

Pursuant to your suggestion, I am sending a copy of this letter to Senator Howell Heflin, the Chairman of the Subcommittee.

Sincerely yours,

ARTHUR R. MILLER,
Bruce Bromley, Professor of Law.

FOOTNOTES

¹See, e.g., Arthur R. Miller, *Confidentiality, Protective Orders, and Public Access to the Courts*, 105 Harv. L. Rev.

²See e.g., *Pansy v. Borough of Stroudsburg*, 23 F.3d 772 (3d Cir. 1994); *Laucaida, Inc. v. Applied Extrusion Technologies, Inc.*, 998 F.2d 157 (3d Cir. 1993); S.E.C. v. *Van Weyenberghe*, 990 F.2d 845 (5th Cir. 1993); *Pocono Artesian Waters Co. v. Lefter Systems*, 1994 WL 26281 (E.D. Pa. 1994).

³See, e.g., *Judicial Improvements and Access to Justice Act*, Pub. L. No. 100-702, §403, 102 Stat. 4642 (1988); David D. Siegel, *Commentary on 1988 Revision*, Annotation to 28 U.S.C.A. §2073 (West Supp. 1994); H.R. Rep. No. 422, 99th Cong., 1st Sess. (1985).

⁴I have had the honor of having served at the request of Chief Justices Burger and Rehnquist as the Reporter and as a member of the Advisory Committee.

⁵See April 18, 1994, Letter to the Honorable Howell Heflin from Assistant Attorney General Sheila F. Anthony, Office of Legislative Affairs, Department of Justice.

⁶May 12, 1994, Letter to Senator Herb Kohl from Judge Patrick E. Higginbotham, Chair, Advisory Committee on Civil Rules, Committee on Rules of Practice and Procedure of the Judicial Conference of the United States.

⁷August 25, 1994, Letter to Senator Herb Kohl from Judge Patrick E. Higginbotham, Chair, Advisory Committee on Civil Rules, Committee on Rules of Practice and Procedure of the Judicial Conference of the United States.

⁸See, e.g., Miller, *supra* note 1, at 480-82 (discussing facts behind most common anecdotes).

⁹May 6, 1994, Letter to the Honorable Herb Kohl from Richard L. Manetta, Assistant General Counsel, Ford Motor Company.

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Mr. GRASSLEY. Mr. President, I will simply make a statement in regard to what Senator DECONCINI had to say. I am not going to take exception to anything he said. But he did say that the debate maybe has become very political. As one Republican who has spoken out against the President's actions in Haiti, I think I have some credentials to speak and have those remarks reviewed as nonpolitical, because in January 1991, when this body debated giving President Bush permission to use military action in the Persian Gulf war, I was one of only two Republicans who opposed President Bush's action because I felt that other processes should be used. I was opposing a Republican President, and I am a Republican.

I have stated that military troops in Haiti should be used when American life is in danger or when the national security interests of our country are at stake. The military should be used as a last resort, and for those reasons. I do not think Haiti is a threat to the national security of our country. And because Haiti is not a threat to the national security of our country, I do not think Haiti, from that standpoint—not the Haitian people—is worth one drop of American blood.

I feel that there is a chance, even under the more peaceful conditions under which our people have gone into Haiti, in a less militaristic environment—still in those conditions—there is threat to American life. I think we should be very cautious when we put

our American troops in such a situation.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

CONFERENCE AGREEMENT ON THE URUGUAY ROUND

Mr. MOYNIHAN. Mr. President, I rise today to bring good news to the Senate on a matter of great importance. Last evening the Committee on Finance reached agreement with the House Ways and Means Committee in its conference on legislation to implement the Uruguay round of Multilateral Trade Negotiations and approve the World Trade Organization. This is indeed good news for the Senate, for the President, and for the United States. To meet our international commitments, the Senate must consider the Uruguay round legislation before it adjourns this year. With this agreement, I am confident that we will do just that.

I would note, most importantly, that we have achieved a bipartisan agreement, with great assistance from the ranking member of the Finance Committee, the senior Senator from Oregon, and with the unanimous support of the Senate conferees. Matters relating to international trade continue to be handled in the best bipartisan traditions of the Finance Committee.

The Uruguay round is a momentous trade agreement, the largest, most comprehensive trade agreement in history—one that was 7 years in the making. With this agreement, foreign tariffs on U.S. manufactured exports will be cut by one-third, the largest reduction in history. Indeed, the Treasury Department estimates that the Uruguay round will reduce world tariffs by nearly \$750 million over the next 10 years. This will prove to be, in practical effect, the world's largest sales tax cut—a boon to American exporters and consumers alike.

We will have new rules to protect the intellectual property of U.S. entrepreneurs, one of the greatest strengths of this country. Trade in services, which encompasses 60 percent of our economy and 70 percent of our jobs, will for the first time be subject to internationally agreed rules. The agriculture sector will also be brought under international rules, to the great advantage of American exporters. And we also will benefit from the strengthening of dispute settlement rules, which more often work to our advantage than to our detriment.

Indeed, this agreement is historic, for with the creation of the World Trade Organization the United States finally makes good on the vision of our postwar leaders. They sought the establishment of an International Trade Organization. It was denied, by the Committee on Finance in large part. We now have the opportunity at long last to

finish the work of the 1944 Bretton Woods accord. And with the World Trade Organization we will have the basis for a sounder and more prosperous world trading system.

The legislation to implement the Uruguay round, once submitted by the President, is considered under fast track procedures and is thus unamenable. But, Mr. President, I can assure the Senate that the committee has taken great care in constructing this legislation. The committee met six times in public markup sessions from mid-July to the beginning of August. In those meetings we formulated our recommendations to the President regarding the provisions of the legislation. And between this week and last we worked to reach agreement with the Ways and Means Committee on those recommendations, just as we would with any other legislation.

The conference reached overwhelming agreement. We began with over 100 differences between our recommendations. Once we had completed our work, only four issues remained in disagreement—and on these, we agreed to disagree. None of them is essential to implement the Uruguay round. The disposition of them is important to individual Members, of course, myself included. But the conference was in complete agreement on all changes in law necessary to bring the United States into conformity with our commitments in the Uruguay round.

Mr. President, it is my expectation that President Clinton will submit this legislation to the Congress early next week. I would expect the House to act expeditiously, and hope the Senate will do likewise. I look forward to bringing this legislation to the Members of the Senate.

IS CONGRESS IRRESPONSIBLE?
YOU BE THE JUDGE ABOUT THAT

Mr. HELMS. Mr. President, before we ponder today's bad news about the Federal debt, perhaps a little pop quiz would be in order. How many million dollars would you say are in a trillion dollars? And when you answer that, just remember that Congress has run up a debt exceeding \$4½ trillion.

To be exact, as of the close of business Tuesday, September 20, the Federal debt stood—down to the penny—at \$4,683,866,175,111.68 meaning that every man, woman and child in America owes \$17,965.74 computed on a per capita basis.

Mr. President, to answer the question—how many million in a trillion?—there are a million million dollars in a trillion dollars. I remind you, the Federal Government, thanks to the U.S. Congress, owes more than \$4½ trillion.

HONORING THE LATE HARRY
NALTCHAYAN

Mr. DURENBERGER. Mr. President, man's quest to capture time has taken many forms over the ages. Over the