

(2) the limitation under section 5307 of title 5, United States Code (relating to limitation on certain payments) shall apply, subject to such definitional and other modifications as may be necessary in the context of the alternative personnel management provisions established under this section;

(3) procedures shall be established for the rapid and equitable resolution of grievances;

(4) no institute employee may be discharged without notice of the reasons therefor and opportunity for a hearing under procedures that comport with the requirements of due process, except that this paragraph shall not apply in the case of an employee serving a probationary or trial period under an initial appointment; and

(5) institute employees serving for a period specified in or determinable under an employment agreement shall, except as otherwise provided in the agreement, be notified at least 30 days before the end of such period as to whether their employment agreement will be renewed.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be considered to affect—

(1) the applicability of any provision of law providing for—

- (A) equal employment opportunity;
- (B) Indian preference; or
- (C) veterans' preference; or

(2) the eligibility of any individual to participate in any retirement system, any program under which any health insurance or life insurance is afforded, or any program under which unemployment benefits are afforded, with respect to Federal employees.

(e) **LABOR-MANAGEMENT PROVISIONS.**—

(1) **COLLECTIVE-BARGAINING AGREEMENTS.**—Any collective-bargaining agreement in effect on the day before the effective date specified under subsection (f)(1) shall continue to be recognized by the institute until altered or amended pursuant to law.

(2) **EXCLUSIVE REPRESENTATIVE.**—Nothing in this Act shall affect the right of any labor organization to be accorded (or to continue to be accorded) recognition as the exclusive representative of any unit of institute employees.

(3) **OTHER PROVISIONS.**—Matters made subject to regulation under this section shall not be subject to collective bargaining, except in the case of any matter under chapter 63 of title 5, United States Code (relating to leave).

(f) **EFFECTIVE DATE.**—

(1) **ALTERNATIVE PERSONNEL MANAGEMENT PROVISIONS.**—The alternative personnel management provisions under this section shall take effect on such date as may be specified in the regulations, except that such date may not be later than 1 year after the date of the enactment of this Act.

(2) **PROVISIONS MADE INAPPLICABLE BY THIS SECTION.**—Subsection (a) shall take effect on the date specified under paragraph (1).

(g) **APPLICABILITY.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subsection, the alternative personnel management provisions under this section shall apply with respect to all applicants for employment with, all employees of, and all positions in or under the institute.

(2) **CURRENT EMPLOYEES NOT COVERED EXCEPT PURSUANT TO A VOLUNTARY ELECTION.**—

(A) **IN GENERAL.**—An institute employee serving on the day before the effective date specified under subsection (f)(1) shall not be subject to the alternative personnel management provisions under this section (and shall instead, for all purposes, be treated in the same way as if this section had not been enacted, notwithstanding subsection (a)) unless, before the end of the 5-year period beginning on such effective date, such employee elects to be covered by such provisions.

(B) **PROCEDURES.**—An election under this paragraph shall be made in such form and in such manner as may be required under the regulations, and shall be irrevocable.

(3) **TRANSITION PROVISIONS.**—

(A) **PROVISIONS RELATING TO ANNUAL AND SICK LEAVE.**—Any individual who—

(i) makes an election under paragraph (2), or

(ii) on or after the effective date specified under subsection (f)(1), is transferred, promoted, or reappointed, without a break in service of 3 days or longer, to an institute position from a noninstitute position with the Federal Government or the government of the District of Columbia,

shall be credited, for the purpose of the leave system provided under regulations prescribed under this section, with the annual and sick leave to such individual's credit immediately before the effective date of such election, transfer, promotion, or reappointment, as the case may be.

(B) **LIQUIDATION OF REMAINING LEAVE UPON TERMINATION.**—

(i) **ANNUAL LEAVE.**—Upon termination of employment with the institute, any annual leave remaining to the credit of an individual within the purview of this section shall be liquidated in accordance with section 5551(a) and section 6306 of title 5, United States Code, except that leave earned or accrued under regulations prescribed under this section shall not be so liquidated.

(ii) **SICK LEAVE.**—Upon termination of employment with the institute, any sick leave remaining to the credit of an individual within the purview of this section shall be creditable for civil service retirement purposes in accordance with section 8339(m) of title 5, United States Code, except that leave earned or accrued under regulations prescribed under this section shall not be so creditable.

