to study in detail the budget resolutions passed by the Senate and the House—or offered by the Republicans in the Senate and the House.

Obviously, I believe that deficit reduction is good for our economy. It lowers interest rates. It promotes growth if it's done in the right way.

We're using 7-year figures now. The last Congress reduced the deficit about a trillion dollars over 7 years, or about as much as the Republican proposals recommend.

I am concerned, as I have said repeatedly for months now, about three things. I do not believe that we should cut Medicare deeply, cut long-term care for the elderly deeply to pay for tax cuts for upper income citizens. I believe that we have to slow the growth of Medicare. I am glad to hear the majority in Congress acknowledging that, after 2 years of denying that there is a crisis in Medicare. I agree that there is. But the proper way to do it is within the context of health care reform so that we can consider the implications

on the health of our people, the welfare of our people, as we do this.

And the third thing I would say is that we have two deficits in the country that are hurting us badly. One is the budget deficit; the other is the education deficit. The most significant thing about America in the last 15 years is the stagnant wages of working people and the growing inequality among middle class people because they do not have the skills they need to compete in the global economy. So I don't think we should cure the budget deficit by enlarging the education deficit.

Those are my three preliminary observations. And I look forward to having the chance to study this and to work with them and with the Democrats in the Congress to continue to bring this deficit down. We must do that. We all agree with that. But there's a right way and a wrong way to do it, and we're going to be discussing that in greater detail today.

Q. Senator Dodd says it may be time to drop all proposals for a tax cut right now and to focus instead on deficit reduction. Are you willing to drop your middle class tax cut proposal if the Republicans drop theirs?

The President. Well, first of all, I believe that we can pay for something in the range that I have proposed with a dramatic—[*inaudible*—deficit reduction. I think you could—I think we can achieve that. But I—I want to—that's my position, but I want to have a chance to meet with these folks today and hear from all of them, and we'll be talking more about this.

I believe that what I recommended is the right course. I'm prepared to hear from anybody else who's got any other ideas. My concern is, I don't want to see us just jump off the deep end on Medicare cuts without understanding what the implications are to pay for huge tax cuts which we plainly can't afford and which mostly go to upper income people. I do not believe that we can fix Medicare unless we have some idea of how the system is going to be reformed and what the consequences will be. And I don't believe that we should be eviscerating the education budget and making it harder for people to go to college and stay there, for example.

Now, other details and other issues—I'm going to review their proposals and evaluate them, and then we'll be glad to work with them and go forward.

Japan-U.S. Trade

Q. [*Inaudible*—go in effect today. [*Inaudible*—when you meet with Prime Minister Murayama you'll be able to resolve this matter and avoid a trade war with Japan that could affect security and other strategic interests, as well?

The President. I certainly hope that we'll be able to resolve this. And as you know, we—the way this issue works—the Trade Ambassador, Mr. Kantor, will announce the details of what we propose. They won't actually go into effect if we can avert the disagreement with the Japanese. But if you look at the special problem of autos and auto parts and how long we have labored over them, and how reasonable the United States has been, for years, even for more than a decade, I believe that this is something we have to go forward on. The Japanese Government has acknowledged that we have important security interests and other interests in common and that we cannot let our entire relationship be left by this. That is a welcome observation by them, and I agree with them. But we can't anymore deny this or sweep it under the rug. We've got to go forward; we're going to do that.

NOTE: The President spoke at 9:04 a.m. in the Cabinet Room at the White House. A tape was not available for verification of the content of these remarks.

Remarks on the National Performance Review

May 16, 1995

Thank you very much, Mr. Vice President, Secretary Reich, Mr. Dear, to our friends from Maine, all of them, for the fine work they have done. Congresswoman Norton and members of the DC City Council and others who are here, we're glad to be in the District of Columbia and in one of the most interesting workplaces I've been in in a while. I want to thank the folks who work here for making us feel welcome and for taking a little time

off from work to let us come in and interrupt the flow of events. I'm sure that's not a terrible burden. [*Laughter*] I want to thank Mr. Gawne for having us here. Mr. and Mrs. Gawne made us feel very welcome when we came in, and they didn't waste much time in establishing the productivity of their leadership by pointing out that they have 6 children and 14 grandchildren, and most of them are here today. [*Laughter*] I'd also like to say a special word of appreciation to the Vice President's reinventing Government team who worked so hard on this—Elaine Kamarck is here and many others who worked so hard on it. I thank all of them.

We have taken this business of trying to make the Government work and make sense very seriously. We have worked at it steadily now for a good long while. We think it's one of the most important things we can do to make the American people believe, first of all, that their tax dollars are not being squandered but instead are being well spent and, secondly, to fulfill some important public objectives.

Protecting the health and safety of our country's workers is an important national value. It's something we should all share. From the Triangle Shirtwaist fire back in 1911, which galvanized the conscience of our Nation, to the fire in Hamlet, North Carolina, in 1991—which I remember so very well because 25 poultry workers were killed there and thousands and thousands of people work in the poultry industry in my home State—we have recognized that we have a special responsibility as a people to ensure that workers are not put in undue jeopardy. We don't believe that anyone should have to endanger their personal health or their very lives to make a living for their families, to live a life of dignity.

But still, in spite of all the progress that has been made, over 6,000 Americans every year die at work. That's 17 a day. And about 50,000 more people die each year from exposure to chemicals and other hazards in the workplace. Six million Americans are injured, and the injuries alone cost our economy over \$100 billion a year. So it is obvious that we still have work to do and that to whatever extent we can reduce death and injuries in the workplace, we will not only improve the

quality of life in this country, we will also reduce the cost of these terrible tragedies in ways that strengthen our economy.

The Occupational Safety and Health Administration has been at work in this cause since it was created with bipartisan support in 1970. Since that time, workplace deaths have been cut in half. Cotton dust standard has virtually eliminated brown lung disease. Deaths of construction workers from collapsing trenches has been cut by a third. There have been many achievements that all Americans can be proud of. And today, we should reaffirm that commitment.

But we also have to recognize that like other Government regulatory agencies, OSHA can and must change to keep up with the changes and the times. We also recognize that any organization that is established and gets going in a certain direction, if it's not careful, whether it's in the public or the private sector, can wind up pursuing prerogatives that strengthen its organization rather than fulfill its fundamental mission.

That was the brilliance of the story that the Vice President told about what the Maine OSHA people did and how they changed, not only replacing yesterday's Government with a new Government that fits the needs of an information age that is less bureaucratic and that recognizes that the way we protected workers' safety in the last 25 years may not be the best way to do it in the next 25 years but also recognizing that, frankly, sometimes the rules have simply become too complex, too specific for even the most diligent employer to follow and that if the Government rewards inspections for writing citations and levying fines more than ensuring safety, there's a chance you could get more citations, more fines, more hassle, and no more safety.

So we believe that in this, as in every other area, we have to constantly innovate. And we're announcing these initiatives today.

Let me say to you that of all the things we've done in reinventing Government, this one has a particular personal meaning to me because of the experience I had for so many years as the Governor of my State. We were one of 29 States, first of all, that had a partnership with OSHA. And we worked hard to help implement the worker standards that the National Government set with State peo-

ple who worked in partnership with manufacturers, because in the 1980's, when manufacturing was going downhill in America, we were increasing manufacturing employment in my State, partly because we had that kind of partnership.

I was interested in it from a human perspective because I spent so many hours, countless hours, in literally hundreds of factories in my State talking to the people who worked in the factories, watching what they did. And finally, I became personally acquainted with it because for several months in one year I was Governor, I took a day off a month to work in manufacturing operations. That will give you a clear perspective about wanting to be safe in the workplace. I worked in a food processing plant. I worked in a joist manufacturing operation. I helped to make refrigerators from 3 p.m. to midnight one night on a Friday night. And I even worked in an oil refinery. And it gave me a keen appreciation, first of all, for the need of people who are operating these things to be treated in a fair and sensible way by the Government so people could make a living and they could make a profit; and, second, for the absolute imperative for people to be able to work in a safe and secure environment.

Unless you've ever seen one of those huge metal stamping machines come down on a piece of sheet metal, you can't imagine what it was like to think about the days when people had to put their hands under those machines with no guards, knowing one mistake would be the hand would be gone forever. Unless you've actually seen things like that, it is hard to visualize what is at stake here.

We believe in this country that you can do the right thing and do well. We believe that is a general principle that we have to have throughout the economy. Mr. Correll, here from Georgia Pacific—I've been in every single one of his operations in our home State. And they have done some remarkable things. I believe you can do the right thing and do well. And we have to see day in and day out that we have a Government that makes sure we're all trying to do the right thing and that we can do well at the same time.

That is what we are trying to do today, saying to businesses, you have choice. You can put in place a health and safety program that involves your workers and that tries to find and fix hazards before an accident happens, and OSHA will be a partner. There will be reduced penalties or, in some cases, no penalties at all. You will be inspected rarely, if ever. You will get help when you want to comply. But if a business chooses not to act responsibly and puts its workers at risk, then there must be vigorous enforcement and consequences that are serious when violations are serious.

This new approach is not an abstract one. We have seen it. It works in Maine. If it worked in Maine, it will work everywhere else. To borrow a phrase from politics: I hope when it comes to worker safety, as Maine goes, so goes the Nation.

Secondly, we need to make sure that worker safety rules are as simple and sensible and flexible as they can be. You've already heard the Vice President say that OSHA will now allow plastic gas cans on construction sites. That may not sound like a big deal, but it's absolutely maddening if you're on the other side of a dumb regulation like that. Until now, OSHA required that work site first aid kits be approved by a doctor. That doesn't make a lot of sense. So, from now on, you can buy one at the drugstore.

This is just a downpayment on the things that we intend to do. As part of the page-by-page regulatory review I ordered earlier this year, on June 1st, I expect to see dozens and dozens more rules on my desk ready to be discarded or fixed, including hundreds of pages of detailed standards that have literally been on the books unchanged since the early 1970's.

The third thing we intend to do is to extend our reinvention to the way men and women on the front lines work with employees and businesses to promote safety. I'm interested in results, not redtape. The Vice President says that all the time. We're determined to make that the rule of the land, in worker safety, in the environment, in every other area that we can possibly extend it to.

We're interested in prevention, not punishment. It would suit me if we had a year in this country where OSHA did not levy a

single fine, because if that happened, we'd have safer workplaces, more productive businesses, we'd be making more money with happier people going to work every day.

We are going to redesign OSHA's offices, five of them every quarter, to produce safety, not just citations. We're cutting the time between the complaint by a worker and the resolution of a problem in half. We're focusing inspections on the gravest hazards. Already if a construction site has a strong health and safety program, inspectors are limited to the biggest hazards, lasting a few hours, not a few days. Now we'll expand that to other industries as well.

We want to use common sense and market incentives to save lives. Last year, the OSHA office in Parsippany, New Jersey, had an idea: Rather than finding a hazard, writing a citation, fighting for months about it, why not give the employer a financial incentive to simply fix it on the spot? That leads to more safety and much less hassle. Lives are already being saved there, too. And today, we are determined to expand this so-called quick fix program nationwide. There really are some quick fixes when you're dealing with stale bureaucracy, and we intend to find them all and put them into effect. Giving employers a choice, common sense regulation, common sense enforcement: that will be the new OSHA, the right way to protect the safety of people in the American workplace.

