

exception to the Inspector General statute, so that the Secretary of the Treasury is prohibited from exercising his authority to stop an investigation by the Tax IG when national security or law enforcement issues are at stake. The Treasury Department and the Central Intelligence Agency are both opposed to this provision.

I worked with the other conferees to try to work out these national security problems but ultimately those efforts fell short because of time constraints.

On balance, though, I support, enthusiastically, H.R. 2676, the IRS Reform and Restructuring Act. It will significantly improve the position of American taxpayers in their dealings with the IRS. But I abhor the closed door process by which the ISTEA technical corrections bill was attached. However, this and the national security flaws are correctable, if not now on this legislation, then certainly before the Senate adjourns for the year. I pledge my efforts to achieve that goal.●

#### PARTIAL BIRTH ABORTION

● Mr. ABRAHAM. Mr. President, a recent, near-tragic incident has come to my attention; an incident which in my view casts significant light on the debate over partial birth abortion.

According to the Associated Press, on June 30 of this year Dr. John Biskind delivered a full-term baby girl. Unfortunately, this little girl was almost killed. She suffered cuts to her face and a skull fracture. Officials have refused to comment on her condition. She is scheduled to be adopted by a Texas couple, so it is my hope that she will experience a full recovery.

But we should not lose track of the cause of her injuries: Dr. Biskind attempted to perform a partial birth abortion. The 17 year-old mother had come to Dr. Biskind's A-Z Women's Center seeking an abortion. The clinic performed an ultrasound, determining that what they had here was a 23.6 week fetus, and determined to perform a partial birth abortion.

Dr. Biskind thought he was performing this inhuman procedure on a fetus two thirds of the way to term. That would be bad enough. But in fact Dr. Biskind's clinic made an unbelievable mistake in the ultrasound. The girl actually was approaching full term. And Dr. Biskind did not realize this fact until he already had begun aborting her.

This is astounding, Mr. President. According to Dr. Carolyn Gerster, a Phoenix physician and chairman of Arizona Right to Life, a 24-week-old fetus weighs an average of 2 pounds, whereas a 36 week-old fetus weighs about 6 and a half pounds. As Dr. Gerster commented, "I don't know how such a grave error could be made in estimating the size. There shouldn't be that kind of discrepancy in an ultrasound. It's horrendous."

Horrendous indeed, Mr. President. But this was not the first horrendous

mistake made by this abortionist. Dr. Biskind was censured by the medical board in 1996 when a patient bled to death after undergoing an abortion. He also was reprimanded in 1989 for misdiagnosis or mistreatment of a patient, and in 1990 for improperly prescribing drugs. A similar complaint was dismissed in 1994.

This incident, and Dr. Biskind's deplorable record as a physician, cast on ugly light on an unfortunate procedure. Too many women in America are being subjected to partial birth abortions. Whatever one's views on the abortion issue itself, and I am strongly pro-life, there is no basis for defending partial birth abortion. The procedure is never, let me emphasize that Mr. President, never necessary for the life or health of the mother. It is in fact an unnecessarily dangerous procedure that increases the chance of physical harm to the mother, and which most reputable doctors refuse to even consider performing.

Defenders of partial birth abortion have relied on a number of untruths, including the false story that the procedure is performed only in rare occasions. We now know, Mr. President, that that just isn't so. We also know that there are abortionists like Dr. Biskind out there who let their patients bleed to death and who allow an ultrasound in their clinic to be botched so badly that they almost kill a fully formed baby girl.

It is time to shut down clinics like Dr. Biskind's. If defenders of abortion rights are really serious about defending women's health, they should join with me and those of my colleagues who have sought to ban partial birth abortion. They also should fight with me to keep women from having to undergo any kind of abortion.

Clearly, Mr. President, America is not doing enough for her expectant mothers. Too many are abandoned by their husbands, boyfriends, and families in their time of special need. Too many feel alone and powerless in the face of an unexpected pregnancy. Too many fall into the hands of the Dr. Biskind's of this world because they have not been fully informed of their options, including the availability of loving couples like the one that is adopting the girl Dr. Biskind almost aborted.

I intend to work as hard as I can, Mr. President, to bring practices like Dr. Biskind's to an end. It is long past time, in my view, for us to overturn President Clinton's veto of the ban on partial birth abortion. It also is long past time for us to make women more aware of the adoption option as we seek to make the better choice—the choice of life—easier to make.

Mr. President, I ask that the full text of the associated press story, as it appears in the Washington Times, be printed in the RECORD.

The article follows:

[From The Washington Times, Fri., July 10, 1998]

#### ABORTION ABORTED FOR BIRTH OF GIRL— FETUS' AGE WAS MISCALCULATED

Phoenix (AP)—A doctor performing a partial-birth abortion on what he says he thought was a 23-week fetus realized in the middle of the procedure that the pregnancy was much further along and instead delivered a full-term baby.