(C) **TRANSFER OF REMAINING LEAVE UPON TRANSFER, PROMOTION, OR REEMPLOYMENT.**—In the case of any institute employee who is transferred, promoted, or reappointed, without a break in service of 3 days or longer, to a position in the Federal Government (or the government of the District of Columbia) under a different leave system, any remaining leave to the credit of that individual earned or credited under the regulations prescribed under this section shall be transferred to such individual's credit in the employing agency on an adjusted basis in accordance with regulations which shall be prescribed by the Office of Personnel Management.

(4) **WORK-STUDY.**—Nothing in this section shall be considered to apply with respect to a work-study student, as defined by the president of the institute in writing.

SEC. 5. DELEGATION OF PROCUREMENT AUTHORITY.

The Secretary shall, to the maximum extent consistent with applicable law and subject to the availability of appropriations therefor, delegate, to the president of the institute, procurement and contracting authority with respect to the conduct of the administrative functions of the institute.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 1997, and for each fiscal year thereafter—

(1) the amount of funds made available by appropriations as operations funding for the administration of the institute for fiscal year 1996; and

(2) such additional sums as may be necessary for the operation of the institute pursuant to this Act.●

ADDITIONAL COSPONSORS

S. 1189

At the request of Mr. DEWINE, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 1189, a bill to provide procedures for claims for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products.

S. 2136

At the request of Mr. D'AMATO, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from Alabama [Mr. HEFLIN], and the Senator from Colorado [Mr. BROWN] were added as cosponsors of S. 2136, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the breaking of the color barrier in major league baseball by Jackie Robinson.

SENATE RESOLUTION 292

At the request of Mr. PRESSLER, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Resolution 292, a resolution designating the second Sunday in October of 1996 as "National Children's Day," and for other purposes.

AMENDMENTS SUBMITTED

THE CIVIL RIGHTS COMMISSION ACT OF 1983 APPROPRIATIONS REAUTHORIZATION ACT OF 1996

ASHCROFT (AND MOYNIHAN) AMENDMENT NO. 5425

(Ordered referred to the Committee on the Judiciary.)

Mr. ASHCROFT (for himself and Mr. MOYNIHAN) submitted an amendment intended to be proposed by them to the bill (S. 2187) to reauthorize appropriations for the Civil Rights Commission Act of 1983, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . VOLUNTARY RETIREMENT INCENTIVE PLANS OR ARRANGEMENTS.

(a) **IN GENERAL.**—Section 4(l) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(l)) is amended by adding at the end of the following new paragraph:

"(4) It shall not be a violation of subsection (a), (b), (c), (e), or (i) solely because a plan or arrangement of an institution of higher education (as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))) offers employees who are serving under a contract of unlimited tenure (or similar arrangement providing for unlimited tenure) benefits upon voluntary retirement that are reduced or eliminated on the basis of age."

(b) **CONSTRUCTION.**—

(1) **APPLICATION.**—Nothing in the amendment made by subsection (a) shall be construed to affect the application of section 4 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623) with respect to—

(A) any employer other than an institution of higher education (as defined in section

1201(a) of the Higher Education Act of 1965); or

(B) any plan or arrangement not described in paragraph (4) of section 4(l) of such Act (as added by subsection (a)).

(2) RELATIONSHIP TO PROVISIONS RELATING TO VOLUNTARY EARLY RETIREMENT INCENTIVE PLANS.—Nothing in the amendment made by subsection (a) shall be construed to imply that a plan or arrangement described in paragraph (4) of section 4(l) of such Act (as added by subsection (a)) may not be considered to be a plan described in section 4(f)(2)(B)(ii) of such Act (29 U.S.C. 623(f)(2)(B)(ii)).

(c) EFFECT ON CAUSES OF ACTION EXISTING BEFORE DATE OF ENACTMENT.—The amendment made by subsection (a) shall not apply with respect to any cause of action arising under the Age Discrimination in Employment Act of 1967 prior to the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday, October 2, 1996, at 9 a.m. to discuss renewable fuels and the future security of U.S. energy supplies.

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

COMMITTEE ON ARMED SERVICES

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 10:30 a.m. on Wednesday, October 2, 1996, in open session, to receive testimony on the impact of the Bosnian elections and the deployment of U.S. military forces to Bosnia and the Middle East.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, October 2, 1996 beginning at 9:30 a.m. in room 216 of the Hart Senate Office Building to conduct an oversight hearing on the regulatory activities of the National Indian Gaming Commission [NIGC].

