programs aimed at providing universal access to voluntary family planning information, education and services can ensure world population stabilization at 8 billion or less rather than 12 billion or more. Now, therefore, I Tommy G. Thompson, Governor of the State of Wisconsin, do hereby proclaim the week of October 25–31, 1998 as World Population Awareness Week, and urge citizens of the State to take cognizance of this event and to participate appropriately in its observance.●

TRIBUTE TO FRANKIE YANKOVIC, AMERICA'S POLKA KING

Mr. FEINGOLD. Mr. President, on October 15th, America lost it's reigning Polka King, and Wisconsin lost a beloved friend: Frankie Yankovic.

From the day he debuted in the Milwaukee area at Bert Phillips Ballroom in Menomonee Falls, Frankie Yankovic has had a special place among Wisconsin's polka fans. Wisconsinites loves to polka, so much so that it's our state's official dance. And no polka musician has won more accolades, had more devoted fans, or taught more Americans to love that simple dance than Frankie Yankovic.

While he was born in West Virginia and was a long-time resident of Cleveland, Frankie Yankovic felt a special connection to Milwaukee. ''I should have come here and made Milwaukee my hometown,'' he once said. There is nothing we'd have liked better, but Wisconsinites were lucky for the many chances we've had to enjoy Yankovic's music, and to pay tribute to his myriad achievements in the music world.

In fact, it was in Milwaukee that Yankovic was crowned as America's Polka King in 1948. Just one year later, his ''Blue Skirt Waltz'' hit number two on Columbia Records' bestseller list, just behind Gene Autry's ''Rudolph the Red-Nosed Reindeer,'' one of the best-selling records of all time. He was the first inductee to both the Polka Hall of Fame in Minnesota in 1988 and the Wisconsin Polka Hall of Fame in 1996.

Yankovic didn't just contribute to popular music, he revolutionized it by infusing traditional polka music with a smoother style, and introducing new instruments, such as the bass fiddle, to polka arrangements.

Throughout his career, Yankovic's singular style energized audiences. His compositions were legendary, including such Wisconsin-inspired tunes as the ''Kringleville Polka,'' about Racine, and ''There's No Joy Left Now in Milwaukee,'' about the Braves leaving for Atlanta.

Yankovic was a man who made audiences roar and floors shake as he brought capacity crowds to their feet to do that simple step that just, as Yankovic put it, ''makes people happy.'' He often rallied audiences by asking ''What do you think this is, a concert? Let's get up and dance!''

Milwaukeeans know that Frankie Yankovic was loved coast to coast, appearing on Johnny Carson and performing with the likes of Milton Berle and Doris Day. And we know that Cleveland was his permanent address. But in Wisconsin, we proudly count him as one of our own. ''I love Milwaukee,'' he often said, and Milwaukee loved him back. On behalf of the people of Wisconsin, I thank Frankie Yankovic for the happiness he brought to Wisconsin's polka fans over the years, and I pay tribute to his memory.●

CONGRESS AGAIN FAILS TO CLEAN UP BROWNFIELDS

● Mr. LAUTENBERG. Mr. President, I very much regret that once again—for the 3rd Congress, that's six years—the Congress has refused to take action on brownfields legislation because of unrelated and very controversial issues related to the Superfund program.

As I have for three Congresses, on the very first day of the 105th Congress, along with ten other Senators, I introduced S. 18, a bill to encourage brownfields revitalization efforts. Brownfields are abandoned, or idle, former industrial properties which may or may not be contaminated. Brownfields exist in cities, suburbs and rural areas. Their reuse can result in badly needed jobs and significant revenues along with environmental cleanup of hundreds of thousands of communities across the country. One section of S. 18 established an exemption from potential Superfund liability for developers who clean up brownfields but had nothing to do with any contamination that might be present. These provisions merely clarified that Congress did not intend the specter of Superfund liability to deter the purchase and redevelopment of brownfields properties. This simple clarification has long enjoyed broad-based, bipartisan support.

Mr. President, on November 7, 1997, I also introduced S. 1497. This bill is in some ways analogous to the brownfields bill, in that it provides an exemption from Superfund liability for homeowners, small businesses, and non-profit organizations which sent only municipal solid waste to Superfund sites.

Mr. President, S. 1497 was, so to speak, dedicated to Barbara Williams, and all those like her, who got caught up unfairly in a litigation web that the Congress never intended when Superfund was written. Barbara Williams is the owner of Sunny Ray Restaurant. Ms. Williams was sued and asked to pay for cleanup of a Superfund site, though she only disposed of mashed potatoes and other restaurant waste at that site. She has testified before the Environment and Public Works Committee twice.

