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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, June 10, 1997, at 10:30 a.m.

Senate

MONDAY, JUNE 9, 1997

The Senate met at 12 noon, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Sovereign God, our help in all the ups and downs of life, all the triumphs and defeats of political life, and all the changes and challenges of leadership, You are our Lord in all seasons and for all reasons. We can come to You when life makes us glad or sad. There is no place or circumstance beyond Your control. Wherever we go You are there waiting for us. You already are at work with people before we encounter them, You prepare solutions for our complexities, and You are ready to help us to resolve conflicts even before we ask You. And so, we claim Your promise given through Jeremiah, ''Call on Me, and I will answer you, and show great and mighty things you do not know.''—Jeremiah 33:3.

God of win-win solutions, guide the Senators to discover Your answer for the present deadlock over the disaster relief bill. We thank You in advance for a divinely inspired resolution. In the name of our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

ORDERS FOR TODAY

Mr. FRIST. Mr. President, on behalf of the majority leader, I ask unanimous consent that the routine requests through the morning hour be granted, and the Senate then be in a period of morning business with Senators permitted to speak up to 10 minutes, with the following exceptions: Senator COVERDELL or his designee for 60 minutes, from the hour of 4 p.m. to 5 p.m., Senator DASCHLE or his designee for 60 minutes, and Senator MURKOWSKI, for 20 minutes.

Mr. WELLSTONE. Reserving the right to object, and I do not think I will, I wonder whether the acting leader would amend his request to include Senator WELLSTONE for up to half an hour.

Mr. FRIST. I ask unanimous consent Senator WELLSTONE be allowed to speak for up to 30 minutes.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

SCHEDULE

Mr. FRIST. For the information of all Members, today the Senate will be in a period of morning business to allow a number of Senators time to speak. The Senate may also take up any executive or legislative business cleared for action. As previously announced, if any votes are ordered today, they would be set aside, not to occur before 5 p.m. As always, all Members will be notified if and when any votes are scheduled.

I appreciate my colleagues' attention. I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate is in a period of morning business.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair. Mr. President, I am not quite sure what the business of the Senate will be this week. I would be interested in knowing what the majority leader is planning.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Brian Ahlberg be permitted privileges of the floor.

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

DISASTER RELIEF

Mr. WELLSTONE. Mr. President, I come to the floor and I think that other Senators will certainly be on the floor today, tomorrow, and as long as it takes, to speak about the disaster in my State and in the Dakotas and other States as well. I really come to the floor today to speak about a disaster, really a disaster on top of a disaster, because the disaster supplemental, which the Congress completed action on Thursday has still not been sent to the White House. There has been a disaster in our States and peoples lives have been devastated and they are waiting for additional Federal assistance.

Mr. President, there is the disaster that people are faced with in Minnesota and the Dakotas of having been

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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flooded out of their homes. I heard the Chaplain's prayer, that we resolve our impasse this week, and I thank him for his prayer. He is always very sincere and I hope all of us will listen to him because there has to be a way that we can get help to people who really are trying to rebuild their lives.

I heard the mayor from Grand Forks, ND, this morning on one of the national network shows. She was saying that people are doing well at the community level because they really are helping each other out and trying to get back to their regular normal routines. But the one thing that is just continuing to really discourage and demoralize people is they still do not know whether or not there will be any additional Federal assistance. They are waiting week after week after week.

Mr. President, I feel that the disaster, the other disaster, is the disaster here in the Congress. I spoke for a long time about this last week, and then said at the end of the week—and I am not really, by the way, looking forward to this—I said that I was prepared to come to the floor and speak for a long time again this week on the need for this emergency supplemental assistance. I do not know what the business of the Senate will be, but I am prepared to make sure that there is no business as usual in the Senate until we pass a clean supplemental that the President can sign. This has to be resolved.

The particular disaster I want to speak to this afternoon, Mr. President, is the fact that some very controversial riders have been added to the supplemental. I think the people in Minnesota and the Dakotas are confused about this issue as well. They do not understand why some Members of the House and the Senate have insisted on adding these controversial riders. The purpose of this emergency disaster supplemental is to get much needed assistance out to these people who have been flooded out of their homes, not as a vehicle for unrelated issues like the continuing resolution and a provision relating to how the 2000 census will be done. By the way, the vast majority of people in Minnesota do not agree with that.

So you have an effort to attach on what is called a continuing resolution, and then you have another amendment dealing with the way we take our census. Unrelated issues that the President said he would veto the bill over. By the way, when the President came out to visit North Dakota and South Dakota and Minnesota he said way back then when he looked at the devastation, ''I just hope that people will keep this a clean bill. Please get the help to people. Do not put on other measures.'' He always said he would veto it.

Now, here is my question. Why hasn't the bill been sent to the White House yet? Here it is 12:10, today, Monday. To my knowledge, after this piece of legislation was to be sent to the President on Thursday of last week, it was not. First we have the House of Representatives going on vacation, Memorial Day recess, not even finishing the bill, not even finishing the bill. Then we finally got this passed on Thursday and now we find out that, now it is 12:10 Monday, they still have not sent the bill over to the President. This is unconscionable on top of unconscionable. They did not send the bill over to the President on Friday. They know he will veto it. What is the majority party doing? I would be quite prepared to debate anybody who wants to debate me on this.

I do not agree, most of the people in Minnesota do not agree, with attaching unrelated issues to the supplemental. Keep the bill clean and get the help to people.

Why hasn't the bill, that you know the President is going to veto, been sent to the President? You did not send it on Friday, you have not sent it on the weekend, and you have not even sent it come Monday. Some people can be incredibly generous with the suffering of others. Can anybody on the floor of the U.S. Senate who agrees with this decision not to even send the bill to the President—you know he will veto it, then it comes back here, then maybe we can have an agreement—can anybody justify that? Not for me, as a Senator from Minnesota, but for the people in East Grand Forks or Grand Forks or Warren or Ada, and a whole lot of other communities.

Now, here is what I see, and this is just transparent:

> GOP sources alternately said they declined to send the disaster relief bill to the White House last week because either they wanted to give the President a chance to change his mind—which they were hoping to do through a weekend grassroots effort—or they were afraid Clinton would be able to monopolize the Sunday talk shows with his explanation of the expected veto.

This is unbelievable. So here is what we have. Talk about talking out of two sides of your mouth. On the one hand people are saying, no, we do not want to send the bill to them because we really think that we will have a chance to change his mind. On the other hand, they say, no, we do not want to send a bill to him because we know he will veto it and we do not want him to be on Sunday shows talking about why he has vetoed it.

Mr. President, can I suggest a third point to you, and that is, to people who are waiting for help, they do not understand these games. So I suggest to my colleagues on the majority side that it is time to send the bill to the President. You should not have delayed it on Friday. You should not be delaying it today. You know full well he will veto the bill. You are playing politics with people's lives. Get the bill back here, let us get to work and get the help to people. This has become really callous and really insensitive.

Now here we have another explanation:

> House Majority leader Dick Armey, Texas, on Friday said Congress would not send Clinton the bill until today, even though the enrolling clerk had already finished work on it. ''We think it's important that the President have a weekend to think this thing through,'' he said.
>
> But Republicans also needed some time to think about what their plan will be if the measure is vetoed.
>
> GOP leaders were in ''some turmoil'' over what their game plan should be, as a GOP aide said.