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

SUBCOMMITTEE ON CLEAN AIR WETLANDS, PRIVATE PROPERTY AND NUCLEAR SAFETY

Mr. NICKLES. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety be granted permission to conduct an oversight hearing Wednesday, October 2, 1996, at 9:30 a.m.—hearing room SD-410—on the Federal Emergency Management Agency's response to Hurricane Fran.

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

SUBCOMMITTEE ON IMMIGRATION

Mr. NICKLES. Mr. President, I ask unanimous consent that the Commit-

tee on the Judiciary Subcommittee on Immigration be authorized to meet during the session of the Senate on Wednesday, October 2, 1996, at 10:00 a.m. to hold a hearing on INS oversight.

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

ADDITIONAL STATEMENTS

ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT

• Mr. GORTON. Mr. President, I would like to clarify an issue with regard to the fiscal year 1997 Interior and Related Agencies Appropriations Act, as printed in the conference report accompanying H.R. 3610, the Department of Defense Appropriations Act (House Report 104-863). In section 317 of the Interior appropriations chapter, a reference is made to title VII of the Alaska National Interest Lands Conservation Act [ANILCA]. The correct reference should be to title VIII of ANILCA, which was the reference included in the official papers transmitted to the White House. I simply want to make my colleagues aware of this printing error, and clarify that the correct reference is incorporated into the enacted version of the omnibus appropriations bill.●

CONGRATULATIONS TO BILL SCHIMMEL

• Mr. WELLSTONE. Mr. President, I rise to pay tribute to William (Bill) H. Schimmel, an individual who has served the State of Minnesota for 51 years with dedication and distinction.

In December 1996 Bill will retire as a Nicolett County Commissioner. He ran for county commissioner in 1980, winning five straight elections. During his time on the board he made many contributions to his community and to his State.

Many contributions have been made to his community during his terms as a county commissioner. They include bringing the computer age to the local courthouse and library. The building of a new jail which will be paid for next year, and expanding the park system and improving the highways.

For 33 years Bill taught high school government and civics to students at Mankato High and Mankato West. Bill is a firm believer in the good of government, and feels that it is the public's responsibility not to take our democracy for granted. And, he practices what he preaches. You participate in a democracy by voting, by keeping informed, and in Bill's case, running for office in order to make things change.

His public service has also included 2 years in the U.S. Armed Forces in the U.S. Army. Throughout his life, Bill's career has been interspersed with athletic coaching, baseball umpiring and police reserve and civil defense work, as well as dedicated church and community service.

I commend Bill Schimmel on his many contributions over the years, and join with his family, friends, and colleagues in extending my warmest wishes for a well deserved retirement. Indefatigable, Bill will continue to remain active in the community he loves.

Congratulations Bill, you're an inspiration.●

FRANKLIN DELANO ROOSEVELT HISTORY MONTH

• Mr. LEVIN. Mr. President, one of Franklin Roosevelt's most famous speeches is commonly referred to as the "four freedoms" speech. He said:

We look forward to a world founded upon four essential human freedoms. The first is freedom of speech and expression—everywhere in the world. The second is freedom of every person to worship God in his own way—everywhere in the world. The third is freedom from want—everywhere in the world. The fourth is freedom from fear—everywhere in the world.

These optimistic words were spoken less than 1 year before the Japanese attack on Pearl Harbor. It was an anxious time for America. The United States was very reluctant to get involved in another war, but the spread of Hitler's empire across Europe and into northern Africa demanded a call to action. The U.S. Army was so unprepared for any conflict that it was training with broomsticks for machine guns and sacks of flour for mortar fire.

In the wake of Pearl Harbor, the country was in shock and fearful of attack. Guns were placed on top of Washington, DC, buildings and Army units in American cities were put on alert to be on the lookout for enemy planes. However, President Roosevelt's confidence in the face of adversity was contagious. He called on the country to put down everything and concentrate on beating the enemy. Millions of men enlisted to defend freedom. Roosevelt mobilized the country to make weapons of war at levels that many critics called unrealistic. Women flocked into the workplace at unprecedented levels to fill the labor shortage. On the homefront, everything from Sunday automobile drives to meat and butter were sacrificed to provide for the men on the front lines. The greatest sacrifice among the many sacrifices which America gave for the war effort was the loss of many lives among a generation of the country's finest young men and women.

Roosevelt kept the country updated on the war effort through his fireside chats. They were so popular that stores ran out of world maps because so many citizens were following along with the President at home. The President had a unique ability to convey to the American people the seriousness and grave nature of the situation that America found itself in, while at the same time showing unqualified confidence in the American people to get the job done.

One cannot properly speak of Franklin Roosevelt without considerable