Mr. President, I find it appalling that this woman was stuck in a Superfund lawsuit, brought by industries that had polluted the site but did not want to pay to clean up their mess. S. 1497 included a provision clarifying that Congress did not intend parties such as homeowners, pizza parlor owners, or girl scouts—that disposed only of household, or household-like trash—to be subject to suit under Superfund. Like brownfields liability exemptions, these exemptions for innocent parties enjoy broad, longstanding, bipartisan support.

Mr. President, this is the third consecutive Congress we have negotiated comprehensive Superfund reform, but failed to pass legislation. In the 103rd Congress, the Committee marked up a comprehensive Superfund reform bill that boasted unusually broad-based support, and reported it out on an 13:4 vote. But for reasons which had little to do with Superfund, for reasons that were blatantly political, the bill was not enacted into law. In the 104th Congress, consensus evaporated, and the Republican Majority introduced comprehensive reform bills that can only be described as extreme. In the 105th Congress, the parties got closer, yet, despite the hundreds of hours of work by our staffs, did not get close enough. I personally spent weeks negotiating painstaking details of this complex statute. But unfortunately, rather than resolve remaining differences, the Committee elected to proceed to a partisan mark-up. Indeed, it reported its Superfund bill, S. 8, almost entirely along party lines, with the vote on final passage at 11:7.

Mr. President, the Committee may or may not take up comprehensive reform again in the 106th Congress. Given GAO's August, 1998 report finding that EPA has already selected remedies at 95% of non-federal Superfund sites, I question whether this effort is at all worthwhile. But the battle lines are beginning to be drawn. It is reported that some are urging industry to spend as much as did the tobacco industry—some $40 million—to have their way.

But while my Republican colleagues persist in an all or nothing strategy, I urge that this body be cognizant of the price exacted by this approach. This posture essentially takes our nation's cities and small businesses as hostages in a war over Superfund. And the consequences are very real.

The nation's Mayors estimate they lose between $200 and $500 million a year in tax revenues from brownfields sitting idle, and that returning these sites to productive use could create some 236,000 new jobs. They, as well as developers and bankers, say immediate action is imperative, since new tax laws provide incentives for brownfields redevelopment, but expire in 2001. In short, the window is narrow during which brownfields reform will make any difference at all. Each day Congress fails to act on brownfields liability, it deprives our cities of unique redevelopment opportunities.

And as for municipal solid waste, as Mrs. Williams testified, neither her lawyer's fees nor her settlement costs are covered by insurance, nor are they business expenses she can deduct. She must make enough money to pay these penalties on top of her other bills and her payroll. Each day Congress fails to

free Barbara Williams and requires that she pay still more lawyers' fees, Congress adds to her burden, or as she testified, expands the ''cloud'' cast over her head.

Mr. President, I submit that holding these non-controversial, practical and entirely beneficial bills hostage to an ideological fight over the Superfund program is not in the public interest. I am very disappointed that for the sixth year in a row, we withheld action on legislation that could provide enormous benefits to the public. This is what gives government a bad name. ●

REAUTHORIZATION OF THE SURFACE TRANSPORTATION BOARD

● Mr. HOLLINGS. Mr. President, I rise today to express my disappointment that S. 1802, the reauthorization of the Surface Transportation Board (Board), failed to pass the Senate. I have spoken out in favor of the Board on many occasions. I want to reemphasize today my commitment to seeing that the Board will be in business for a long time and will be given the resources that it needs to continue its vital work.

The Board is the independent economic regulatory agency that oversees the Nation's rail and surface transportation industries. A healthy transportation system is critical to sustaining a vibrant and growing economy. Under the able and forward-looking leadership of Linda Morgan, the Board's Chairman, who was with us on the Commerce Committee for many years, the Board has worked to ensure that the transportation system is both healthy and responsive. Although it was established to be principally an adjudicatory body, the Board has reached out to the transportation community in an unprecedented way. It has handled the crisis in the West appropriately, letting the private sector work it out where possible, but intervening when necessary. It has initiated proceedings at the request of Senator MCCAIN and Senator HUTCHISON to review the status of access and competition in the railroad industry, and its actions have produced a mix of government action and private-sector solutions. With its staff of 135, it puts out more work than much larger agencies, issuing well-reasoned, thoughtful, and balanced decisions in tough, contentious cases. Just recently, in the Conrail acquisition case, the Board issued one such decision that is good for my State, and for the Nation.