But even as we take these steps, we have to recognize that there is a very different approach at work here in Washington. The leadership of the new Congress is mounting an assault on our ability to protect people in the workplace at all. Responding to the entreaties of powerful interest, they are ready to throw the baby out with the bath water and, in so doing, to put at risk the health and safety of millions of ordinary American workers. They're not trying to reform the system of worker protection as we are but instead to dismantle it and, therefore, to destroy our ability to pursue its fundamental purpose.

The budget proposed in the Senate would cut in half the funding for worker health and safety, decimating enforcement, research, and even compliance assistance, something that I've found in my own personal experi-

ence to be the most important thing of all with employers of goodwill. The House budget would even eliminate outright the National Institute of Occupational Safety and Health. They say they don't want redtape, but this is an agency with no inspectors, the National Institute of Occupational Safety and Health. They say we should be guided by better scientific evidence in our work, and I agree. This agency exists solely to give us better evidence to guide our work. The Safety and Health Institute does important work, it doesn't cost a lot of money, and we ought to preserve it.

The regulatory legislation moving through Congress, which was literally written by lobbyists who then wrote speeches for the Members to explain what it is they were introducing and supporting, would tie worker protection efforts up in knots. It would override every health and safety standard on the books and let special interest dictate the regulatory process. They have proposed freezing all Federal regulations and have gone after the worker protection standards with a little bit of extra gusto. They don't want rigorous reform. It looks to me like they want rigor mortis. [*Laughter*]

Now, I am the last person in the world to stand up here and defend some dumb rule, regulation, or practice or people who say that people who are elected come and go; we'll be here in this agency forever; you do it our way or not at all. But we have proved, we have proved, that most Federal employees want to do the right thing, that they want the American people to do right and to do well. We have proved that we can change the culture of bureaucracy. And we're going to do more of it.

So we should reform. We absolutely should. But we should not roll back our commitment to worker safety. Remember, there's still a lot of folks out there working in situations that are dangerous. And not every workplace can make—be made 100 percent safe. I know that. And workers have a responsibility to take care of their own safety and to be careful and to be diligent. I know that. But we have a public responsibility that all of us share as Americans to work for safer workplaces.

If we take that seriously and we apply ourselves to the task in the way the Vice President and the Secretary of Labor have outlined today, if we follow the example of the fine OSHA leaders, business leaders, union leaders like those we recognized in Maine today, we can do what we need to do. We can do what we need to do and still pursue the public interest.

We do not have to grow the American economy by going back to the time when we acted as if worker safety doesn't matter. It does matter. It matters a lot to people. And just because the Government has been slow on the uptake in the past, and every now and then somebody makes a mistake and overreaches, doesn't mean we can walk away from our fundamental public duty.

So let's continue on this path. Let's change this thing. Let's make it work. Let's lift unnecessary burdens and keep making sure we're committed to the health and welfare of the American workers so we can do right and do well.

Thank you very much.

NOTE: The President spoke at 12:48 p.m. at the Stromberg Sheet Metal Works, Inc. In his remarks, he referred to Assistant Secretary of Labor for Occupational Safety and Health Joseph Dear; Robert Gawne, CEO, Stromberg Sheet Metal Works, Inc., and his wife, Patricia; Senior Policy Advisor for the Vice President Elaine Kamarck; and A. D. "Pete" Correll, chairman and CEO, Georgia-Pacific Corp.

Memorandum on Assistance to Peacekeeping Efforts in Liberia

May 16, 1995

Presidential Determination No. 95-21

Memorandum for the Secretary of State

Subject: Transfer of \$3.0 Million in FY 1995 Economic Support Funds to the Peacekeeping Operations Account to Support African Peacekeeping Efforts in Liberia

Pursuant to the authority vested in me by section 610(a) of the Foreign Assistance Act of 1961, as amended (the "Act"), I hereby determine that it is necessary for the purposes of the Act that \$3.0 million of funds

made available under Chapter 4 of Part II of the Act, be transferred to, and consolidated with, funds made available for Peacekeeping Operations under Chapter 6 of Part II of the Act.

I hereby authorize the use in fiscal year 1995 of the aforesaid \$3.0 million in funds made available above under Chapter 4 of Part II of the Act to provide peacekeeping assistance to support the Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG), as well as Tanzanian, Ugandan, and ECOMOG peacekeeping efforts in Liberia.

You are hereby authorized and directed to report this determination immediately to the Congress and to arrange for its publication in the *Federal Register*.

William J. Clinton

Remarks on the First Anniversary of the School-To-Work Opportunities Act of 1994 in White Plains, Maryland

May 17, 1995

Well, Nancy, you may not be famous yet, but you're a lot more famous than you were 5 minutes ago. [Laughter] I wish I had thought of that Michael Jordan line. I'd throw the whole speech away. [Laughter]

I want to thank Nancy and Lorrie and the other students who showed me around this fine place and showed me what they do here. I thank you for that. I thank Secretary Reich and Secretary Riley for the work they have done to put this school-to-work partnership together with the Education Department and the Labor Department. I thank Senator Kennedy for his sponsorship of this legislation and your Congressman, Steny Hoyer, for the work he did to pass it. I'm glad to see Mr. Pastillo here, and I thank him and all those who have worked so hard on this. I'll never forget the conversation I had with the Ford CEO, Alex Trotman, about this issue in the White House not all that long ago, in urging more corporate involvement in business sponsorship of the school-to-work concept. President Sine, I thank you for being here and for the work that all the community education institutions in America are

doing to help prepare young Americans to succeed in the global economy. They may be the most important institutions in the United States today, and I thank you for that. I want to thank all the State and local officials from Maryland who are here, Lt. Governor Kathleen Kennedy Townsend and Senator Miller, I'm glad to see you. And I know that, Governor McKernan, you shouldn't feel alone, there are lots of Republicans here today—[laughter]—county commissioners, members of the House of Delegates, county officials here, the Sheriff and others.

This ought not to be a partisan issue. And I thank you, sir, for your leadership. He wrote a fine book about it, which Mr. Pastillo referenced in his introduction. And Governor McKernan sent me a copy of it, autographed it, and I read it. And I thought if my dear mother were still living, she would wonder which of us were more successful, because she always thought whether you wrote books or not was a real standard of whether you'd done anything in life. [Laughter] So according to my mother's life, you've done something very important. And we are very grateful to you, sir, for the leadership you have given this movement all across America. The United States needs desperately for every young person in this country to have the opportunity that these young people have had. And thanks to you and your efforts, more will have that chance. I thank you.

I would also like to thank our host here, Automated Graphics. Thank you very much for having us here. We are grateful, and we appreciate it.

I want to say a little about this in a larger context. What we are doing here today to celebrate the one-year anniversary of the school-to-work program is really adapting to the information age in the 21st century, one of the oldest traditions in the United States. Just imagine, for example—here we are in Maryland—what if we were here 200 years ago? You would be a young person living in a settlement in Maryland called Port Tobacco, which was then a big town around these parts. You'd be in a promising new country. George Washington would be your President. John Adams would be your Vice President. Pretty good lineup. [Laughter] And everybody would be optimistic. And

most people would be like Nancy, they'd get up at 5 a.m. or 5:30 a.m. every morning and go to work. If you wanted a better job, you'd probably leave the country and come into town, where you would walk down a main street, and you would look at the people who were working. Two hundred years ago, you'd see a blacksmith, a carpenter and, of course, a printer. If you wanted to learn how to do those jobs, you'd simply knock on one of the doors and hope that in return for hard work, you could get a craftsman to teach you those skills. That's the way it was done 200 years ago.

And for a long time, that's the way it was done, as one generation kept faith with the next. Well, we know that we can't exactly do it that way anymore, but if you think about it, that's what the school-to-work program is all about in modern terms for the modern economy. And it's very, very important.

This year, we are seeing grants that involve over 100,000 students nationwide, over 40,000 employers, including very large and very powerful employers in this country but also some very, very small ones. And there are over 2,500 schools all across America involved in this program. The act was a genuine partnership; it set up no bureaucracy whatever. It simply made grants to local partnerships, many of them in poor areas, and gave students the chance to show what their hard work could do.

This year, we are doubling the school-to-work funding for the eight pioneer States that already have programs. Seed grants will go out to 20 new States so that all 50 States will have some participation in the school-to-work program. By 1997, every State in America will have a school-to-work program up and running.

One thing that I want to emphasize that is very important is that the school-to-work program rests on a few very big ideas. One of the ones that's most important to me is that there is no choice to be made between practical workplace skills and academic knowledge, that the two reinforce each other and go hand in hand. When I was growing up, there was always this bright line between what was a vocational practical skill and what was an academic skill. It was probably a mis-

take then; it is certainly a mistake now. We have to abolish that line.

School-to-work is for all kinds of students. After high school, some will go straight to a job, some will go on to a community college, others may go to a 4-year college. Some who hadn't planned on getting more education will get more education because they were in the school-to-work program and because they see it will help them in their work lives.

Our country has enormous potential and a few very large problems. You know what they are as well as I do. You know we have too much crime and violence. You know we have major pressures on the family and the community in our country. What you may or may not know is that underlying a lot of this is the fact that more than half the people in this country today are working a longer work week than they were 10 years ago for the same or lower wages. And the reason is we have not created in this country the kind of education and training programs we need to adapt to a global economy, where everybody's earnings are to some extent conditioned on the pressures being put on us from around the world and where everybody's earnings more and more depend upon not only what they know, but what they are capable of learning.

In the last 15 years, for example, earnings for high school dropouts in the work force have dropped at breathtaking rates. They're about 25 percent lower than they were 15 years ago. Earnings for high school graduates are not down that much, but they're also down significantly.

The only people for whom earnings have increased in the last 15 years are people who get of high school with usable skills and have at least some kind of education and training for about 2 years after high school. It can be in the work place; it could be in the service; it could be in a community college; it can be in a college, but you have to create this sense of ongoing upgrading of the skills if we're going to grow the middle class and shrink the under class in this country. If we could do that, a lot of our other problems would be smaller.

I want to emphasize again that this has been a bipartisan effort, which perhaps ought

more properly to be a nonpartisan effort. After all, in the post-cold-war era, there are certain things that are critical to the American dream; growing the middle class and shrinking the under class and giving people the chance to help themselves is clearly that. We ought to have partisan differences over how best to achieve that goal, but we ought to be committed to that goal. And if you're committed to a goal, very often you wind up agreeing on the details.

For example, there's been a remarkable amount of bipartisan support in the United States Congress and in the administration on what the defense budget ought to be at the end of the cold war. Everybody knows it has to go down, and everybody knows it shouldn't go down too much because every time in our history we've taken it down too much, we have wound up getting ourselves in trouble, and we have to build it up all over again. Better to spend enough money to maintain the strongest military in the world to prevent bad things from happening. So we argue a little bit around the edges, but more or less we are moving in the same direction, because we understand that's important to our security. The same thing could be said today about the other problems we have.