I put the emphasis on game. Stop playing games. I do not care whether it is Republicans or Democrats. I only care right now about the people in East Grand Forks, MN, and the people in the Dakotas and other communities in Minnesota. I do not care about these games. They know the President was going to veto it. This was just an effort to embarrass the President and it still has not been sent to him. You know what, colleagues? I do not know whether you have embarrassed the President or not, I do not think you have, but the point is you have embarrassed yourselves. You have embarrassed yourselves because everybody can see through this. If you want to provide disaster relief to people in an emergency supplemental, then we should understand it is an emergency supplemental bill. It is a disaster. People are waiting to rebuild their homes. People are waiting to rebuild their businesses. People are trying to find out whether or not they are going to be moved because they live in a floodplain or whether they will not be moved, and they cannot find out anything because of this unbelievable charade that is taking place here.

I really do not understand it. I said last week that you have seen in the Dakotas and Minnesota a real sense of community. I see no sense of community here. I see no sense of community here. By the way, the vast majority of people would agree.

I voted for the bill because I know how important it is to get help to people, but most people understand, and I can understand, what the President is doing. That as President, we have one President, he can say, look, give me a disaster relief bill, give me something that provides assistance to people. Do not mix up agendas. Do not impose your own agendas about how you want the census taken, do not impose your own agenda on whether you want money spent on education or not, do not impose your own agenda about public parks on a disaster relief bill for people.

Now, if anybody wants to debate me, come on out. I am willing to stay here all afternoon. I would be willing to stay here all afternoon. If people don't come out, then I assume there is no debate for right now. I want to make it clear, Mr. President—very clear—and I would rather not do it and I am sure there will be help—but this week, until this disaster relief bill gets done, insofar as I am able to as the Senator from Minnesota, I will make sure that nothing else gets done here. To the extent that I can use every bit of knowledge

that I have and leverage as a Senator to fight for people in Minnesota.

I am going to make sure that the Senate is a deliberative body. If my colleagues think this process is geared to grind slowly, I am going to make sure that it is practically at a halt.

This is outrageous, I say to the Chair, and he can't comment, and he may be in complete agreement with me on the substance. But, frankly, he would do the same thing, I think, probably if it was his own State. I mean, enough is enough. We are not going to do business as usual until this disaster relief bill is passed and we get assistance to people. I cannot, for a moment, understand why—and I doubt whether anybody from the majority party is going to come out and debate me—even though I don't agree with adding on other provisions, what I really have trouble understanding is why did they not send it to the President Friday? Why is it 12:20 on Monday and this still hasn't been sent to the President? Maybe delay is fine here, this is all abstract; but these are people's lives. I bet you that you ask the American people whether or not they think there is any defense for not sending the bill to the President, which you know is going to be vetoed, so you can then get down to work and finally pass a bill to get help to people who have been flooded out of their homes, I bet you 99 percent of the people in the country would say they don't understand this at all. And they should not understand it because there is simply nothing to defend.

Mr. President, the Washington Post had an editorial on Sunday that starts out, ''The President is right and Republicans are wrong about the disaster relief bill.'' I will amend that. Frankly, at this point in time I agree, but I want to make it crystal clear that it should not be a partisan issue. Let's just get the help to people, just get a disaster relief bill with provisions in the bill that have to do with providing disaster relief, and pass it. That is what we should do.

The Post editorial goes on to say: ''Once again''—this is the language that is important—''in trying to use an appropriations bill as a forcing device, they have overreached. The amendments raise important issues that deserve to be debated on the merits and under the regular rules.'' And then the conclusion—''An emergency bill to provide flood relief in the upper Midwest, and to pay some of the cost of the Bosnia peacekeeping mission, and to plug a few unexpected holes in the budget, is the wrong place to thrash out these other issues.'' They were talking about right-of-way across Federal lands like this. They ought to back off.

Here is an article written in the Pioneer Press by columnist Bill Salisbury. ''Political Ping-Pong is a Pathetic Game.'' That is quite a title. It starts out:

The folks from Grand Forks and East Grand Forks were perplexed. They came here Wednesday to make yet another plea for Federal aid to help them recover from the spring flooding that wrecked their town.

The group of 11 city officials and business leaders got patted on the head, assured that the national leaders feel their pain, and once again were promised that the money will soon be on its way.

But if our Federal leaders had been completely honest with the group, they would have said something like: ''You're going to get your flood relief sooner or later, but first we're going to play a little political ping-pong game, and we're going to use you folks as the ball.''

I don't think anybody could have said it better. That is what is going on here, a political ping-pong game using people in our communities, in the Dakotas and in Minnesota, as the ball. It is a political ping-pong game using people in our communities as the ball. Well, I have news for you, colleagues. If that is your plan, don't plan on conducting any other business on the floor of the U.S. Senate, because there are going to be some of us out here and we are going to really fight hard this week. This has just become outrageous.

Now, Mr. President, I could focus on all of the conditions and the lives of people in our communities, and I will do that as we move forward this week because I want to reserve my voice and my strength for when the majority party is trying to conduct its business so I can come out here and make sure that doesn't happen. But let me, one more time at least, bring this to the attention of the people in Minnesota and in the Dakotas and elsewhere in the country.

What is going on here? You have a disaster, and the disaster is right here in the Congress. The disaster right here is the leader—the disaster right here is the failure of the majority party to move this bill forward. I am sorry, I don't know any other way to say it. There are three issues. You have people in pain and they need help. They have been waiting week after week after week, and they are being used as the ball in a political ping-pong game.

Second issue. You have people here who decided on an oh-so-clever strategy and that strategy was to say, OK, here is a disaster relief bill. Everybody is going to be for providing help to people. So now we have these other agendas. Why don't we take our other political agendas having to do with the Census Bureau and their work, and public parks and roads, having to do with fights over budget priorities, and why don't we just put these provisions in this bill? That is a disaster. But now we have another disaster. The disaster I am talking about today is the disaster of the majority party and after loading on these provisions and knowing the President is going to veto the bill on Friday, not sending the bill over, and with the bogus argument made about how ''we didn't want to because we thought maybe the President would change his mind,'' or ''actually, we didn't want to because, if we did, the President could get on the Sunday talk shows and make us look bad.''

I don't really care whether those I work with look bad. I am worried about the people in my State. And now it is Monday and I have a question for the majority party: When are you going to send this bill to the President? What are you waiting for? How much more suffering does there have to be? How many more people do you want to demoralize? How much longer do you want people waiting? Where is your humanity? Send the bill over to the President, and then the President will veto the bill—he is going to veto the bill. Let's get to work and let's have some agreement. Let's have some compromise. Let's work things out, let's pass this bill, and let's pass this bill this week—tomorrow.

But, Mr. President, we can't do anything until the majority party sends the bill over. I extend an invitation to any of my colleagues: Anytime you would like to come out on the U.S. Senate floor today and debate this question, please do, because it is a question that people in Minnesota and in the Dakotas have. If you would like to explain to the people in Minnesota and in the Dakotas on the floor of the U.S. Senate why you have not sent this bill to the President and why you are engaging in further delay, I would be very pleased for you to do so. I would be pleased. Actually, I think really you owe people that explanation. But I don't really think there is any argument that you can make.

I will conclude this way this afternoon. I want my colleagues to know that I think it is indefensible and I don't blame you for not being out here because you can't defend it. I also want colleagues to know—those in support of this effort—that if we don't get to work on this and we don't pass this disaster relief bill, then I am prepared—and I am sure I will be joined by other colleagues as well because I heard Senator DASCHLE express a tremendous amount of indignation, along with both Senators from North Dakota, Mr. CONRAD and Mr. DORGAN, and Senator JOHNSON from South Dakota, and we are prepared to fight very hard.