But the Board is stretched thin. It needs to train new people to replace the many employees who are likely to retire soon. And next year, it will continue to expend resources monitoring the implementation of the Conrail acquisition and the rest of the rail network. The Board needs adequate resources to do the hard work that we expect it to do.

Because we need the Board, and because the Board has done a fine job, I am here today supporting a clean reauthorization bill. I supported the Staggers Act when it was passed, and I think in large part it has been a success.

I know that there is some concern about how our transportation system ought to look, and that there are many important issues on the table right now. Several of those issues are being handled by the Board, in connection with its competition and access hearings. I am confident that the Board will do the right thing with the issues before it.

However, some of the tougher issues that have not yet been resolved—for example, the substantially more open access that some shippers want—are not for the Board. They are for us, and they are real. But the fact that the railroads and those who use the system have a lot of ground to cover on these legislative issues should not hold up the Board's reauthorization. Legislative change is our job. The Board, working with the law we gave it, has done its job. I want to thank the Board in general, and Chairman Morgan in particular, who has my unqualified support, for a job well done. The Nation needs agencies like the Board and public servants like Chairman Morgan.●

TRIBUTE TO FORMER STATE REPRESENTATIVE PERRY BULLARD

● Mr. LEVIN. Mr. President, I rise to speak of the untimely death of former Michigan State Representative Perry Bullard.

Perry Bullard had a sharp mind, and a tongue to match. He has been called outspoken and abrasive. But what he really was was a passionate legislator. He had a fundamental belief in democracy, and the protection of individual liberties. He served in the Michigan House of Representatives for 20 years, rising to the position of Chairman of the House Judiciary Committee. His commitment to the rights of individuals in a democracy and the rights of individuals to access their government are evidenced by the bills he sponsored which have become law. He wrote the Michigan Open Meeting Act, the state Freedom of Information Act, the Whistleblower Protections Act and the Polygraph Protections Act. He was behind the passage of the state's Statutory Will Act, which created a fill-in-the-blank will form that allows people to write their own wills. Equally important to the bills he passed were the bills he stopped. He prevented passage of legislation to loosen requirements for police wiretaps, and to allow for police entering homes without a warrant. Perry Bullard was a liberal, and unabashedly so. He believed that being liberal meant protecting liberty. For him protecting liberty meant putting the interests of the public ahead of those of the state. He will be missed and our hearts go out to his wife, Kelly.

Mr. President I ask my Senate colleagues to join me in honoring the memory of a passionate legislator, Perry Bullard.●

BILL LANN LEE

● Mrs. BOXER. Mr. President, I want to express my deep disappointment and sadness that the Senate has failed to act on the nomination of Bill Lann Lee as Assistant Attorney General for Civil Rights at the Department of Justice.

Bill Lann Lee's nomination was sent to the Senate in July, 1997. I had the honor of introducing him to the Judiciary Committee, and I have spoken to the Senate numerous times to urge his confirmation. In my travels throughout my home state of California, I have heard over and over from his supporters, ''please make sure Bill Lann Lee gets confirmed.''

I cannot explain why the Senate failed to act on this eminently qualified nominee. I can only guess that an eminently qualified candidate fell victim to partisan politics. Mr. Lee has served for 10 months as the Acting Assistant Attorney General for Civil Rights because the Judiciary Committee refused to report the nomination. The Committee did not act because it did not wish the full Senate to vote—because the majority of that Committee knew that Bill Lann Lee would be confirmed if a vote were taken.

If any member of this body does not wish to confirm one of the President's nominees, then he or she should have the courage to vote that nominee down. But that did not happen.

In all this time, one thing is certain; those who know Mr. Lee, and those who are aware of his record, know Mr. Bill Lann Lee is the best person for the position of Assistant Attorney General for Civil Rights at the Department of Justice. Unfortunately, this nomination has been held back by a few senators who oppose Mr. Lee as head of the Civil Rights Division because, oddly enough, Mr. Lee believes strongly in civil rights.

I want the record to be clear about Bill Lann Lee, his personal history and his professsional credentials, both of which make him the perfect candidate to be Assistant Attorney General for Civil Rights.

Bill Lann Lee was born in Harlem, the son of hardworking, patriotic, immigrant parents who came to this country because they believed America was the land of opportunity. His father, William Lee, not only spoke of this, but also showed his son by example, that a penniless immigrant who works hard in this country can make a better life for himself and for his family. Many of us know the senior Lee was a laundryman in New York, who faced daily unspeakable discrimination. What some of my colleagues may not know is that the senior Lee volunteered in the U.S. Army Air Force during World War II. He fought overseas for America and all that America