We have two big deficits in America today. We've got a huge Government deficit—a budget deficit. But we also have an education and training deficit. And we can't solve one without the other. We ought to bring both into balance. We ought to get rid of both deficits. And I think we can.

In the last 2 years, we've made a remarkable amount of progress. Over a 7-year period, the budgets that were adopted in the last couple of years reduced the deficit by \$1 trillion. Your budget deficit would be gone today, we would be in balance today, were it not for the interest we have to pay on the debt we ran up in just the 12 years before I took office. So this is a—what I want to say to you is that this idea of having a big structural deficit in America with our budget is a new idea, but it didn't happen overnight. And we can't solve it overnight, but we have to solve it. And we are moving on it, and we will continue to do so.

We also see in the last 2 years, thanks to Senator Kennedy and others, a remarkable

bipartisan assault on the education deficit: big increase in Head Start, the Goals 2000 initiative, which is designed to see that more of our schools meet really high standards and that we measure them and tell people the truth about how our schools are doing, but that we help our schools to achieve those standards through grassroots reforms. We've reformed the student loan program, to lower the cost of college loans, make the repayment terms easier but be tougher on collecting the bills so that the defaults have gone from \$2.8 billion a year down to \$1 billion a year, but we're making more loans to more young people at lower costs. Those are the kinds of things that we did all in a bipartisan manner.

Now we've asked the Congress to collapse a lot of these training programs into a big voucher so that when someone loses a job or if someone's working for a very low wage and they need to go back to the community college or participate in a program like this, they can just get a voucher from the Government and use it for 2 years to get training throughout a lifetime. Because all of you who are in this program, you'll have to continue to upgrade your skills over the course of your working life if the objective is to have good jobs, good jobs, good jobs. These are all things that we have been doing together and we need to continue to do it.

There is this bill that I have spoken about, this rescission bill. I want to tell you about it. A rescission bill is a bill that cuts the budget in the year where you're in right now. That's what this rescission bill—the rescission bill proposes cuts to the present budget year. I believe we ought to make some more cuts. We've got to keep bringing the deficit down. The problem I have with the rescission bill that was reported out of the conference committee between the Senate and the House is that it makes the education deficit worse. And it doesn't even make the education deficit worse to reduce the budget deficit; it makes it worse to increase pork barrel spending.

Earlier this year, I worked with the United States Senate on a rescission bill which would cut exactly the same amount in Federal spending as this bill does and provide needed funds to the Federal Emergency Management Agency to deal with the horrible prob-

lem in Oklahoma City, to help to finish the work of rebuilding California after the earthquake, to help us to fight domestic terrorism, to do things that really need to be done and still reduce the deficit.

But there's a right way and wrong way to do it. I think you have to cut pork barrel projects before you cut people. Unfortunately, in this conference committee what was, I think, a pretty good bill became a bad bill. It cuts our efforts to help people and puts pork back in the bill.

I want more than \$16 billion in spending cuts, but there's a wrong way and right way to do it. This bill that came out of the committee cuts our efforts to make sure our schools are safe, drug-free, which is a big deal in a lot of places in America. It cuts our efforts to help our schools meet new higher standards through innovative reforms, cuts our efforts to provide college aid to young people who will work in community service projects in AmeriCorps, the national service program, and, yes, it also cuts the school-to-work programs.

Now, in this bill, they found a way to pay for \$1.5 billion worth of courthouses and special-interest highway projects and other low-priority spending. They kept in the law an unforgivable tax loophole which lets billionaires beat their U.S. taxes by giving up their citizenship after they've earned the money as American citizens. But they cut more from education, away from the Senate bill that I had already agreed to.

Now, I believe a bill that cuts education to put in pork is the wrong way to balance the budget, and I will veto it. We should be cutting pork to give more people like these young people standing behind me a chance to be at school-to-work.

I want to make it very clear: I am not against cutting spending. I have a bill right here which will cut out their pork, restore education, and reduce the deficit by more than the bill they're sending to my desk. So, yes, I'm going to veto that bill, but I want them to pass this bill. Let's cut the deficit and put education back.

I want to say this again: I have no problem with cutting spending. I've been doing it for 2 years. We've got to keep doing it. This proposal cuts the pork, restores education, and

reduces the deficit by more than they propose to do it. So, yes, I will veto the rescission bill, but I want to cut the spending. And I will send this to Congress immediately. We shouldn't—we shouldn't be cutting education to build courthouses. We should be cutting courthouses to build education. That is the right way to do it.

Let me also say that in the bill that went into this conference committee between the House and the Senate there was a so-called lock box, which I supported, which basically said, if we're going to cut this spending, let's reduce the deficit. Let's don't spend—let's don't take these cuts and put them into paying for tax cuts when we've still got a big budget deficit. The lock box was taken out in the conference, too. And I think that was a big mistake.

You know, we cut some other things that weren't all that easy to cut because we thought we had to bring the deficit down. I don't think we should start by getting our priorities reversed.

And finally, let me just mention, I was with Congressman Hoyer on Earth Day not very long ago, and I was in Maryland. We talked about the environment. There's another thing which is in this bill which I really object to, which would basically direct us to make timber sales to large companies, subsidized by the taxpayers, mostly in the Pacific Northwest, that will essentially throw out all of our environmental laws and the protections that we have that surround such timber sales. It will also put us back into the courts. So it would seem to allow to cut more timber, but actually it means lawsuits and threats to the environment.

I don't want to spend too much of your time on it, but this kept our country tied up in court for years and years. We finally got out of court with a plan that would cut trees, save the environment, and help communities in logging areas to go through economic transformation to diversify their economy. That is the right way to do this.

So let's go back and make this bill what it ought to be: A deficit reduction bill that also takes care of Oklahoma City, the California earthquake, the terrorism threat, and reduces the deficit and keeps programs like

school-to-work in place. That is the proper way to do it.

Remember, we have two great deficits. It is true that for the first time in our history we let the budget deficit get out of hand. That is true. We are bringing it down. We've got to bring the budget to balance. That is true. But you cannot do it by ignoring the fact that one of the reasons that we're hurting is that people aren't making enough money. And when they don't make much money, they don't pay much taxes, and that also increases Government deficits not just in Washington but at the Statehouse in Maryland, in the local school districts, in the local communities, in the local counties.

We have to attach both of these deficits together. And we can do it. This is a very great country, and this is not the biggest problem in the world. This is not the Second World War; this is not the Great Depression; this is not the Civil War. We do not need to throw up our hands. We do not need to get into a shouting match about it. And we ought to be able to agree, just as we agreed on the goal of national security to win the cold war, that we are going to win the war for the American dream in the 21st century by getting rid of both of these deficits, the budget deficit and the education deficit. You have helped us by being here today.

Thank you, and God bless you all.

NOTE: The President spoke at 12:28 p.m. at Automated Graphics Systems, Inc. In his remarks, he referred to Nancyann Kesting and Lorrie Long, school-to-work students; Peter J. Pastillo, executive vice president, Ford Motor Company; John Sine, president, Charles County Community College; and former Maine Governor John McKernan, Jr., chairman, Jobs for America's Graduates.

Statement on Secretary of Commerce Ron Brown

May 17, 1995

Secretary Brown's success as Secretary of Commerce is unparalleled. Through his service, the Department has expanded opportunities for American businesses in this country and abroad. I know him to be a dedicated public servant. The Attorney General has determined that the facts warrant the appoint-

ment of an independent counsel. As I have noted in the past, the legal standard for such an appointment is low. I am confident at the conclusion of the process, the independent counsel will find no wrongdoing by Secretary Brown. In the interim, I value his continued service on behalf of this country.

Proclamation 6801—Labor History Month, 1995

May 17, 1995

By the President of the United States of America

A Proclamation

Among the most insistent themes in the history of American democracy has been the determination of our workers to find dignity in their work and meaning in their citizenship. The labor movement has long given voice to these aspirations. American trade unionists have fought for and achieved benefits for all of us by strengthening citizens' roles in the workplace and by expanding their participation in the political lives of their communities.

Gone is the time when the average American worker made about ten dollars for a 60-hour week, and more than 2 million children worked similarly long hours for even less pay. The national labor movement has helped ensure safe working conditions, regular hours, decent living wages, and paid holidays and vacations. And in 1993 we moved a step further, affording hard-working Americans the right to emergency family leave.

Workers have been leaders in the efforts to establish the 8-hour day, the 40-hour week, security in unemployment and old age, protection for the sick and injured and for children, equal employment opportunity, and health and safety standards. And the labor movement has strived to make public education available for every child. American workers have helped to make this progress possible, and our country is immeasurably stronger because of it.

As we observe Labor History Month this year, we understand that our work is not yet finished. Today's global marketplace demands that we establish and strengthen partnerships between employers and unions, co-

operate to achieve safe, high-performance work environments, improve the skills of American workers and the competitiveness of American businesses, and further enhance human dignity in the workplace. The challenges we face are many, but the history of our accomplishments assures us that the future looks bright indeed.

Now, Therefore, I, William J. Clinton, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 1995, as "Labor History Month." I call upon the people of the United States to observe this period with appropriate programs, ceremonies, and activities.

In Witness Whereof, I have hereunto set my hand this seventeenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

William J. Clinton

[Filed with the Office of the Federal Register, 4:33 p.m., May 17, 1995]

NOTE: This proclamation was published in the *Federal Register* on May 19.

Letter to Congressional Leaders on Iraq

May 17, 1995

Dear Mr. Speaker: (Dear Mr. President:)

Consistent with the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1), and as part of my effort to keep the Congress fully informed, I am reporting on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council.

Since its recognition of Kuwait last November, Iraq has done little to comply with its numerous remaining obligations under Council resolutions. At its bimonthly review of Iraq sanctions in March, the Security Council voted unanimously to maintain the sanctions regime on Iraq without change. We shall continue to insist that the sanctions be maintained until Iraq complies with all relevant provisions of U.N. Security Council

resolutions. Ambassador Albright's trip to several Security Council capitals in late February solidified the support of a majority of Council members for the U.S. position.

According to the April report to the Council by UNSCOM Chairman Ekeus, Iraq remains out of compliance with its obligations regarding weapons of mass destruction (WMD). While UNSCOM reports that the elements of its regime to monitor Iraq's capability to produce weapons of mass destruction are in place, continued Iraqi failure to provide complete information about its past weapons programs means UNSCOM cannot be assured that its monitoring regime is comprehensive. Of greatest concern is Iraq's refusal to account for 17 tons of biological growth media which could be used to produce biological weapons. According to UNSCOM, ". . . the only conclusion that can be drawn is that there is a high risk that they (the media) had been purchased and in part used for proscribed purposes—the production of agents for biological weapons." Iraq disingenuously continues to claim that it has never had a biological weapons program.

At the same time, the International Atomic Energy Agency (IAEA), continues to investigate reports that Iraq has restarted its nuclear weapons program. According to press reports, a dissident Iraqi nuclear scientist passed documents to the IAEA which suggest Iraq has restarted its prohibited research into nuclear weapons production. This information is very preliminary; the IAEA's investigation continues.