So to my colleagues, whoever you are on the other side, whoever you are who made this decision not to even send this bill to the President, causing yet further delay and postponing the time when people will finally get help back in Minnesota, for some reason, I gather you think this is a clever strategy. I want you to know that people see through it and, in any case, I want you to know that until we get the work done here and we get the help to people, as a Senator from Minnesota, I am going to make sure that there will be no business as usual on the floor of the U.S. Senate. I may not always be able to get the floor, and it may not be all that easy, but I am quite convinced that this is what I should do, and I think other Senators will do the same thing. There comes a point in time when the only thing you can do, if you are trying to fight for people you represent, is come to the floor of the U.S.

Senate and use your leverage. It looks like this is one of those times.

Mr. President, let me conclude on a more positive note. I hope that my colleagues in the majority party will send this bill to the President today. I hope that it will come back to us right away, and I ''hope and pray,'' in the words of the Chaplain, that we will reach agreement and pass a disaster relief bill and that we will get help to people in Minnesota and in the Dakotas.

Mr. President, these are good people, really good people. They have really been through a lot and they deserve our help. They don't deserve what we are doing to them right now.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Mr. President, while it has been called to my attention that, in speaking quickly, I might have also called the leadership a disaster. That was not my intention.

I will make sure that my remarks do not reflect that. I think it is a disaster here, what is going on. But I want to make it clear that nothing I said was intended in that way.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized to speak as if in morning business.

The PRESIDING OFFICER. We are in morning business. The Senator may proceed.

THE EMERGENCY SUPPLEMENTAL

Mr. INHOFE. Mr. President, I know there is some misunderstanding over what is happening right now in terms of this emergency supplemental, and I believe maybe some clarification would be in order.

The very distinguished Senator from Minnesota spent 30 minutes expressing his anxiety over the passage of this emergency supplemental legislation. Let me assure you, Mr. President, if you were listening to that, that there are not any people in North Dakota or in Minnesota right now who are going without the emergency provisions that are authorized. And, as a matter of fact, there are some things that won't really be done, such as the outright replacing of infrastructure and some of those things.

So it is not as if those people are being ignored. It is not as if we went off and took a vacation during the time that was happening.

But I think it is important to mention a couple of other things that are in this emergency supplemental. I am hoping that the President won't veto it. It is not at all unusual that the bill is not sent to the President. If it were sent to the President after it was only passed on Thursday night, by Monday morning, then, that would probably set some new kind of a record around here. Things don't move that fast. There is nothing unusual about the fact that this bill has not been sent to the President. But this presupposition that the President is going to veto it, I think, is really wrong. I think the President will have to look very closely at whether or not he wants to veto this emergency legislation.

For one thing, it is the President that got us into the situation that we are in in Bosnia right now. But we should never have sent troops over to Bosnia when you have a military budget that is suffering and while we have great threats that are out there to send troops on humanitarian missions and peacekeeping missions all around the world where we don't have strategic interests at stake.

I can remember 18 months ago standing on this floor when the President of the United States said that the cost in Bosnia would be somewhere between $1.5 and $2 billion. At that time I said, ''I bet it will be $8 billion before it is over.'' Guess what? It is already passing through $6.5 billion. And some of the money that is in this emergency supplemental is going to be going to support the effort in Bosnia. It has already been paid.

But this is replenishing, the same as it is up in North Dakota and for some of the flood victims. They have been addressed. Problems have been addressed. Of course, we do need to replenish that emergency fund, which we intend to do.

But I think the main thing is the idea that the President is going to automatically veto this. I think you know that the automatic continuing resolution is on this, which I think is very, very good. It wasn't too long ago that the President shut down the Government and blamed the majority party for it, and if we had this continuing resolution in place, that couldn't happen again. All we want to do is to be sure that we are going to be able to carry on Government and let Government operate in the event there is an impasse between Congress and the President of the United States on some appropriations bills. That is exactly what this is all about. So, if we had the continuing resolution that is passed, which is a part of this emergency supplemental legislation, then the continuing resolution will provide that Government won't shut down, that it will continue to operate at last year's funding level, which I think is very reasonable. We don't want to shut down Government. That way, we can ensure it won't happen. That is all in this emergency supplemental.

So I am hoping, of course, that the President doesn't use the automatic continuing resolution as an excuse to veto this bill, because if he does, what he is saying is, I want Government to be able to be shut down. It is as simple as that.

Lastly, I say that I have the utmost respect for the Senator from Minnesota. Quite often you see different philosophies expressed on this floor. Of course, his is quite different than mine. I think the basic difference is that when we look at money that Government spends, we look at it as coming from the taxpayers rather than just some big pot of money that is owned by Government. So we have conservatives and we have liberals. And the distinguished Senator from Minnesota, Senator WELLSTONE, is very liberal, and we are very conservative.

So this is a forum where those things can be heard. I think, in good time, the President will get this emergency supplemental, and I am certainly hopeful that the President will not veto the supplemental.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I would like to speak as if in morning business for about 5 minutes.

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

Mr. THOMAS. I appreciate very much the Senator from West Virginia yielding to give me the opportunity to do this.

FREEDOM FROM GOVERNMENT COMPETITION ACT

Mr. THOMAS. Mr. President, I come to the floor today to talk about a problem that I think we have in this country in terms of the organization of Government, in terms of the future role of Government, in terms of where we want to be with respect to Government and the private sector, and specifically Government's competition with the private sector. This competition, of course, takes many forms, but the basic premise is that the Federal Government provides commercial goods and services in-house instead of going to the private sector and contracting out for these needs. This is called insourcing, and it leads to larger

and larger Government. It is my view that given limited Federal resources we ought to set priorities as to where we spend money and find ways to meet these commercial needs more reasonably, more efficiently by contracting.

Insourcing, of course, tends to stifle job creation in the private sector. It weakens economic growth. It erodes the tax base, of course. It hurts small businesses and costs taxpayers money.

There is a great deal of talk that goes on in this country about downsizing, about reinventing Government, but the fact is very little of that actually goes on. The Clinton administration has talked some about how there are fewer employees in the Federal Government than there used to be, but almost all of that is a result of base closures in the Department of Defense and RTC when it finished its work with regard to the savings and loan scandal. The fact is that Government expenditures and Government continue to grow and will, indeed, continue to grow under the budget that was approved recently.

But more specifically, I want to talk just a moment about legislation that I have introduced called the Freedom From Government Competition Act that would address this problem. Congressman DUNCAN from Tennessee has an identical bill in the House. I use an example that just happened that I think we ought to reevaluate, one that we ought to look at, one where we ought to say wait a minute, what is going on here? This is an example of unfair competition in the private sector, and in fact it was on the front page of the Washington Post on May 22, 1997. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 22, 1997]

WHEN THE GOVERNMENT HIRES THE GOVERNMENT

(By Rajiv Chandresekaran)

When the Federal Aviation Administration announced last fall that it was looking for someone new to operate its computer systems for payroll, personnel and flight safety, several of industry's biggest players came knocking.

Computer powerhouses International Business Machines Corp., Unisys Corp., Computer Science Corp., and Lockheed Martin Corp. all bid for the juicy contract, worth as much as $250 million over eight years.

The winner, announced Friday, turned out to be an organization well known in Washington, though not for its computer experience; the U.S. Department of Agriculture.