Police and the Arizona Board of Medical Examiners are investigating Dr. John Biskind and the June 30 birth at A-Z Women's Center, which terminates pregnancies through the 24th week.

"At this point, it doesn't appear anybody will be charged with anything," Sgt. Mike Torres said.

The 6-pound, 2-ounce girl suffered a skull fracture and cuts on her face and remained hospitalized yesterday. Officials refused to comment on her condition. A Texas couple plans to adopt the girl, authorities said.

The 17-year-old mother went to the clinic June 29 seeking to undergo a procedure in which the doctor delivers a fetus feet first up to its neck, punches a hole into its skull and sucks out its brain through a tube, killing the child.

Ultrasound testing at the clinic determined her fetus was 23.6 weeks' developed, the doctor said.

During the procedure the next day, Dr. Biskind realized the pregnancy was much further along, halted the abortion and delivered the infant, police said.

A woman who answered the phone at the abortion clinic said Dr. Biskind had no comment. "We're dealing with the police on this," said the woman, who would not give her name.

Police and the Maricopa County Attorney's Office are investigating to determine whether a crime was committed.

Dr. Carolyn Gerster, a Phoenix physician who is chairwoman of Arizona Right to Life, said the average weight for a 24-week fetus is about 2 pounds and about 6½ pounds at 36 weeks.

"I don't know how such a grave error could be made in estimating the size," she said. "There shouldn't be that kind of discrepancy in an ultrasound. It's horrendous."

The medical board censured Dr. Biskind in 1996 after a patient bled to death following an abortion. The patient's family has a lawsuit pending against him.

He also was reprimanded in 1989 for misdiagnosis or mistreatment of a patient and for improperly prescribing drugs in 1990. A similar complaint was dismissed in 1994.●

#### CONGRATULATING THE SMALL BUSINESS ADMINISTRATION'S YOUNG ENTREPRENEUR OF THE YEAR

● Mr. AKAKA. Mr. President, today I rise to recognize a very special Hawaiian business person. Charles Wesley Fortner is the recipient of the 1998 U.S. Small Business Administration's Young Entrepreneur of the Year Award. Mr. Fortner, 28 years of age, is a resident of Mililani, Hawaii, and the founder and president of the Honolulu-based telecommunications firm, Island Page, Inc.

In 1994, Mr. Fortner had the courage to move to Hawaii to open the business by himself. With two partners who gave him the paging rights to the Hawaiian Islands, Mr. Fortner established the business location and field tested

the equipment that carries the paging signals by driving and walking all over the island.

In less than four years, Island Page has grown from a one-man operation to a company with a trained staff of 18 employees. Mr. Fortner's motivational ability and management style encourage his employees to operate the business with a strong customer service attitude. Those who know Mr. Fortner consider him the model of the new business mentor for the next century.

Island Page sales totaled \$280,000 in 1995 and increased 370 percent in 1996 to pass the \$1 million mark. Sales for 1997 were expected to increase another 50 percent. The company achieved a profit of 12 percent in 1996 and anticipated a 25 percent return in 1997.

Mr. Fortner is the man behind Island Page's popular "Captain Beep Beep" radio campaign. His creative abilities have also played a major role in establishing the technical requirements of the company. He brought with him to Hawaii a new line of equipment that allowed him to operate the business at a lower cost than his competitors. The company started in one location on Oahu, moved into the Dillingham community in the second year and opened a third location in Hawaii Kai in 1997. Mainland travelers can use the Island Page network and local subscribers can travel anywhere in the country and receive a page from Hawaii.

I am pleased that Charles Wesley Fortner has been named SBA's 1998 Young Entrepreneur of the Year. I believe that he embodies the best Hawaii has to offer.●

TRIBUTE TO HERBERT C. GREEN:  
AN INSPIRATIONAL LEADER AND  
DEVOTED HUSBAND

● Mr. CLELAND. Mr. President, I rise today to honor Herbert Green from Norcross, Georgia for his service in the United Auto Workers Union, and on 50 years of love and devotion to his lovely wife Autince as they celebrate their Golden Wedding Anniversary on Sunday, July 19, 1998.

Walter Ruether, the great UAW leader, once said, "the most important thing in the world is to fight for the other guy."

This quote reminds me a lot of Herb Green because, for the last several decades, he has been organizing, educating and tirelessly fighting for the rights of working men and women in Georgia and our Nation.

Many of us know how important the labor movement has been for the improvement of working conditions and fair compensation for millions of Americans. None of this would have happened if it had not been for tireless, visionary individuals who were willing to work on behalf of their coworkers, such as Herb Green. Prior to his retirement in 1987 as the International Representative for Region 8, he focused his efforts in the educational and political arenas of the UAW and the State of

Georgia. His UAW involvement continues as a member of the UAW's Advisory Council.