In addition to failing to comply with the WMD provisions of Security Council resolutions, the regime remains in violation of numerous other Security Council requirements. The regime has failed to be forthcoming with information on hundreds of Kuwaitis and third-country nationals missing since the Iraqi occupation. As I previously reported, the Kuwaiti government submitted to the Secretary General a list of the military equipment looted from Kuwait during the war. Iraq has still not taken steps to return this or other Kuwaiti property stolen during the occupation, with the exception of one Kuwaiti C-130 and a small number of military vehicles, all in derelict condition. Amba-

sador Albright has presented to the Council evidence acquired during Iraq's troop movements last October that proves that hundreds of pieces of Kuwaiti military hardware remain in the arsenals of Saddam Hussein's Republican Guard.

The Council on April 14 unanimously adopted Resolution 986, an effective means to provide relief for the hardship that ordinary Iraqis are suffering as a result of Saddam's failure to comply with Council requirements. The resolution was a collaborative effort of a number of Council members, including co-sponsors Oman, Argentina, Great Britain, Rwanda and the U.S., all of whom share a deep concern for the humanitarian situation in Iraq. Resolution 986 addresses all arguments made previously by the Government of Iraq to justify its failure to implement Security Council Resolutions 706/712, an earlier proposal to permit Iraq to sell oil to purchase humanitarian goods. Saddam Hussein's government immediately denounced the new Resolution and the rubber-stamp Iraqi National Assembly rejected it by unanimous vote on April 25.

The sanctions regime does not prevent the shipment of food or medicine to Iraq. However, Saddam has chosen to squander Iraq's resources on his repressive security apparatus and personal palaces, while using the suffering of ordinary Iraqis as a propaganda tool to press for the lifting of sanctions. Resolution 986 undermines his self-serving excuses for neglecting the legitimate needs of the Iraqi people.

The no-fly zones over northern and southern Iraq continue to deter Iraq from using its aircraft against its population. However, the Iraqi government persists in its brutal campaign against its perceived enemies throughout the country. Iraqi forces periodically shell villages in the south and the north with artillery. In the south, Iraq's repression of the Shi'a population, and specifically the Marsh Arabs, continues, as does a policy of deliberate environmental devastation. The threat to the traditional way of life of Iraqis Marsh Arabs remains critical. In the last few years, the population of the marsh region has fallen sharply as Iraqi military operations have forcibly dispersed residents to other

areas and thousands of Shi'a refugees have sought refuge in Iran.

The Special Rapporteur of the U.N. Commission on Human Rights (UNHRC), Max van der Stoel, continues to report on the human rights situation in Iraq, including the Iraqi military's repression against civilian populations. His work has also reported on the phenomena of political killings, mass executions, and state-sponsored terrorism. Clearly, the Government of Iraq has not complied with the provisions of UNSC Resolution 688 demanding that it cease repression of its own people.

The Special Rapporteur has asserted that the Government of Iraq has engaged in war crimes and crimes against humanity, and may have committed violations of the 1948 Genocide Convention. The Special Rapporteur continues to call on the Government of Iraq to permit the stationing of human rights monitors inside Iraq to improve the flow of information and to provide independent verification of reports of human rights abuses. We continue to support Mr. van der Stoel's work and his call for monitors.

Baghdad's attempts to violate the U.N. sanctions continue unabated. Since October 1994, 12 maritime vessels have been intercepted and diverted to Gulf ports for attempting to smuggle commodities from Iraq in violation of sanctions. Gulf states have cooperated with the Multinational Interception Force in accepting diverted ships and in taking action against cargoes in accordance with relevant U.N. Security Council resolutions, including Resolutions 665 and 778.

For more than three years, the story has not changed; the Baghdad regime flouts the sanctions, demonstrates disdain for the United Nations and engages in actions that we believe constitute continuing violations of Security Council Resolutions 686, 687 and 688.

We are monitoring closely the plight of the civilian population throughout Iraq. Our bilateral assistance program in the north will continue, to the extent possible. We also will continue to make every effort, given the practical constraints, to assist the populations in southern and central Iraq through support for the continuation of U.N. humanitarian programs. Finally, we will continue to explore with our allies and Security Council

partners means to compel Iraq to cooperate on humanitarian and human rights issues.

Security Council Resolution 687 affirmed that Iraq is liable under international law for compensating the victims of its unlawful invasion and occupation of Kuwait. The U.N. Compensation Commission (UNCC) has received about 2.6 million claims worldwide, with an asserted value of approximately \$176 billion. The United States has submitted approximately 3,300 claims, with an asserted value of about \$1.8 billion.

To date, the UNCC Governing Council has approved some 220,000 individual awards, worth about \$870 million. About 580 awards totaling almost \$11.7 million have been issued to U.S. claimants.

The UNCC has been able to pay only the first small awards for serious personal injury or death (\$2.7 million). Unfortunately, the remainder of the awards cannot be paid at this time, because the U.N. Compensation Fund lacks sufficient funding. The awards are supposed to be financed by a deduction from the proceeds of future Iraqi oil sales, once such sales are permitted to resume. However, Iraq's refusal to meet the Security Council's terms for a resumption of oil sales has left the UNCC without adequate financial resources to pay the awards. Iraq's intransigence means that the victims of its aggression remain uncompensated for their losses four years after the end of the Gulf War.

In sum, Iraq is still a threat to regional peace and security. Thus, I continue to be determined to see Iraq comply fully with all its obligations under the UNSC resolutions. I will oppose any relaxation of sanctions until Iraq demonstrates its overall compliance with the relevant resolutions.

As I have made clear before, Iraq may rejoin the community of civilized nations by adopting democratic processes, respecting human rights, treating its people equitably, and adhering to basic norms of international behavior. The umbrella opposition organization Iraqi National Congress espouses these goals, the fulfillment of which would make Iraq a stabilizing force in the Gulf region.

I appreciate the support of the Congress for our efforts, and will continue to keep the

Congress informed about this important issue.

Sincerely,

William J. Clinton

NOTE: Identical letters were sent to Newt Gingrich, Speaker of the House of Representatives, and Strom Thurmond, President pro tempore of the Senate.

Remarks on WETA's "Women of Country: In Performance at the White House"

May 17, 1995

The President. Thank you very much. Where I was raised we didn't know it was country; we thought it was the only music there was. [*Laughter*]

Ladies and gentlemen, country music vividly demonstrates America's fundamental ability to adapt and to change, to innovate, while never forgetting the best of our past in the mountains of Appalachia, in the hills and fields of the South, in the plains and deserts of the cowboy West. We took ancient folk ballads, we mixed in blues and gospel and came up with a whole new kind of song. As an American and as a southerner, I take special pride in seeing our country music now spreading all across the planet. And I'm very proud that our theme this evening is the women of country.

Our host has a well-earned reputation for nurturing and encouraging country talent, and for a little country homespun wisdom. He's worked with everybody from Hank Williams, Dottie West, and Elvis, to Dolly Parton and Paul McCartney. He's probably the best known guitarist in the world. Please welcome Mr. Chet Atkins.

[*At this point, the performance began.*]

The President. Thank you so much. I want to thank Suzy Bogguss, Alison Krauss, Kathy Mattea. Thank you all, and thank all the wonderful musicians who played with you. Thank you, Kathy, for singing the song for me and the Secretary of Education that we love so much.

Thank you, Chet Atkins, for bringing so much alive to all of us. Thank you for bringing my old friend, Randy Goodrun back. He's

playing with a lot higher class musicians than he did 30 years ago when we started. [Laughter]

Ladies and gentlemen, in country music we truly hear America singing. It's the honest sound of our day-to-day triumphs and our heartbreaks, our joy, our sorrow, our love, and our hope. These women of country are using their power and their skill and their heart to make this music even richer and more compassionate and more wonderful.

Thank you, and good night.

NOTE: The President spoke at 7:44 p.m. on the South Lawn at the White House.

Remarks Prior to a Meeting With Congressional Leaders and an Exchange With Reporters

May 18, 1995

Budget Proposals

The President. I want to say something about the discussions now going on about the rescission bill. First of all, for me, this is not a partisan issue at all. This is about pork. And in this pork battle, Democrats aren't blameless either. This is about pork over people.

Now, let's look at what happened. I worked hard with the Senate to get a big deficit reduction bill that would protect people and education and our efforts to raise the incomes of the American people as much as possible. Then they went into conference behind closed doors and took out a lot of the people programs that will raise incomes and increase security to put in pork.

There's one congressional district with nine road projects in it; one courthouse cost over \$100 million. And those two things alone will take over \$200 million away from our efforts to make sure our children go to safe schools, to make sure that we can fund our national service program to let young people do community service work and earn money to go to college. There is even a project in there that gives a million dollars to a city street. Now, what's the Federal Government got to do in that?

You know, if we're going to bring this budget into balance, we're going to have to make a lot of tough decisions. We're going to have to have a lot of serious cuts. And

we have to change the way we do things here, and we have to be very careful about how we spend the money we do spend. We've got to spend it on things that matter like education and training and building up the American people.

So, that's my position. If they'll get rid of the pork, we can have a bill.

Q. Mr. President, your administration isn't blameless, either, though, is it? These aren't programs that were just put in. These are programs that were put in the budget that you signed off on and Democrats approved. If it's pork, wasn't it pork then? Why did you approve it?

The President. Because we're going to cut \$16 billion out. Because a \$100 million courthouse is not as important to raising incomes as the School-to-Work program to give young people who don't go to 4-year universities a chance to get good training or as a program for women and infants to make sure they're properly nourished or as a program to let our young people work in their communities and earn money to go to college. It just doesn't compute.

There's nowhere near—you know, special interest road projects, nine in one congressional district, are not as important as giving our teachers the training they need to make sure our students reach world-class standards in education. The judgments are wrong. If we're going to get serious about continuing the spending cuts and continuing the cuts in the deficit, moving this thing to balance, we cannot afford to choose pork over people.

It is a very simple choice, and it has nothing to do with partisan politics. And if they will fix it, we can have a bill.

Q. If they will put the AmeriCorps program back in and fully fund that, would that be enough for you? Would you then let the rescission bill go through?

The President. For one thing, on AmeriCorps, I didn't ask for AmeriCorps to be fully funded at the level that we funded it in our budget. I only asked that it be funded at the level that the Senate—the United States Senate passed a rescission bill with a bipartisan vote. And all I asked the conference to do was to leave the people programs, the education programs in at the Senate level. I asked the conference also to take

out some very harmful language on the environment dealing with the forests in the Pacific Northwest which will cause us all kinds of legal problems and headaches. I hope that can be modified as well.

But I accepted some cuts in every—I think we're going to have to look at everything for cuts, but what I asked was that we not cut below what the Senate did. And what happened was, they cut below what the Senate did to stick in a bunch of pork projects. And that wasn't right.

And I want to say this: To the people of Oklahoma and California and Louisiana and the other States who need the emergency aid, they can get that aid today; they can get that aid tomorrow with more deficit reduction than is in this bill that came out of the conference if the Congress will just take out the pork and put back the people.