In a surprising decision being lauded by the Clinton administration but derided by the computer services industry and some members of Congress, the FAA's number-crunching will be handled by a USDA computer center in Kansas City, MO.

The contract, which many observers predict could alter the landscape of competition between the public and private sectors, is one of the largest ever awarded to a government agency in a head-to-head contest with industry.

The center is one of several federal facilities that have been allowed, and even encouraged, to compete for business from other agencies in recent years as part of the administration's effort to ''reinvent'' government. The USDA center's bid was nearly 15 percent lower than those from the private sector, said Dennis DeGaetano, the FAA's deputy associate administrator for acquisitions.

''This shows that there are some organizations that are both efficient and effective within the federal government,'' said Anne F. Thompson Reed, a USDA spokeswoman. ''We're giving the taxpayer a good value.''

The administration, particularly Vice President Gore's National Performance Review project to streamline the way federal agencies operate, views such competition between government and industry as a cost-effective way for some facilities to bring in new work—and money—to offset the effects of budget cuts.

But federal contractors, many of which have their headquarters in the Washington region, contend that the new competitors will reduce the dollar amount of computer services the government buys from the private sector, estimated at more than $21.3 billion this fiscal year, industry executives argue that federal agencies, which don't have to pay taxes and which account for overhead expenses such as electricity differently, receive an unfair competitive advantage.

They also question whether the government's technical expertise matches up to industry's. The government is ''not as tech-savvy, not as agile, not as aggressive'' as the private sector, said Bert M. Concklin, president of the Professional Services Council, a Vienna-based association of federal contractors.

The FAA decision already has come under fire from some congressional Republicans, who argue that many other USDA computer systems are grossly mismanaged.

The General Accounting Office's director of information resources management, Joel C. Willemssen, told a congressional subcommittee last week, ''USDA's inadequate management of information technology investments resulted in millions of taxpayer dollars being wasted.''

In response to previous congressional inquiries, the department in November put on hold all computer purchases exceeding $250,000 until it revamps its information technology management structure.

''The bottom line is: 'Can they do it better than the private sector?' The evidence we've seen suggests that there are a lot of reasons to question that assumption,'' Rep. Robert W. Goodlatte (R–Va.), chairman of the House Agriculture Committee's subcommittee on department operations, nutrition and foreign agriculture, said yesterday. ''This could be a case of the blind leading the blind.''

Concklin and other industry leaders also contend that the FAA contract was improperly awarded because it skirted a set of rules established by the Office of Management and Budget for public-private competition. They also allege that the USDA's bid was not scrutinized as much as those from private firms.

''We seriously doubt that the USDA proposal was visited with the same precision and critical eye that was visited on the private-sector proposals,'' Concklin said.

The FAA's DeGaetano denied that a double standard was used, but he said yesterday that the agency's chief acquisitions executive, George Donohue, decided to temporarily suspend work on the contract while the agency investigates whether OMB rules were followed. DeGaetano also said the agency wants to respond to industry concerns ''over the fairness of contracting with another government agency'' before allowing the USDA to begin work.

But DeGaetano emphasized that ''this doesn't mean we're rescinding the award.'' He said the Agriculture Department won the award based on its low bid and its track record of handling work for other agencies.

The Kansas City center, called the National Information Technology Center, operates most of the USDA's big computer projects, as well as obscure programs, including a timber-management system for the Forest Service and a database of plants for the Natural Resource Conservation Service. The center has handled computer services for other government agencies for the past decade, but not as the result of a contract competition with the private sector, Reed said.

The center, known in Beltway parlance as a ''revolving-fund agency,'' functions as a quasi-private entity within the Agriculture Department. It operates by charging its ''customers''—various arms of the USDA and other agencies—for the services it provides, money that is used to pay the center's salaries and operating costs.

But because the center by law can't make a profit—nor can it seek commercial work—administration officials say its services can be as much as 20 percent less expensive than those of private contractors. ''The point of these operations is to bring down the costs for government,'' said John A. Koskinen, OMB deputy director for management.

Private contractors, however, contend that such government operations, even if they have separate budgets, do not have to pay for overhead costs and taxes in the same way.

''The cost structures are totally different,'' said Olga Grkavac, a vice president at the Information Technology Association of America, an industry group based in Arlington. ''It's not a level playing field. How can you have a fair competition?''

Industry executives say they didn't pay much attention to legislation that set up such competition, namely the 1994 Government Reform Act, which established six pilot revolving-fund projects. ''We never thought it would happen,'' said Pat Ways, a group vice president at Computer Sciences, ''A government data center that's more qualified than a commercial one?''

At the same time, federal contractors don't have a spotless reputation. Almost every large company that performs work for the government has been accused, at one time or another, of cost overruns and delivering faulty systems.

USDA officials maintain the agency's computer center will be able to handle the FAA's work, which includes maintaining personnel and payroll records, financial information, and a large aviation safety database. The center will largely use existing mainframe equipment but may need to hire additional staff, officials said.

''We're definitely qualified to do this job,'' Reed said.

Particularly worrisome to the information technology industry, however, is the fact that the FAA contract had been handled by a private firm, Electronic Data Systems Corp.

Ways said government competition for contracts could put his company in the ''awkward position'' of competing with its customers for new business. Computer Sciences, for instance, performs work for the USDA, he said.

The contract is expected to renew a long-standing Washington debate about the rules of competition between government and industry, say several observers. On one hand, several Republican legislators and industry executives believe that the government shouldn't perform functions that can be handled by the private sector. A bill introduced by Sen. Craig Thomas (R–Wyo.) would bar federal agencies from bidding for work that could be handled by outside contractors.

Administration officials acknowledge that private contracts could suffer in the new

competitive landscape, but they contend that might not be such a bad thing.

''Ultimately, the government is not always going to win and the private sector isn't either,'' said Michael D. Serlin, a former National Performance Review official who now works as a consultant on federal contracting issues. ''If the result is genuine competition, however, it's the taxpayer who's the winner.''

Mr. THOMAS. The FAA recently announced it was awarding a contract of about $150 million for data processing and information technology to the Department of Agriculture. The problem is that there are plenty of private-sector groups that are more efficient or more capable of doing that job.

When you think of technology, do you think of the Department of Agriculture? I do not think so. When you talk about doing payrolls and managing the FAA's technology, do you think of the Department of Agriculture? I do not think so. That is because information technology is not part of the Department of Agriculture's core mission.

The folks down at OMB and the Clinton administration will tell you it is a great thing; it is encouraging entrepreneurial Government. But I think we ought to be encouraging private business and entrepreneurial enterprise, not Government. By recruiting contracts from other agencies to offset budget cuts, we are maintaining big Government at the expense of businesses in the private sector, especially small businesses. We are also cheating the taxpayer. Studies have shown that outsourcing can save the Government up to 30 percent. Congressman DUNCAN and I wrote to the President the day this article appeared to protest his plans on reinventing Government.

Mr. President, I ask unanimous consent that a copy of that letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, May 22, 1997.

Hon. WILLIAM J. CLINTON,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: We are writing to express our strong concerns regarding a recent decision by the Federal Aviation Administration (FAA) to award a large information technology (IT) contract to the Department of Agriculture. We are concerned that American taxpayers may be shortchanged by this proposed contract. We seriously question whether your plans for ''reinventing'' government should include federal agencies unfairly competing with the private sector to provide commercial goods and services to other government agencies.