Herb's union work began in 1938 when he became a member of the Boot & Shoe Workers Union, followed by membership in the Packing House Workers Union from 1940 to 1942. After being hired at Local 10 (then GM BOP, now GM CPC) in Doraville in January 1949, Herb established his first UAW membership. He quickly became an active participant in Local 10's affairs, where he served as an Alternate Committeeman, Trustee, member of the Building Committee, District Committeeman, and for a number of years, Chairman of the Shop Committee.

In January 1962 he was appointed as a member of the Region's CAP Education Staff by then Director, E. T. Michael, a job he held through most of his union career, representing Georgia, Florida and South Carolina. He also served as a UAW International Representative of Region 8, consisting of the states of Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, four counties in south central Pennsylvania, the District of Columbia, and Berkeley County, West Virginia.

I have had the pleasure of knowing and working with Herb for many years. On issues like employee rights and education for our children, nobody has worked longer, fought harder or been more committed than him. I am proud to call Herb a close friend and someone who I look to for advice and guidance.

A long time activist in the political and civic life of Georgia, Herb has served as a member of the Board of Review of the Georgia Employment Security Agency, the Urban League, Board Member of the United Way, Vice Chairman of the Gwinnett County Democratic Party, Member of the Board of Elections of the Gwinnett County Democratic Party, Member of Georgia State University's Advisory Committee of Labor Studies, and Chairman of the Trustees of Winter's Chapel Methodist Church, where he and his family have been members for many years.

Herb, who just celebrated his 77th birthday, was born on July 6, 1921. He and his wife have two children, a daughter Kathy and a son Terry, and five grandchildren—the true inspirations of their lives.

I am pleased to call attention to Herb's nearly half a century of dedicated service to the UAW and to congratulate him and Autince on 50 years of marital bliss. I know that they have many more years of happiness ahead of them. I wish them both the best and look forward to continuing our cherished friendship.●

JOINT MEETING OF THE TWO  
HOUSES—ADDRESS BY THE  
PRESIDENT OF ROMANIA

Mr. ROBERTS. Mr. President, I ask unanimous consent that the President

pro tempore of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of Romania into the House Chamber for the joint meeting at 10 a.m. on Wednesday, July 15, 1998.

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

UNANIMOUS CONSENT  
AGREEMENT—S. 2282

Mr. ROBERTS. I ask unanimous consent that when the Senate receives from the House a message on S. 2282, the agriculture export bill, and the text of the House amendment is identical to the text I now send to the desk, then the Senate concur in the House amendment and the motion to reconsider be laid upon the table. I also ask that the Senate be authorized to receive the message this evening after the Senate adjourns.

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

The text of the amendment follows:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Agriculture Export Relief Act of 1998".*

**SEC. 2. SANCTIONS EXEMPTIONS.**

(a) EXEMPTION REGARDING FOOD AND OTHER AGRICULTURAL COMMODITY PURCHASES.—Section 102(b)(2)(D) of the Arms Export Control Act (22 U.S.C. 2799aa-1(b)(2)(D)) is amended as follows:

(1) In clause (i) by striking "or" at the end.  
(2) In clause (ii) by striking the period and inserting " , or".

(3) By inserting after clause (ii) the following new clause:

"(iii) to any credit, credit guarantee, or financial assistance provided by the Department of Agriculture to support the purchase of food or other agricultural commodity."

(b) DESCRIPTION OF AGRICULTURAL COMMODITIES.—Section 102(b)(2)(F) of such Act is amended by striking the period at the end and inserting " , which includes fertilizer."

(c) OTHER EXEMPTIONS.—Section 102(b)(2)(D)(ii) of such Act is further amended by inserting after "to" the following: "medicines, medical equipment, and".

(d) APPLICATION OF AMENDMENTS.—The amendment made by subsection (a)(3) shall apply to any credit, credit guarantee, or other financial assistance provided by the Department of Agriculture before, on, or after the date of enactment of this Act through September 30, 1999.

(e) EFFECT ON EXISTING SANCTIONS.—Any sanction imposed under section 102(b)(1) of the Arms Export Control Act before the date of the enactment of this Act shall cease to apply upon that date with respect to the items described in the amendments made by subsections (b) and (c). In the case of the amendment made by subsection (a)(3), any sanction imposed under section 102(b)(1) of the Arms Export Control Act before the date of the enactment of this Act shall not be in effect during the period beginning on that date and ending on September 30, 1999, with respect to the activities and items described in the amendment.

TROPICAL FOREST PROTECTION  
ACT OF 1998

Mr. ROBERTS. I ask unanimous consent that the Senate proceed to the