Secretary of Commerce Ron Brown

Q. Can I ask you one question on Secretary Brown? Are you concerned, sir, that the investigation of Secretary Brown and other Cabinet officials is giving at least a perception they haven't lived up to—

The President. Read what the Attorney General's referral said, and I think you will see why I asked him to stay on.

NOTE: The President spoke at 2:22 p.m. in the Oval Office at the White House. A tape was not available for verification of the content of these remarks.

Proclamation 6802—Prayer for Peace, Memorial Day, 1995

May 18, 1995

By the President of the United States of America

A Proclamation

The essence of America is the quality and breadth of the freedoms guaranteed by the Constitution. Yet far too often in our country's history, the price of preserving these freedoms has been the lives of our Nation's young men and women and the heartbreak of their families and friends. The light and laughter of our lost sons and daughters can never be replaced. But the gift of their cour-

age will always endure. America remembers the sacrifices of those who gave their lives to protect our liberty. For our citizens and for freedom-loving people around the world, they have kept democracy's flame burning brightly.

Forged in revolution and tempered by more than two centuries of fighting injustice, America has grown stronger, determined to safeguard the blessings that have been so hard-won. As we recall the selfless devotion of those who have risen to defend the cause of freedom, we resolve today that their efforts shall not have been in vain. America still holds fast to the principles upon which it was founded, and its people still stand bound together by our common faith in peace. In remembrance of our fallen heroes, we pray that peace will forever grace our land, that it will guide relations between citizens and friendships among nations, and that our people will one day see a time when harmony fills the Earth.

May God comfort all who mourn.

In respect and recognition of the courageous men and women to whom we pay tribute, the Congress, by joint resolution approved on May 11, 1950 (64 Stat. 158), has requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer.

Now, Therefore, I, William J. Clinton, President of the United States of America, do hereby proclaim Memorial Day, May 29, 1995, as a day of prayer for permanent peace. I designate the hour beginning in each locality at 11 o'clock in the morning of that day as a time to join in prayer. I urge the press, radio, television, and all information media to take part in this observance.

I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff until noon during this Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control, and I request the people of the United

States to display the flag at half-staff from their homes for the customary forenoon period.

In Witness Whereof, I have hereunto set my hand this eighteenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

William J. Clinton

[Filed with the Office of the Federal Register, 10:48 a.m., May 19, 1995]

NOTE: This proclamation was published in the *Federal Register* on May 22.

Message to the Congress on Iran *May 18, 1995*

To the Congress of the United States:

I hereby report to the Congress on developments since the last Presidential report on November 18, 1994, concerning the national emergency with respect to Iran that was declared in Executive Order No. 12170 of November 14, 1979, and matters relating to Executive Order No. 12613 of October 29, 1987. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c). This report covers events through April 18, 1995. It discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order No. 12170 and matters relating to Executive Order No. 12613. Matters relating to the March 15, 1995, Executive Order regarding a ban on investment in the petroleum sector, and the May 6, 1995, Executive Order regarding new trade sanctions, will be covered in separate reports. My last report, dated November 18, 1994, covered events through October 18, 1994.

1. There have been no amendments to the Iranian Transactions Regulations, 31 CFR Part 560, or to the Iranian Assets Control Regulations, 31 CFR Part 535, since the last report.

2. The Office of Foreign Assets Control ("OFAC") of the Department of the Treasury continues to process applications for import licenses under the Iranian Transactions Regulations. However, a substantial majority of such applications are determined to be ineligible for licensing and, consequently, are denied.

During the reporting period, the U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the Iranian Transactions Regulations. OFAC and Customs Service investigations of these violations have resulted in forfeiture actions and the imposition of civil monetary penalties. Additional forfeiture and civil penalty actions are under review.

3. The Iran-United States Claims Tribunal (the "Tribunal"), established at The Hague pursuant to the Algiers Accords, continues to make progress in arbitrating the claims before it. However, since my last report, the Tribunal has not rendered any awards although payments were received by claimants in late November for awards rendered during the prior reporting period. Thus, the total number of awards remains at 557. Of this total, 373 have been awards in favor of American claimants. Two hundred twenty-five (225) of these were awards on agreed terms, authorizing and approving payment of settlements negotiated by the parties, and 150 were decisions adjudicated on the merits. The Tribunal has issued 38 decisions dismissing claims on the merits and 85 decisions dismissing claims for jurisdictional reasons. Of the 59 remaining awards, three approved the withdrawal of cases and 56 were in favor of Iranian claimants. As of April 18, 1995, the Federal Reserve Bank of New York reported that the value of awards to successful American claimants from the Security Account held by the NV Settlement Bank stood at \$2,365,160,410.39.

Iran has not replenished the Security Account since October 8, 1992, and the Account has remained continuously below the balance of \$500 million required by the Algiers Accords since November 5, 1992. As of April 10, 1995, the total amount in the Security Account was \$191,219,759.23, and

the total amount in the Interest Account was \$24,959,218.79.

The United States continues to pursue Case A/28, filed in September 1993, to require Iran to meet its obligations under the Algiers Accords to replenish the Security Account. Iran has yet to file its Statement of Defense in that case.

4. The Department of State continues to present United States Government claims against Iran, in coordination with concerned government agencies, and to respond to claims brought against the United States by Iran.

On April 18, 1995, the United States filed the first of two parts of its consolidated submission on the merits in Case B/61. Case B/61 involves a claim by Iran for compensation with respect to primarily military equipment that Iran alleges it did not receive. The equipment was purchased pursuant to commercial contracts with more than 50 private American companies. Iran alleges that it suffered direct losses and consequential damages in excess of \$2 billion in total because of the U.S. Government's refusal to allow the export of the equipment after January 19, 1981, in alleged contravention of the Algiers Accords. As directed by the Tribunal, the United States' submission addresses Iran's claims regarding both liability and compensation and damages.

5. The Foreign Claims Settlement Commission ("FCSC") on February 24, 1995, successfully completed its case-by-case review of the more than 3,000 so-called "small claims" against Iran arising out of the 1979 Islamic revolution. These "small claims" (of \$250,000 or less each) were originally filed before the Iran-United States Claims Tribunal, but were transferred to the FCSC pursuant to the May 13, 1990 Settlement Agreement between Iran and the United States.

The FCSC issued decisions on 3,066 claims for total awards of \$86,555,795. Of that amount, \$41,570,936 represented awards of principal and \$44,984,859 represented awards of interest. Although originally only \$50 million were available to pay these awards, the funds earned approximately \$9 million in interest over time, for a total settlement fund of more than \$59 million. Thus, all awardees will receive full payment on the principal amounts of their

awards, with interest awards paid on a pro rata basis.

The FCSC's awards to individuals and corporations covered claims for both real and personal property seized by Iran. In addition, many claims arose out of commercial transactions, including contracts for the sale of goods and contracts for the supply of services such as teaching, medical treatment, data processing, and shipping. The FCSC is now working with the Department of the Treasury to facilitate final payment on all FCSC awards.

6. The situation reviewed above continues to implicate important diplomatic, financial, and legal interests of the United States and its nationals and presents an unusual challenge to the national security and foreign policy of the United States. The Iranian Assets Control Regulations issued pursuant to Executive order No. 12170 continue to play an important role in structuring our relationship with Iran and in enabling the United States to implement properly the Algiers Accords. Similarly, the Iranian Transactions Regulations issued pursuant to Executive Order No. 12613 continue to advance important objectives in combating international terrorism. I shall continue to exercise the powers at my disposal to deal with these problems and will continue to report periodically to the Congress on significant developments.

William J. Clinton

The White House,
May 18, 1995.

**Message to the Congress on
Proliferation of Weapons of Mass
Destruction**

May 18, 1995

To the Congress of the United States:

On November 14, 1994, in light of the dangers of the proliferation of nuclear, biological, and chemical weapons and their means of delivery ("weapons of mass destruction"), I issued Executive Order No. 12938 and declared a national emergency under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*).

As I described in the report transmitting Executive Order No. 12938, the new Executive order consolidated the functions of and revoked Executive Order No. 12735 of November 16, 1990, which declared a national emergency with respect to the proliferation of chemical and biological weapons, and Executive Order No. 12930 of September 29, 1994, which declared a national emergency with respect to nuclear, biological, and chemical weapons, and their means of delivery. The new Executive order also expanded certain existing authorities in order to strengthen the U.S. ability to respond to proliferation problems.

The following report is made pursuant to section 204 of the International Emergency Economic Powers Act and section 401(c) of the National Emergencies Act regarding activities taken and money spent pursuant to the emergency declaration. Additional information on nuclear, missile, and/or chemical and biological weapons (CBW) nonproliferation efforts is contained in the annual report on the proliferation of missiles and essential components of nuclear, biological, and chemical weapons, provided to the Congress pursuant to section 1097 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190), also known as the "Nonproliferation Report," and the annual report provided to the Congress pursuant to section 308 of the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (Public Law 102-182).

The three export control regulations issued under the Enhanced Proliferation Control Initiative (EPCI) are fully in force and continue to be used to control the export of items with potential use in chemical or biological weapons or unmanned delivery systems for weapons of mass destruction.

In the 6 months since I issued Executive Order No. 12938, the number of countries that have ratified the Chemical Weapons Convention (CWC) has reached 27 (out of 159 signatory countries). I am urging the Senate to give its advice and consent to ratification as soon as possible. The CWC is a critical element of U.S. nonproliferation policy that will significantly enhance our security and that of our friends and allies. I believe that U.S. ratification will help to encourage

the ratification process in other countries and, ultimately, the CWC's entry into force.

The United States actively participates in the CWC Preparatory Commission in The Hague, the deliberative body drafting administrative and implementing procedures for the CWC. Last month, this body accepted the U.S. offer of an information management system for the future Organization for the Prohibition of Chemical Weapons that will implement the CWC. The United States also is playing a leading role in developing a training program for international inspectors.

The United States strongly supports international efforts to strengthen the 1972 Biological and Toxin Weapons Convention (BWC). In January 1995, the Ad Hoc Group mandated by the September 1994 BWC Special Conference to draft a legally binding instrument to strengthen the effectiveness and improve the implementation of the BWC held its first meeting. The Group agreed on a program of work and schedule of substantive meetings, the first of which will occur in July 1995. The United States is pressing for completion of the Ad Hoc Group's work and consideration of the legally binding instrument by the next BWC Review Conference in 1996.

The United States maintained its active participation in the 29-member Australia Group (AG), which now includes the Czech Republic, Poland, Slovakia, and Romania. The AG reaffirmed in December the member's collective belief that full adherence to the CWC and the BWC provides the only means to achieve a permanent global ban on CBW, and that all states adhering to these Conventions have an obligation to ensure that their national activities support these goals.

The AG also reiterated its conviction that harmonized AG export licensing measures are consistent with, and indeed actively support, the requirement under Article I of the CWC that States Parties never assist, in any way, the manufacture of chemical weapons. These measures also are consistent with the undertaking in Article XI of the CWC to facilitate the fullest possible exchange of chemical materials and related information for purposes not prohibited by the Convention, as they focus solely on preventing assistance

to activities banned under the CWC. Similarly, such efforts also support existing non-proliferation obligations under the BWC.