The current process for evaluating whether or not the federal government should perform commercial functions is woefully inadequate. Federal agencies have an unfair advantage in these competitions because the government's true costs are generally understated due to the absence of an activity-based accounting system. The federal government doesn't pay taxes and it accounts for overhead expenses differently than private sector firms. Most alarming, it is our understanding that the A–76 process was possibly circumvented entirely, so that no rigorous competitive analysis was performed at all.

In addition, the FAA appears to have decided to ignore the past performance of the Department of Agriculture in the IT area. Just last week, the Department was criticized by the General Accounting Office (GAO) for ''inadequate management of information technology investments that resulted in millions of taxpayer dollars being wasted.'' In addition, in response to previous congressional inquiries, the Department of Agriculture recently put on hold all computer purchases exceeding $250,000 until it revamps its information technology management structure.

As you know, we recently introduced legislation in the U.S. Senate and House of Representatives, S. 314 and H.R. 716, that would eliminate unfair government competition with the private sector. Our legislation corrects the problems with the A–76 process and stops ''entrepreneurial'' government by creating a ''best value comparision'' in which many factors, such as qualifications, past performance and a fair cost accounting system, are used to determine which entity will provide the best value to the American taxpayer.

We encourage you to reevaluate the decision to award this contract to the Department of Agriculture based on the criteria laid out in S. 314 and H.R. 716. We look forward to your prompt replay.

Sincerely,

CRAIG THOMAS,
U.S. Senator.
JOHN DUNCAN,
U.S. Representative.

Mr. THOMAS. Unfortunately, this reinventing Government is not achieving its purpose. It is recreating big Government. The current A–76 process, which is the system that is supposed to be used to decide if a function can be done more cost effectively and more efficiently in the private sector, may not even have been used by the FAA before awarding the contract to the Department of Agriculture. And when A–76 is used, it does not provide a level playing field for comparing Government and the private sector. Finally, the GAO has strongly criticized the Department of Agriculture's management of its current information technology. We shouldn't be giving them more work when they can't handle their current assignments.

So my legislation would address these issues. The legislation would stop entrepreneurial Government dead in its tracks, create a best value comparison between Government and private enterprise based on fair accounting systems, based on qualifications, based on past performance.

There are certainly activities within the Government that are inherently Government functions and should be done by the Government, but there are many others that are commercial in nature. They are as commercial as anything in the private sector could be. So this legislation will lead to more efficient Government, will inject fair competition into Government monopolies and continue to reserve a Government role for inherently governmental functions. It also will encourage more and more contracting with the private sector for more efficiency and giving American taxpayers more bang for their buck.

So I urge my colleagues to join me in supporting this good Government, common sense of reform.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

WEST VIRGINIA POULTRY FARMERS COMMITTED TO STEWARDSHIP

Mr. BYRD. Mr. President, the Sunday, June 1, 1997, edition of the Washington Post featured a front-page article on pollution in the Potomac River from poultry production. The story was prompted by a ranking by American Rivers, which is a national environmental organization, of the Potomac River on the group's annual list of the 10 Most Endangered Rivers in North America, and inspired by American Rivers' interpretation of a 1996 U.S. Department of Agriculture study that detected nutrient and bacterial contamination in the waters of the South Branch of the Potomac.

American Rivers' annual promotion of its top 10 list is an effort to advance public awareness about the fragility of the Nation's water resources, a laudable goal, and newsworthy, as well.

Regrettably, however, the media missed the real story of worth, namely, the exemplary efforts by a nonpartisan coalition of public officials and West Virginia family farmers to balance economic interests with environmental goals. And, more importantly, the media missed the spirit of cooperation needed to accomplish these goals through the voluntary implementation of farm management practices identified in USDA's 1996 study as improving the efficient use of farmland and reducing threats to the Potomac River.

I might add that, contrary to the negative impression left by the Washington Post writer, the heart of this industry is situated in the charming town of Moorefield. This is an area which was settled in the early 1700's and contains a federally designated historic district. Moorefield's antebellum homesteads and streets are enriched by the presence of hard-working family farmers, who not only earn a real day's wage, but also represent the backbone of our Nation's economy and spirit of community.

The poultry industry has dramatically expanded in the Potomac Headwaters, from production at approximately 46.6 million birds in 1992 to 90 million birds in 1996. Recognizing the potential growth of the industry, as early as 1990, a cooperative program between Federal and State agencies was launched to design and implement the best soil and water conservation management practices. Rapid growth of any industry usually is not achieved

without problems. However, these problems have been identified and efforts are underway to ameliorate these consequences of expansion.

To date, 80 percent of the eligible farmers in the Potomac Headwaters, which I understand is a higher than average percentage for similar USDA programs, have electively enrolled in the Potomac Headwaters Land Treatment Watershed Project, the recommended action plan to protect the Potomac from possible agricultural pollution. I am proud that I have been able to secure funds to support the Federal share of this project.

By enrolling in this project, West Virginia farmers have voluntarily agreed to develop nutrient management plans and install animal waste structures and dead bird composters, and to improve livestock confinement areas and vegetative buffer zones. Implementing these measures will cost the average farmer in the program $12,000 over 5 years. The average farmer in the Potomac Headwaters has a net annual income of $15,000 from poultry production.

I believe that most Americans would commend the farmer who voluntarily spends 16 percent of his income over 5 years to protect the waters of the Potomac River. Nevertheless, that is exactly what is happening in West Virginia.

Thanks to the West Virginia farmer, the Potomac Headwaters Land Treatment Watershed Project will achieve benefits for a broad base of interests, extending from my beautiful state to the Chesapeake Bay. It would seem that this is the kind of effort that newspapers and organizations like American Rivers should be recognizing and encouraging.

Mr. President, how many minutes do I have remaining?

The PRESIDING OFFICER. The Senator has 4½ minutes remaining.

Mr. BYRD. I thank the Chair.

Mr. President, I ask unanimous consent that I may proceed for 15 minutes.

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

Mr. BYRD. I again thank the Chair.

A FAILURE TO PRODUCE BETTER STUDENTS

Mr. BYRD. Mr. President, over the past decade, I have been continually puzzled by our Nation's failure to produce better students despite public concern and despite the billions of Federal dollars which annually are appropriated for various programs intended to aid and improve education. Not long ago, I asked a high ranking administration official during an Appropriations Committee hearing why, in his opinion, we were not doing a better job of educating our Nation's youth in light of the billions of dollars we have been spending over these past several years. The answer I got was not very illuminating.

Mr. President, our children still rank behind those of many other nations of the world with which we will have to compete for the jobs of the future. Particularly in mathematics, where our kids will have to be especially skilled, the United States ranks 28th in average mathematics performance according to a study of 8th graders published in 1996. Japan ranked third.

A closer look at the current approach to mathematics in our schools reveals something called the ''new-new math.'' Apparently the concept behind this new-new approach to mathematics is to get kids to enjoy mathematics and hope that that ''enjoyment'' will lead to a better understanding of basic math concepts. Nice thought, but nice thoughts do not always get the job done.

Recently Marianne Jennings, a professor at Arizona State University found that her teenage daughter could not solve a mathematical equation. This was all the more puzzling because her daughter was getting an A in algebra. Curious about the disparity, Jennings took a look at her daughter's Algebra textbook, euphemistically titled, ''Secondary Math: An Integrated Approach: Focus on Algebra.'' Here it is—quite a handsome cover on the book. After reviewing it, Jennings dubbed it ''Rain Forest Algebra.''

I have recently obtained a copy of the same strange textbook—this is it, as I have already indicated—and I have to go a step further and call it whacko algebra.

This textbook written by a conglomerate of authors lists 5 so-called ''algebra authors,'' but it boasts 20 ''other series authors'' and 4 ''multicultural reviewers.'' We are talking about algebra now. Why we need multicultural review of an algebra textbook is a question which I would like to hear someone answer, and the fact that there are 4 times as many ''other series authors'' as ''algebra authors'' in this book made me suspect that this really was not an algebra textbook at all.

A quick look at the page entitled, ''Getting Started'' with the sub heading, ''What Do You Think,'' quickly confirmed my suspicions about the quirky fuzziness of this new-new approach to mathematics.

Let me quote from that opening page.

> In the twenty-first century, computers will do a lot of the work that people used to do. Even in today's workplace, there is little need for someone to add up daily invoices or compute sales tax. Engineers and scientists already use computer programs to do calculations and solve equations.

What kind of a message is sent by that brilliant opening salvo?

It hardly impresses upon the student the importance of mastering the basics of mathematics or encourages them to dig in and prepare for the difficult work it takes to be a first-rate student in math. Rather it seems to say, ''Don't worry about all of this math stuff too much. Computers will do all that work for us in a few years anyway.'' Can you imagine such a goofy passage in a Japanese math textbook? I ask what happens if the computer breaks down or if we forget and leave the pocket calculator at home? It appears that we may be on the verge of producing a generation of students who cannot do a simple mathematical equation in their heads, or with a pencil, or even balance a checkbook.

The ''Getting Started'' portion of the text goes on to extol the virtues of teamwork, to explain how to get to know other students and to ask how teamwork plays a role in conserving natural resources. What, I ask—what in heaven's name does this have to do with algebra? I took algebra instead of Latin when I was in high school. I never had this razzle-dazzle confusing stuff.

Page 5 of this same wondrous tome begins with a heading written in Spanish, English, and Portuguese, a map of South America and an indication of which language is spoken where. Pythagorus would have been scratching his head by this time, and I confess, so was I.

This odd amalgam of math, geography and language masquerading as an algebra textbook goes on to intersperse each chapter with helpful comments and photos of children named Taktuk, Esteban, and Minh. Although I don't know what happened to Dick and Jane, I do understand now why there are four multicultural reviewers for this book. However, I still don't quite grasp the necessity for political correctness in an algebra textbook. Nor do I understand the inclusion of the United Nations Universal Declaration of Human Rights in three languages, a section on the language of Algebra which defines such mathematically significant phrases as, ''the lion's share,'' the ''boondocks,'' and ''not worth his salt.''

By the time we get around to defining an algebraic expression we are on page 107. But it isn't long before we are off that boring topic to an illuminating testimony by Dave Sanfilippo, a driver with the United Parcel Service. Sanfilippo tells us that he ''didn't do well in high school mathematics * * *'' but that he is doing well at his job now because he enters ''* * * information on a pocket computer * * *''—hardly inspirational stuff for a kid struggling with algebra.

From there we hurry on to lectures on endangered species, a discussion of air pollution, facts about the Dogon people of West Africa, chili recipes and a discussion of varieties of hot peppers—no wonder our pages are having difficulty containing themselves. They are almost in stitches—what role zoos should play in today's society, and the dubious art of making shape images of animals on a bedroom wall, only reaching a discussion of the Pythagorean Theorem on page 502. By this time I was thoroughly dazed and unsure of whether I was looking at a science book, a language book, a sociology book or a geography book. In fact, of

course, that is the crux of the problem. I was looking at all of the above.

This textbook tries to be all things to all students in all subjects and the result is a mush of multiculturalism, environmental and political correctness, and various disjointed discussions on a multitude of topics which certainly is bound to confuse the students trying to learn and the teachers trying to teach from such unfocused nonsense. It is not just nonsense, it is unfocused nonsense, which is even worse.

Mathematics is about rules, memorized procedures and methodical thinking. We do memorize the multiplication tables, don't we? Else how will one know that nine 8s are 72 and that eight 9s are 72. This new-new mush-mush math will never produce quality engineers or mathematicians who can compete for jobs in the global market place. In Palo Alto, CA, public school math students plummeted from the 86th percentile to the 56th in the first year of new-new math teaching. This awful textbook obviously fails to do in 812 pages what comparable Japanese textbooks do so well in 200. The average standardized math score in Japan is 80. In the United States it is 52.

When my staff contacted Marianne Jennings to obtain a copy of this textbook, I did learn one good thing about it. She told my staff that because of public outcry the public schools in her area have discontinued its use and have gone back to traditional math textbooks. Another useful purpose has been served by my personal perusal of this textbook. I now have a partial answer to my question about why we don't produce better students despite all the money that Federal taxpayers shell out.

The lesson here is for parents to follow Marianne Jennings' lead and take a close look at their children's textbooks to be sure that the new-new math and other similar nonsense has not crept into the local school system.

All the Federal dollars we can channel for education cannot counteract the disastrous effect of textbooks like this one. They will produce dumb-dumb students and parents need to get heavily involved to reverse that trend now!

Mr. President, I ask that an article from the May 26 edition of U.S. News and World Report on the same subject be printed in the RECORD at this point.

The title of the article is, ''That so-called Pythagoras.''

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, May 26, 1997]

THAT SO-CALLED PYTHAGORAS

(By John Leo)

''Deep Thoughts'' started as Jack Handy's running joke on TV's Saturday Night Live—a series of mock-inspirational messages about life that make no sense at all. Now ''Deep Thoughts'' are available on greeting cards, including one that pokes fun at the fuzzy new math in the schools. The card says: ''Instead of having 'answers' on a math test, they should just call them 'impressions,' and if you got a different 'impression,' so what, can't we all be brothers?''

Pretty funny. But it's hard for satire to stay ahead of actual events these days, particularly in education. The ''New-New Math,'' as it is sometimes called, has a high-minded goal: Get beyond traditional math drills by helping students understand and enjoy mathematical concepts. But in practice, alas, the New-New Math is yet another educational ''Deep Thought.''

Basic skills are pushed to the margin by theory and the idea that students should not be passive receivers of rules but self-discoverers, gently guided by teachers, who are co-learners, not authority figures with lessons to impart. Correct answers aren't terribly important. Detractors call it ''whole math,'' because students frequently end up guessing at answers, just as children exposed to the ''whole language'' fad in English classes end up guessing at words they can't pronounce. ''Although the Wicked Whole-Language Witch is dying, the Whole-Math Witch isn't even ill,'' said Wayne Bishop, professor of mathematics at California State University-Los Angeles.

Mathematically Correct, a San Diego-based group which strongly opposes whole math, recently posted a list of commandments on its Web site, including ''Honor the correct answer more than the guess,'' ''Give good grades only for good work,'' and ''Avoid vague objectives.''

Bologna sandwich? Those vague objectives include meandering exercises that have little to do with math, such as illustrating data collection by having second-graders draw pictures of their lunch, then cut the pictures out and put them in paper bags. Worse, the New-New Math comes with the usual stew of ed-school obsessions about feelings, self-esteem, dumbing down, and an all-around politically correct agenda.

Marianne Jennings, a professor at Arizona State University, found that her teenage daughter was getting an A in algebra but had no idea how to solve an equation. So Jennings acquired a copy of her daughter's textbook. The real title is Secondary Math: an ''Integrated Approach: Focus on Algebra,'' but Jennings calls it ''Rain Forest Algebra.''