The United States Government determined that three foreign nationals (Luciano Moscatelli, Manfred Felber, and Gerhard Merz) had engaged in chemical weapons proliferation activities that required the imposition of sanctions against them, effective on November 19, 1994. Similar determinations were made against three foreign companies (Asian Ways Limited, Mainway International, and Worldco) effective on February 18, 1995, and imposed sanctions against them. Additional information on these determinations is contained in a classified report to the Congress, provided pursuant to the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991. The United States Government continues to monitor closely activities that may be subject to CBW sanctions provisions.

The United States continued to control vigilantly U.S. exports that could make a contribution to unmanned delivery systems for weapons of mass destruction, exercising restraint in considering all such transfers consistent with the Guidelines of the Missile Technology Control Regime (MTCR). The MTCR Partners shared information not only with each other but with other possible supplier, consumer, and transshipment states about proliferation problems and also stressed the importance of implementing effective export control systems.

The United States initiated unilateral efforts and coordinated with MTCR Partners in multilateral efforts, aimed at combatting missile proliferation by nonmembers and at encouraging nonmembers to adopt responsible export behavior and to adhere to the MTCR Guidelines. On October 4, 1994, the United States and China signed a Joint Statement on Missile Nonproliferation in which China reiterated its 1992 commitment to the MTCR Guidelines and agreed to ban the export of ground-to-ground MTCR-class missiles. In 1995, the United States met bilaterally with Ukraine in January, and with Russia in April, to discuss missile nonprolifera-

tion and the implementation of the MTCR Guidelines. In May 1995, the United States will participate with other MTCR Partners in a regime approach to Ukraine to discuss missile nonproliferation and to share information about the MTCR.

The United States actively encouraged its MTCR Partners and fellow AG participants to adopt "catch-all" provisions, similar to that of the United States and EPCI, for items not subject to specific export controls. Austria, Germany, Norway, and the United Kingdom actually have such provisions in place. The European Union (EU) issued a directive in 1994 calling on member countries to adopt "catch-all" controls. These controls will be implemented July 1, 1995. In line with this harmonization move, several countries, including European States that are not actually member of the EU, have adopted or are considering putting similar provisions in place.

The United States has continued to pursue this Administration's nuclear nonproliferation goals. More than 170 nations joined in the indefinite, unconditional extension of the Nuclear Non-Proliferation Treaty (NPT) on May 11, 1995. This historic decision strengthens the security of all countries, nuclear weapons states and nonweapons states alike.

South Africa joined the Nuclear Suppliers Group (NSG), increasing NSG membership to 31 countries. The NSG held a plenary in Helsinki, April 5-7, 1995, which focused on membership issues and the NSG's relationship to the NPT Conference. A separate, dual-use consultation meeting agreed upon 32 changes to the dual-use list.

Pursuant to section 401(c) of the National Emergencies Act, I report that there were no expenses directly attributable to the exercise of authorities conferred by the declaration of the national emergency in Executive Order No. 12938 during the period from November 14, 1994, through May 14, 1995.

William J. Clinton

The White House,
May 18, 1995.

Remarks to the Congressional Asian Pacific American Caucus Institute Dinner

May 18, 1995

Thank you, Admiral, for that introduction; and thank you, ladies and gentlemen, for that rousing welcome. Can we do this again tomorrow night?

Thank you, Admiral; thank you, Gloria Caoile; to all the Members of Congress who are here. I thought I had a list of all of them, but I can look outside there and see I don't. I have seen Congressman Mineta, Congressman Matsui, Congressman Underwood, Congressman Kim, Congressman Faleomavaega. I see Congressman McDermott out there—your Medicare hearing was great—*[laughter]*—I watched you on C-SPAN—all the Members of Congress. I want you to know I'm watching you all the time on C-SPAN. *[Laughter]* I see Senator Inouye and Senator Robb, and there may be others here, and if I have not mentioned you I am sorry, I apologize.

I'm delighted to see your co-emcees here. First, Ming-Na Wen, whom I first saw in the wonderful movie, "Joy Luck Club," when Amy Tan came to the White House and showed it. And then, my daughter makes me watch "ER" whenever I can. *[Laughter]* I was tired when I got here, and then I shook hands with her and my blood started pumping, so I feel so good. *[Laughter]* I'm especially glad to see George Takei, because I came here to talk about how we're going to take America into the 21st century, and he's already been there. *[Laughter]* This may be largely an academic exercise to him.

I'm glad to be joined by Secretary of Transportation, Federico Peña, and by Phil Lader, the SBA Administrator, and many others whom I will mention in a moment who are here tonight. And I also—I met the board members, or at least several of them, on the way in tonight. I want to thank all of you for serving and for constituting this organization.

Hillary and our daughter, Chelsea, just got back from a remarkable trip to Southern Asia. They went to India, to Pakistan, to Bangladesh, to Nepal, and to Sri Lanka. I got a few shirts and a lot of pictures out of it—

[laughter]—and a world of education, because I watched several hours of rough film footage of their trip, and I must tell you that it was an immensely rewarding thing for them and for us, and I hope and believe it was good for the United States.

We are at an extraordinary moment in our Nation's history, not only for the Asian Pacific American community but for all of our people who understand that we're going through profound changes, economic and social changes, that we have great problems and great challenges but, frankly, more opportunities than any other country if we understand what an incredible resource our people are, and how fortunate we are, on the verge of a totally globalized economy, to have, perhaps, the most diversified citizenry anywhere in the world.

If we understand that we don't have a person to waste, and that we have to face our challenges together, there is no stopping the United States. I have been particularly gratified to have the services of so many people from the Asian-Pacific American community in our administration. Many of you out here, I see, have accepted various appointments to boards and commissions, and many of you work full-time for the White House or the administration, including Doris Matsui in Public Liaison. *[Applause]* Listen, she gets a hand when I'm in the non-Asian crowds. I think she must be the best politician in the White House, certainly the best politician in the Matsui family.

I see Congressman Pastor out there, an Hispanic-Asian-American Congressman; Maria Haley, with the Export-Import Bank; Ginger Lew at the Commerce Department; Denny Hiyashi of HHS; Debra Shon with the Trade Representative's Office; Paul Igasaki of the EEOC and Edward Chow of Veterans Affairs. And tomorrow I will get a list of everyone in my administration I have omitted to mention tonight, and I will eat a lot of crow.

We are a nation of immigrants. Not very many of us can trace our lineage back originally to this continent. It is a good thing to recognize and celebrate that fact. That was the purpose behind Congressman Horton's tireless efforts to have the month of May des-

ignated as Asian-Pacific American Heritage Month.

I want to add my sincere congratulations to the well-deserved recognition Congressman Horton is receiving tonight. He did America a great service with this action. Thank you, sir. Stand up. Thank you. [*Applause*]

The month of May has great significance in Asian-Pacific American history. The first week of May in 1843, the first Japanese arrived in America. On May the 10th, 1869, Golden Spike Day, the Transcontinental Railroad, built in large measure with Chinese labor, was completed. Today, more than 150 years later, nearly 8 million Asian-Pacific Americans can trace their roots to Asia and the islands of the Pacific.

As we face the challenges of the global economy in the information age, we turn to you for hope and inspiration. You know well about overcoming barriers and embracing change. You know well about the importance of preserving the traditional values of family and hard work, and sacrifice today for a better future tomorrow. And, yet you have shown the most remarkable ability to adapt to changing circumstances of perhaps any group of your fellow Americans.

Some of you are fifth generation citizens; others are the first in your families to call yourselves Americans. But all of you have a legacy of being willing to work hard to overcome obstacles to pursue the American dream. As immigrants and the descendants of legal immigrants, you understand, perhaps more than most, what it means to take on the responsibility of facing up to building a new life in a difficult and new circumstance.

As we debate immigration policy in this country—and we should—and we all know that we have a problem of illegal immigration which undermines the support that has traditionally existed in America for legal immigration, at least in modern times, we should all remember something that President Kennedy once said in describing the value of immigration, and I'd like to quote, "Immigration gave every old American a standard by which to judge how far he had come, and every new American a realization of how far he might go." It reminded every American, old and new, that change is the essence of

life and that American society is a process, not a conclusion. Let us remember that today in this time. We welcome your creativity, your contributions, and your criticisms as we struggle to prepare all Americans for the coming century.

For the past 2 years I have been focused—some would say obsessed—with getting our people to do the things that I believe we must do to move into the next century. I think that what we have to do does not fall easily into the categories of established political debate, or even into the established agendas of the political parties. The future should not belong to Republicans or Democrats, it should belong to all Americans who are willing to do what has to be done to keep the American dream alive.

In the next century, we have to face the fact that we will have more opportunities than ever before but that there will be challenges that are different than we have faced before. We will have to face the fact that wealth and success will not only depend upon hard work, it will require more smart work. We will have to face some new and different challenges to our security, for the information age requires us to be more open, more flexible, more mobile, to be able to get more information more quickly, to democratize access to all kinds of facts that previously were the province of the privileged few.

But we know that as we do that, we give rise to new security challenges, for the open and flexible and fast-moving society is very vulnerable to the forces of organized destruction. We saw that most heartbreakingly recently in Oklahoma City. We live with the bitter aftertaste of the World Trade Center. And our hearts ache with the Japanese people when they endured the ability of one fanatic to go into the subway and break open a vial of poison gas and kill several people and hospitalize hundreds of others. All this is a reminder that in the 21st Century we may be beyond the cold war, we may succeed—and that's what my recent trip to Russia was partly about—in completely removing the burden of the nuclear terror from our children and our grandchildren. But we cannot avoid organized, destructive, evil forces that will come at us in different ways, with the proliferation of biological and chemical

and perhaps even small-scale nuclear weapons. That is what we must fight against. We must fight to protect the benefits of the open society with genuine security for all of our people.

I think you could argue that the last 2 years have been a good down-payment on the future we are trying to build. Our economy has produced 6.3 million new jobs. Finally, after years of stagnation, we're beginning to produce high-wage jobs in the economy again. Our deficit is down by over \$600 billion over a 5-year period. Today, our Government's budget would be balanced, today, but for the interest payments we are required to make this year on the debt run up between 1981 and the end of 1992. So we are moving in the right direction.

We are shrinking the size of the Federal Government. It's over 100,000 people smaller than it was when I came here, and we're going to shrink it by much, much more. But I would say to you again, in the wake of what we have seen in terms of expressed animosity toward our Government, the people that are working for our Government, therefore, are doing more work with fewer people. They, too, are being more and more productive, and they are entitled to our respect, not our condemnation. They are Americans too.

The Small Business Administration, for example—its administrator is here, Mr. Lader—is having a huge reduction in its budget, but they've increased their loan volume by 40 percent. That is the kind of thing we see going on all over the Government. We have done what we could to support small business. It is really the engine of opportunity, historically, for the Asian-Pacific American community. In the budget in 1993, we increased the expensing provisions for small business by 70 percent, and adopted for the first time a capital gains tax for people who really invest long-term in businesses, who hold the investment for 5 years or longer.

Now, the SBA loan application has gone from an inch thick to a page long, and you can get an answer in a week instead of 2 or 3 months. We know that these are the kinds of things that we ought to be doing throughout the Government to create opportunity.