It includes Maya Angelou's poetry, pictures of President Clinton and Mali wood carvings, lectures on what environmental sinners we all are and photos of students with names such as Tatuk and Esteban ''who offer my daughter thoughts on life.'' It also contains praise for the wife of Pythagoras, father of the Pythagorean theorem, and asks students such mathematical brain teasers as ''What role should zoos play in our society?'' However, equations don't show up until Page 165, and the first solution of a linear equation, which comes on Page 218, is reached by guessing and checking.

Jennings points out that Focus on Algebra is 812 pages long, compared with 200 for the average math textbook in Japan. ''This would explain why the average standardized score is 80 in Japan and 52 here,'' she says. Marks do seem to head south when New-New Math appears. In well-off Palo Alto, Calif., public-school math students dropped from the 86th percentile nationally to the 58th in the first year of New-New teaching, then went back up the next year to the 77th percentile when the schools moderated their approach.

The New-New Math has become a carrier for the aggressive multiculturalism spreading inexorably through the schools. Literature from the National Council of Teachers of Mathematics, which is promoting whole math, is filled with suggestions on how to push multiculturalism in arithmetic and math classes.

New-New Math is also vaguely allied with an alleged new field of study called ethnomathematics. Most of us may think that math is an abstract and universal discipline that has little to do with ethnicity. But a lot of ethnomathematicians, who are busy holding conferences and writing books, say that all peoples have a natural culturebound mathematics. Western math, in this view, isn't universal but an expression of white male culture imposed on nonwhites. Much of this is the usual ranting about ''Eurocentrism.'' Ethnomathematics, a book of collected essays, starts by reminding us that ''Geographically, Europe does not exist, since it is only a peninsula on the vast Eurasian continent. . . .'' Before long, there is a reference to ''the so-called Pythagorean theorem.'' Much of the literature claims that nonliterate peoples indicated their grasp of math in many ways, from quilt patterns to an ancient African bone cut with marks that may have been used for counting.

It's all rather stunning nonsense, but this is where multiculturalism is right now. Unless you are headed for an engineering school working with Yoruba calculators, or unless you wish to balance your checkbook the ancient Navajo way, it's probably safe to ignore the whole thing.

Mr. BYRD. Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE 1997 STANLEY CUP CHAMPION DETROIT RED WINGS

Mr. ABRAHAM. Mr. President, I rise today to pay tribute to the 1997 Stanley Cup Champion Detroit Red Wings. Following Saturday night's 2 to 1 victory in game four of the NHL finals, completing the Wings series sweep of the Philadelphia Flyers, the sports world has taken notice of what those of us from Michigan have known for years, that Detroit is the home of the best hockey team, and the greatest hockey fans, on the planet. After a long 42-year absence, the Stanley Cup has returned home to Hockeytown USA.

Sometimes in sports certain teams capture fans' imaginations in a way that embodies the spirit of an entire city. The 1984 Tigers were so good they dominated the game of baseball from the first pitch of opening day through the last out of the World Series. The 1989 Pistons, with their gritty, tough style of defensive play were the ultimate blue collar champions. So it is also the case of this year.

The 1997 Red Wings have inspired Detroit in a similar manner. These players have experienced recent disappointment. They came so close to the title the previous two seasons, eliminated in the finals by New Jersey in 1995 and in the semifinals by Colorado in 1996, only to be denied. However, where lesser teams would have crumbled under the

weight of such adversity, this team learned from its losses, and came back with even greater determination and focus.

While I salute the entire Detroit Red Wings' organization for their achievement, there are a few individuals in particular who deserve special recognition. Capt. Steve Yzerman has brought so many highlights to Detroit Red Wings fans over the years, his name clearly deserves mention in the same breath as past greats such as Gordie Howe, Ted Lindsay, Sid Abel, and Alex Delvecchio. No one has played harder through more pain or is more responsible for this Stanley Cup than Steve Yzerman. With his unassuming manner off the ice and fierce competitiveness on, for 14 years this exceptional man has been a credit to the Red Wings and the city of Detroit, and for this, he deserves our thanks.

With this championship, Coach Scotty Bowman has now won seven Stanley Cups, more than any other coach in NHL history. Goalie Mike Vernon, named MVP of the playoffs, was simply masterful in the net throughout the series. Then there are the five Russian immigrant players—Sergei Fedorov, Igor Larionov, Slava Kozlov, Slava Fetisov, and Vladmir Konstantinov—each of whom played a vital role in the success of this team. The Red Wings had so many leaders, such as Brendan Shanahan, Kirk Maltby, Darren McCarty, and others, that I am afraid I can't mention them all here. Mr. President, virtually everybody's contribution on the team should be highlighted today.

Most important, one final tribute needs to be reserved for team owner Mike Illitch. Mr. Illitch's commitment to making the Red Wings the best hockey team in the NHL mirrors his dedication to making the city of Detroit the finest city in America. His efforts with the Red Wings are really just an extension of his care and concern for Detroit. Whatever this city has sought, whether it be economic development or the return of the Stanley Cup, Mike Illitch has tried to be part of the solution.

In fact, this championship is only one small indicator of the rebirth of Detroit. It has been many years since others have looked to this city for inspired examples of urban renewal. Without question, however, current developments in Detroit are quickly rendering such negativism a thing of the past. Detroit is truly a city whose best days are yet to come, and great credit is due to the leadership of individuals like Mike Illitch and Mayor Dennis Archer for making this goal a reality.

For today, as we celebrate the Red Wings we also celebrate the city of Detroit. The only thing missing from Saturday night's victory was the violence and mischief that so often mars such achievements, a fact which should not be overlooked. The eyes of the sporting world were on the Detroit Red Wings and their fans this weekend, and what they saw was nothing less than positive. The Stanley Cup Champion Red Wings are one of brightest lights in a city that has a great deal of which to be proud.

Mr. President, prior game 1 of the finals, I made a friendly wager with our colleague Senator RICK SANTORUM from Pennsylvania, on the outcome of the series. Senator SANTORUM unwisely bet Philadelphia Tastykakes.

Mr. President, I ask unanimous consent to display them here at this time.

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

Mr. ABRAHAM. Mr. President, these Tastykakes were the bet of the Senator from Pennsylvania to our Little Caesars pizzas from Detroit. I might add that Red Wings' owner Mike Illitch is also the owner of Little Caesars. While I now have some bragging rights on the floor of the Senate, the real winners will be the students at Warren G. Harding Elementary School in Detroit. The kids will soon taste the sweetness of the Red Wings success as Senator SANTORUM ships 300 boxes of these Tastykake cupcakes for a victory party at the school in the next week or two. And to make it extra special, in a show of true sportsmanship, Little Caesars will provide pizzas to the students at Harding as well.

We look forward to celebrating our victory of the Stanley Cup with the students of Harding Elementary School in the weeks ahead.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ALLARD. Mr. President, my understanding is that we are in morning business with up to 5 minutes each.

The PRESIDING OFFICER. The Senator has up to 10 minutes.

INTERNAL REVENUE SERVICE

Mr. ALLARD. Mr. President, I rise this afternoon because I would like to talk a little bit about the relationship of the citizens of this country to their Government, in this particular case, to the Internal Revenue Service. There is a real burden on most enforcement agencies. When they accuse somebody of a crime, they have the burden of showing beyond a reasonable doubt that the crime was actually committed by that particular individual. That type of burden doesn't exist with the Internal Revenue Service; for whatever reason, your name may come up for an audit, maybe because of some type of a filing that you did in your income tax form that sets off the computer alarms, whatever system that they have.