Perhaps more importantly because so many of you will make the most of it, we saw in the last 2 years the biggest expansion of trade opportunities in a generation in America, with the passage of NAFTA and GATT, and with the Asian-Pacific Economic Cooperation group really getting organized for opening trade and tearing down trade barriers first in Seattle and then in Jakarta, where some of you were as we committed ourselves to an open trading system by the year 2010 for all the Asian-Pacific countries, including the United States of America.

We have done what we could to make it easier for working families to deal with this world of new challenges and changes, with dramatic increases in education and training opportunities, with the Family and Medical Leave Act, with tax reductions for working families with incomes of under \$28,000 a year, so anybody that works full-time and has children in the home should not live in poverty. If we want to reward work and family in this country, we ought to reward work and family. We shouldn't just talk about it. We ought to do it. And if you work full-time, you ought not to be in poverty if you have to go home at night to children who deserve a decent future.

As well as anyone else, you know that we must do more in education to raise the quality as well as the quantity of education in America, and so we have tried to do that. We've expanded educational opportunity, everything from more people in Head Start to lower-cost college loans for young people who go to college, better repayment terms. But we also have begun to give funds to States for the first time to really raise the standards of excellence in education.

Let people decide at the local level how to achieve these new standards, but to finally, finally, fully measure our children by global standards of excellence, so that we will know whether our schools are doing the job. And if they aren't, we will know what we have to do about it. This is an investment we must continue to make, even as we downsize the Government. We have to continue to invest in the education of our people. That is our future.

Indeed, if you ask me what the greatest threat to the preservation of the American

dream in the next century is, I would have to say it is that the middle class is splitting apart instead of swelling and coming together. From the end of the Second World War until about 15, 16 years ago, American incomes grew together without regard to income group, and we also were coming together. That is, incomes were going up, and the poorest people's incomes were going up a little faster than middle class people and the wealthiest people's incomes were.

So, we were increasing equality and increasing growth at the same time. For the last 15 years, that has all changed, partly as a result of our going into a global economy, partly as a result of the dramatic explosion in technology, putting higher and higher premiums on high skill levels, and the ability to learn for a lifetime. We see now, today, that slightly more than half of our people are working harder for the same or lower wages they were making 10 years ago.

So that, while in the last 2 years we've had more small businesses formed than in any period in history, we've seen more new millionaires in America than at any time in history, a cause for celebration, we see more and more and more people going home at night after a hard day's work, sitting down with their families, wondering if they'll be able to guarantee their children a better opportunity, wondering if, as hard as they've worked, somehow they've done something wrong and failed. They haven't failed. What we have done is failed to keep up with the changes in the global economy which require every advanced country to have a system of lifetime education and training available to all people so they can move into higher paying jobs.

The dispute we are having today, which I hope will be very short-lived, over the so-called rescission bill in the Congress, which I have said I will have to veto if it comes to me in the present form, is not a partisan dispute. I say it is not a partisan dispute. There were members of both parties in that conference committee that produced this final bill.

It is a dispute about yesterday's politics and tomorrow's politics, for I believe we, whether we're Democrats or Republicans, have to keep bringing the deficit down, and

we have to be prepared to make tough, sometimes unpopular budget cuts to liberate the American economy from the crushing burden of debt we have sustained in the last 12 years. We cannot continue this way. We've brought it down a lot. We have to continue until this budget is brought into balance. We must all do that.

But in a time when we are cutting spending, we have to be more careful with the dollars of yours that we do spend than ever before. If we are going to spend less and cut the deficit, what we have to spend must be spent with even greater care. And my dispute with the bill produced by the conference committee is not how much money was cut. In fact, I have offered even greater cuts. We have to start now to cut more spending. My problem is when the bill moved from a public process to a private process, over \$1 billion in educational opportunities were taken out of the bill, and \$1 billion-plus of pork was put back into the bill, everything from a special Federal grant to a city street, to nine specific road projects in a single congressional district, to \$100 million for one courthouse in return for cutting out over \$200 million to make our schools safe and drug-free, cutting out funds to give our children a chance to work in community service and earn college education, cutting out funds to train our teachers to meet international standards of excellence instead of just to continue to do what's being done in schools when it's not good enough. And I could go on and on.

So the issue is not cutting spending. I am for that. And it is not a partisan issue. Both parties were represented in the conference committee. It is about the old politics against the new politics. If we're going to have the courage to cut this deficit and to make unpopular spending cut decisions, then every dollar we do spend should be spent to take us into the 21st Century, to raise incomes, to create jobs, to give us a better future. That is what is at stake here, and we must fix it.

And let me say one other thing that we must focus on and that I hope you will all be thinking about and celebrating tonight. As we define our security as a people and our strength as a people, we have to protect ourselves against destruction from within and

without. That's what the crime bill is all about, putting more police on the street, having more prisons, having more prevention programs. It's what the anti-terrorism legislation I sent to the Congress is all about. But let us never forget the real security we have as Americans comes from the positive things about this country. The real security we have as Americans comes from the fact that almost all of us are devoted to our families, raise our children as best we can, put in a full day's work every day, pay our taxes as best we can legally, and otherwise obey the law and respect the differences in this country.

Now, we have free speech and free association. And we are proud of our differences. I am proud of the fact that you live in a country which encourages you to gather here because you share a common ethnic and geographic heritage. I am proud of that.

I am proud of the fact that Hispanics and African-Americans and Polish-Americans and other Americans have that same opportunity. I am proud of the fact that people who have different religious convictions that lead them to different political conclusions have the freedom to organize and speak their mind even if they think I am wrong on everything. I am proud of that. That's what America is all about. I am proud of that.

But every group should remember one thing: There are very few countries in the world where you have as much freedom to do as many different things as you do in this country. There are very few places in the world that are blessed with respecting diversity as we do in this country. And so, there should be a limit on the extent to which we go beyond celebrating our diversity to glorifying division. There should be a limit to the extent to which we go beyond disagreeing with our opponents to demonizing them.

You know, I'll just give you one example from my own experience. There's not a politician in this audience—I don't believe, including me, so I will only criticize myself, I have done this—there is no telling how many times in my life, just since I've been President, I have been so proud of being able to get the Congress to pass budgets that reduce the size of the Federal Government by 270,000 while we're taking on a higher work load. And I go around and brag about it, and

I don't know how many times I have used the term, "Government bureaucrat." And you will never find a politician using that term that doesn't have some slightly pejorative connotation. That is, we know taxpayers resent the money they have to pay to the Government, and so we try to get credit by saying we're being hard on bureaucrats or reducing bureaucrats.

After what we have been through in this last month, after what I have seen in the eyes of the children of those Government bureaucrats that were serving us on that fateful day in Oklahoma City, or in their parents' eyes who were serving us when their children were in that day-care center, I will never use that phrase again.

I had to face the fact that I was out there trying to get some political credit from my fellow citizens by implying that people who are in a certain category were taking their money for no good reason. Well, we have to downsize the Government. We have to have early retirement programs. We have to stop spending on some of the things we're spending on. And the Democrats and Republicans both have to get on that program, and we have to work together on it. But we should never—and everybody has got one story where some person working for the Federal Government or a State or a local government has been unreasonable in pursuit of a regulation or unreasonable in enforcement of the law or just not polite to someone when they came in.

But remember, most of those people are just like most of you: They love their children; they get up every day and go to work; they do the very best they can; they try to do honor to this country. And they take those jobs knowing they will never be rich, but drawing some fulfillment from the fact that they are serving the public. And that's just one example. All of us should now begin to think about this again, about the way that this country works and that we can celebrate our diversity and our differences, but we have to be connected in a seamless web of commitment to common values with a common vision of the future.

Yes, we've got a lot of problems. But we've had worse problems in the past. Yes, we have problems of getting along together. But noth-

ing compared to the shame of what happened to Japanese Americans during the Second World War.

There is nothing wrong with this country that we can't fix if we have the right attitude and enough courage and vision and willingness to think in new terms about a new future rooted in old values. That is what Asian-Pacific Americans are most famous for among your fellow citizens. And so I ask you to help lead us into that future.

Thank you and God bless you.

NOTE: The President spoke at 7:37 p.m. at the Hyatt Regency. In his remarks, he referred to Adm. Ming Chang, USN, Ret., acting chairman, Congressional Asian Pacific American Caucus Institute; Gloria T. Caoile, dinner chair; actors Ming-Na Wen and George Takei; and author Amy Tan.

Remarks Prior to a Meeting With Law Enforcement Leaders and an Exchange With Reporters

May 19, 1995

The President. I asked the heads of all of these major law enforcement organizations to come and meet with me in the White House today for two reasons. First, some of our work to enhance the safety of America's police officers and America's citizens and to better protect the police officers, to help them protect us, a lot of that work is under attack.

Some in Congress want to undermine our efforts to put 100,000 police officers on the street. Some want to repeal the Brady bill, even though it's stopped over 40,000 fugitives and felons from purchasing weapons last year alone. And some want to repeal the ban on deadly assault weapons, even though it is helping to protect the lives of innocent police officers and children on our streets.

I want to enlist these leaders' continued support in fighting these misguided attempts to roll back the clock in the fight against crime. And I want to make it clear that if Congress gives in to the political pressure to do this and repeals any of these measures, I will veto them in a heartbeat. In any fight between our country's law enforcement and

the Washington gun lobby, I will side with law enforcement.

Secondly, I want to discuss the attempts by a vocal minority to run down our police officers for their own benefit. The people who tried to make police officers the enemy when we were having a lot of controversy in this country back in the 1960's were wrong, and the people who are trying to do it today are wrong.

I don't care if you want less Government or more Government. I don't care if you favor repeal or retention of the assault weapons ban. Whatever you believe, no one has a right to attack those who uphold the law. Police officers risk their lives to protect our lives. They're on our side. I hope anyone who thinks otherwise has learned a valuable lesson in the debate in this country in the last couple of weeks.

I hope the NRA knows by now that anyone who pretends that police officers are the enemy is only giving aid and comfort to criminals who are really the enemy. I am glad the NRA apologized for the cruel attack on law enforcement officers in their fundraising letter on Wednesday. However, I note today that yesterday they seemed to be bragging about how much money they made from the fundraising letter in which they attacked police officers as "jackbooted thugs."

Now, if the NRA's apology is sincere, what they ought to do is put their money where their mouth is. They ought to give up the ill-gotten gains from their bogus fundraising letter, for which they have already apologized and acknowledged as inappropriate. They ought to turn that money over to the organization that helps the families of police officers who died in the line of duty. They made the money by attacking the police. They admitted they did the wrong thing. They ought to give the money up. That would show true good faith and would set the basis for an honest and open dialog in this country about issues that ought not to divide us by party, by region, by ideology, or in any other way. They ought to give the money back.

Thank you.

National Rifle Association

Q. Do you think they will?

The President. I don't know.

Dewey Stokes. I think they rescinded their statement the other day in the paper at home. One of the NRA members said in our local newspaper that they didn't mean that apology.

Q. Have they said it to you? Have they said it formally at all, except in—

Mr. Stokes. They said it in the newspaper the other day. They did not accept—they did not think that apology reached out to law enforcement.

Q. Well, are any of your people across the board resigning from the NRA?

Mr. Stokes. I've had some calls from—some of our members have resigned from the NRA, yes, in the last—since their letter came out about a week ago.

Budget Resolution

Q. Mr. President, do you have any words for the Senate as they're starting to debate the budget resolution today?

The President. Just what I've said all along. First of all, let me say again, I hope very much that we can—ultimately, we'll wind up agreeing on a rescission package to start cutting spending more right now. I want to cut spending by more than the House and Senate agreed in their committee to cut it, but I think it's cut in the wrong way. We shouldn't put pork back in the budget and cut education. I have said what I think about this. I think we have to continue to work for a balanced budget. I think we can achieve a balanced budget. I do not believe that the right way to do it is by making severe cuts in Medicare and Medicaid, the health care of our seniors and disabled population, and using that money to pay for tax cuts for upper income people. I do not believe that it's right to make it more expensive to go on to college. I don't think we ought to raise taxes on our lowest income working families with children. Those are the three things that I think are wrong.

I think there is a lot to commend the efforts that have been made by the Republicans in Congress. I think that, you know, they have shown that it is arithmetically possible to reach a balanced budget. And I believe that if we continue to work on a lot of the things that we're doing constructively in health care and other areas, we can

achieve this. But I don't believe that we can do it with those three big, big problems out there. And I hope that we can work those out in the weeks and months ahead.

Q. How do you think you're going to—

Q. Senator Gramm just charged that you are committed to protecting the Government that you know and love and programs that have failed for the last 40 years.

The President. [*Inaudible*—Senator Gramm—let me just say this: I don't want to get in a fight with Senator Gramm, but look at the record. He was here during the Reagan years and the Bush years when they quadrupled the Government deficit. And I would just point out that the administrations that he supported always sent budgets to Congress that were in excess of the ones Congress approved. I would point out that if it weren't for the interest run up before I ever showed up here, if it weren't for the interest run up between 1981 and the end of 1992, we would have a budget that is in balance today. And I have already cut or eliminated some 300 programs, and we propose, in this new budget, to cut or eliminate some 400 more.

We have done more to challenge and change the status quo in 2 years than the previous administrations did in the last 12, perhaps the last 20. Furthermore, I don't see Senator Gramm out there campaigning for lobby reform, campaign finance reform. I don't even know what's happened to the line-item veto. If they're worried—if they want me to show them how to end the status quo, send me the line-item veto. Where is it?

If I had the line-item veto, we wouldn't be having this argument about the rescission bill. I could just get rid of it. All the things that—Senator Gramm is defending this rescission bill—\$1 million for a city street, nine highway projects in one congressional district, \$100 million for a courthouse—when we're cutting education? It seems to me that he's on the side of the status quo. I want to cut spending, but I want to change the way the Government works here. And I would urge him to stop protecting the Republican pork, just as I'm willing to scrap the Democratic pork, and let's put partisan politics behind us and get on with moving the country forward.

NOTE: The President spoke at 10:25 a.m. in the Cabinet Room at the White House. Dewey Stokes is national president of the Fraternal Order of Police. A tape was not available for verification of the content of these remarks.

Message on the Observance of Armed Forces Day, 1995

May 19, 1995

Every year on this day our citizens join in honoring you, the men and women who wear our nation's uniform. You risk your very lives to defend the liberties we hold dear. Americans everywhere recognize your dedication and professionalism, and all of us feel profound respect, pride, and appreciation for our Armed Forces.

As we commemorate the fiftieth anniversary of the Allied victory in World War II, everyone on Earth should pause to express heartfelt gratitude to those who fought and sacrificed in that awful conflict. We do no greater honor to the memory of those lost in World War II than to continue their fight against tyranny and oppression everywhere.

Each of you has stood to carry on that fight in this past year. You have been called to serve in lands far from home. You have brought freedom and security to our friends and allies and humanitarian aid to those in need. In Haiti, you helped restore democracy; in the Persian Gulf, you faced down the forces of aggression; and in central Africa, you delivered lifesaving food, water, and medicine. Throughout the year, you maintained the security of our country at home and at posts around the world.

Whether you serve in the Army, the Navy, the Air Force, the Marine Corps, or the Coast Guard, your standards of excellence and your selfless service are models for all Americans. I am proud to salute you for your many extraordinary accomplishments.

Bill Clinton

NOTE: Armed Forces Day was observed on May 20.

Digest of Other White House Announcements

The following list includes the President's public schedule and other items of general interest announced by the Office of the Press Secretary and not included elsewhere in this issue.

May 12¹

The President announced his intention to appoint Thomas L. Blair to the Advisory Board of the National Air and Space Museum.

The President selected the following individuals to serve as delegates to the White House Conference on Small Business: Peggy Hernandez Anastos; George A. Beach; Kenneth C. Blair, Jr.; Roderick Blount; William D. Budinger; C. Michael Davenport; Tony Davidow; Ned Densmore; Kenneth Eakes; Sandra Fowler; Betty Franklin-Hammonds; Zdenka Gast; John Paul Giere; Marina Grant; R. Alan Hall; Betty Hall; Ada S. Hollingsworth; Nat Hyman; Morris Kaplan; Michael W. Kempner; Phyllis Gutierrez Kenney; William C. Kimball; Sandra K. Lee; Carmen Orta; Indira B. Patel; Wayne Patrick; Derron Pierson; Alice Rickel; Barbara Serna; Donald J. Sterhan; Soundra Johnson Temple; Mary Touris; Carolyn Warner; Robert A. Weygand; Alan L. White; Phyllis Williams; Edward Zetick; and George Zoffinger.

The President declared a major disaster in the State of Mississippi and ordered Federal aid to supplement State and local recovery efforts in the area struck by severe storms, tornadoes, and flooding beginning May 8.

May 13

In the morning, the President and Hillary Clinton went to Camp David, MD, for the weekend.

May 14

In the evening, the President and Hillary Clinton returned to the White House from Camp David.

May 15

In the morning, the President met with Foreign Minister Farouk al-Shara of Syria.

¹ These items were not received in time for publication in the appropriate issue.

May 16

In the afternoon, the President received diplomatic credentials from Ambassadors Fernando Andresen Guimaraes of Portugal and Juergen Chrobog of Germany. He then met with delegates from the U.S.-Mexico Binational Commission.

The White House announced the President has invited President Ernesto Zedillo of Mexico for a state visit on October 10.

The President announced his intention to appoint Gov. Roy Romer of Colorado as a member of the Advisory Council on Historic Preservation.

The President announced his intention to appoint the following individuals to the National Security Telecommunications Advisory Committee: Stanley C. Beckelman; Bobby A. Boaldin; Louis V. Gerstner, Jr.; Arthur E. Johnson; Donald J. Schuenke; and Martin A. Stein.

May 17

In the morning, the President traveled to White Plains, MD, where he was given a demonstration of a school-to-work project at Automated Graphic Systems. He returned to Washington, DC, in the afternoon.

May 18

In the afternoon, the President hosted a lunch for President Robert Mugabe of Zimbabwe in the Old Family Dining Room.

The President announced his intention to appoint James H. Bilbray to be a member of the U.S. Military Academy Board of Visitors.

The President announced his intention to appoint Robert B. Shapiro to be a member of the Advisory Committee for Trade Policy and Negotiations.

The President announced his intention to nominate Maria Luisa M. Haley to a new term as a member of the Board of Directors of the Export-Import Bank of the United States.

May 19

In the late afternoon, the President and Hillary Clinton hosted a reception for the Labor Department's Women's Bureau on the South Lawn.

The President nominated John D. Hawke, Jr., of New York, as Under Secretary of the Treasury for Domestic Finance.

The President announced his intention to nominate George J. Tenet to be Deputy Director of Central Intelligence.

The President announced his intent to appoint Randall Franke to the Advisory Commission on Intergovernmental Relations.

The President announced his selection of an additional 17 individuals to serve as delegates to the White House Conference on Small Business, June 11–15. The additional delegates are: Thomas A. Antoon; Anthony A. Armstrong; Thomas Baker; Richard Bertsch; Darwin Bromley; Paul Condit; Margarita R. Delgado; Darlene D. Drake; Patrick Geho; Carolyn Jean Hawks; Lance Herndon; Sam Kapourales; John R. McKeehan; Jeffrey Newbauer; Robert J. Shell; Orna Shulman; and Richard J. Whouley.

**Nominations
Submitted to the Senate**

The following list does not include promotions of members of the Uniformed Services, nominations to the Service Academies, or nominations of Foreign Service officers.

Submitted May 19

Andrew Fois,
of New York, to be an Assistant Attorney General, vice Sheila Foster Anthony, resigned.

Maria Luisa Mabilangan Haley,
of Arkansas, to be a member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 1999 (reappointment).

John D. Hawke, Jr.,
of New York, to be Under Secretary of the Treasury, vice Frank N. Newman.

George J. Tenet,
of Maryland, to be Deputy Director of Central Intelligence, vice Adm. William O. Studeman.

Dwight P. Robinson, of Michigan, to be Deputy Secretary of Housing and Urban Development, vice Terrence R. Duvernay, Sr., resigned.

**Checklist
of White House Press Releases**

The following list contains releases of the Office of the Press Secretary that are neither printed as items nor covered by entries in the Digest of Other White House Announcements.

Released May 15

Transcript of a press briefing by Press Secretary Mike McCurry

Statement by Press Secretary Mike McCurry on the underground nuclear test by China at Lop Nur

Released May 16

Transcript of a press briefing by Press Secretary Mike McCurry

Transcript of a press briefing by Labor Secretary Robert Reich, Occupational Health and Safety Administrator Joseph Dear, and Senior Policy Adviser to the Vice President Elaine Kamarck on the National Performance Review

Statement by Press Secretary Mike McCurry announcing the visit of President Ernesto Zedillo of Mexico on October 10

Statement by White House Counsel Abner Mikva announcing the President's annual Public Financial Disclosure Report

Released May 17

Transcript of a press briefing by Press Secretary Mike McCurry

Transcript of a press briefing by Chief of Staff Leon Panetta and Director of the Office of Management and Budget Alice Rivlin on budget proposals

Statement by Press Secretary Mike McCurry on planned Senate hearings on Whitewater

Released May 18

Transcript of a press briefing by Press Secretary Mike McCurry

Statement by Press Secretary Mike McCurry on the visit of President Robert Mugabe of Zimbabwe

Statement by Press Secretary Mike McCurry on the House budget proposal

Released May 19

Transcript of a press briefing by Press Secretary Mike McCurry

Statement by Press Secretary Mike McCurry announcing a letter from Chief of Staff Leon Panetta to House Appropriations Committee Chair Bob Livingston

**Acts Approved
by the President**

Approved May 18

H.R. 421 / Public Law 104-10
To amend the Alaska Native Claims Settlement Act to provide for the purchase of common stock of Cook Inlet Region, and for other purposes

H.R. 517 / Public Law 104-11
Chacoan Outliers Protection Act of 1995

H.R. 1380 / Public Law 104-12
Truth in Lending Class Action Relief Act of 1995