That is one of the reasons why I am pushing legislation for a home office exemption. Many times, an audit by the Internal Revenue Service is an indication that you are using part of your home for business, and because of that, you are going to claim a deduction for part of the costs of your home because you are running your business out of that home.

The Internal Revenue Service frequently approaches taxpayers and says, ''Look, we think there is a violation.'' The burden is upon that individual to prove they are innocent. So, obviously, the individuals have a great responsibility to keep good records and account for all their expenditures, and whatnot, so that they can justify whatever it is they are doing in the way of business which may allow them a tax deduction, for example.

On the other hand, I think the agents for the Internal Revenue Service have a particularly awesome responsibility because of the added powers that we grant to them. I just share with this body that I have held more than 56 town meetings since the first of the year and have been very busy in talking to the people of Colorado—I represent the State of Colorado—and hearing about their concerns. It is not surprising that the most frequent issue that came up in the town meetings was related to taxes. People wanted capital gains reduction; they wanted inheritance tax reduction.

But along with all this concern, they talked about their relationship with the Internal Revenue Service. A lot of them felt there was abuse of power by the Internal Revenue Service.

There was a decision made last week by U.S. District Judge William Downes which I think highlights another case of taxpayer abuse by the Internal Revenue Service.

Carole Ward was awarded $250,000 in punitive damages by the Federal Government from the Internal Revenue Service for wrongfully publicizing information about her. After auditing Ward's children's clothing stores—these were young adults, children who decided to go into business for themselves—after auditing the Ward's children's clothing stores, the Internal Revenue Service seized the stores and demanded $325,000 in back taxes. The Internal Revenue Service agents told passersby that Ward was involved in drug dealing.

Judge Downes was very harsh on the Internal Revenue Service, saying, ''This court gives notice to the Internal Revenue Service that reprehensible abuse of authority by one of its employees cannot and will not be tolerated.''

He went on to describe the behavior of some Internal Revenue Service agents as grossly negligent and they acted with reckless disregard for a law meant to assure Americans that their tax matters are handled with confidentiality.

While the vast majority of Internal Revenue Service agents and employees are dedicated public servants who work

hard to serve the public, it only takes one incident such as this to continue the undermining of public confidence with the Internal Revenue Service.

Now, Carole Ward had the courage to go into the public arena and fight the Internal Revenue Service, but many American taxpayers are intimidated from responding when the IRS abuses take place.

I am hopeful that last week's Federal court decision will prompt the Internal Revenue Service to recommit itself to serving the public responsibly and to weed out those agents and employees who abuse their power. I hope they think about their relationship with the taxpayers, not one to make criminals out of taxpayer citizens in this country, but to assist them in filling out their forms and meeting the requirements of the law.

Again, I encourage all employees of the Internal Revenue Service to look at their added responsibilities and their added responsibility in relation to dealing with the taxpayers and make sure that everybody pays their fair share of taxes and nothing more.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HISTORIC ADDRESS BY TAIWAN MINISTER OF FOREIGN AFFAIRS TO THE EUROPEAN PARLIAMENT

Mr. HELMS. Mr. President, we live in a time when so many United States leaders, both in and out of Government, are apprehensive lest the so-called People's Republic of China be offended at the slightest suggestion that the basic principles of justice, human rights, and freedom should be applicable to the actions of the Communist leaders in Beijing as well as to all the rest of us.

Mr. President, are the American people supposed to live in fear and nervous anticipation when even the barest questions about Communist China's conduct are raised? Are we supposed to pretend that the gross violations of trade by Communist China are not happening every day? Are we supposed to cringe in fear when the leaders in Beijing threaten the destruction of San Francisco?

Surely the greatness of America is not to be diminished by the bullying threats flowing from mainland China.

Mr. President, these thoughts came to my mind over the weekend when I received from a prominent and respected American the text of an address delivered on May 22, less than 3 weeks ago, before the European Parliament in Brussels, Belgium.

Who delivered it? It was delivered by an honorable and distinguished gentleman, John Chang, Minister of Foreign Affairs of the Republic of China on Taiwan. My purpose in being here this afternoon is to express my hope that every Senator will read the text of Mr. Chang's remarks, and, while doing so, compare his rhetoric with that flowing constantly from mainland China.

For that reason, Mr. President, I ask unanimous consent that the text of Mr. Chang's address be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TEXT OF JOHN CHANG'S ADDRESS IN BRUSSELS

Mr. Chairman Spencer, distinguished members of the Committee on Foreign Affairs, Security and Defense Policy, Ladies and Gentlemen:

Thank you all so much for inviting me to speak to you at this very very prestigious forum today. It is truly a great honor not only for my humble self, but also for my government, the Republic of China which is now located on an island called Taiwan. Allow me first of all to convey to each and every one of you the warmest greetings and gratitude from 21.3 million people living in Taiwan. We deeply appreciated this opportunity that our story can finally be directly told and better understood to our respectable members of the European Parliament.

I was told that over the past years, the Dalai Lama of Tibet, Mr. Arafat of PLO and Mr. Mandela of ANC etc., all had been invited to this forum to exchange views with you over their issues. The situation that the Republic of China on Taiwan faces today is totally different from theirs, but there is one thing in common, it is that we all need the fair attention of the world and we all have to appeal to international justice.

It took me about 20 hours to fly over from Taipei to Brussels, the day before yesterday, yet it has taken my government, the Republic of China, more than twenty-five years to be finally given an important international platform like this today to have our voice heard, to have our humble views shared, and to have our story faithfully told.

It is sad to point out that our freedom of speech as a sovereign state, has long been deprived of from almost all international organizations since 1971, the year when we were forced out of the UN, simply because of mainland China's untrue position that there is but one China on earth, which is the People's Republic of China, and the Republic of China on Taiwan is one of their provinces. The sheer existence of one able, prosperous, vigorous and democratic government called the Republic of China, has been for nearly a quarter-century, veiled in thick political fog of world politics. The truth about my country, the truth about my people have all been flagrantly distorted and badly twisted. And the rights of my government as a sovereign state have subsequently been brutally neglected, ignored and even totally denied in the world affairs arena for decades.

The Republic of China was established in 1912 by a successful revolution led by Dr. Sun Yet-sen, which overthrew the Ching Dynasty. Dr. Sun Yet-sen was educated in the United States, and he had widely toured the European continent and did his research at the British Empire Library in London for a number of years before he returned to China to lead the revolution. Europe has evidently very much to do with the birth of a modern China. Actually the link between Europe and China, I mean the ancient China, was forged centuries ago.

When any scholar talks about the early contacts between Europe and Cathay, he can never afford to forget to mention two prominent European figures, one is, of course, Marco Polo, the other, Matteo Ricci. Both of them are Italians, the former a legendary merchant, the latter a Jesuit missionary, and they were 300 years apart. Marco Polo traveled with his father and uncle from Venice to China in 1271, when Mongolians were ruling China. He had spent 24 years in China. Matteo Ricci came to China under Ming Dynasty in 1583, he lived in China for thirty years and died there. The great differences between the two great Italians lie in the fact that the trader Marco Polo succeeded in introducing the old Cathay to Europe, yet the missionary Matteo Ricci did things another way around, he introduced Europe to China, not only her culture, science, but the religion of Christianity. The most important contribution that Marco Polo ever rendered was his bringing back to Europe such Chinese inventions as the compass, paper-making, paper money and printing. Many historians believe that Marco Polo's book entitled ''Description of the World'' may have influenced many explorers, including Christopher Columbus. By citing this portion of history, I intend simply to stress that how close once we were together in the past, and we certainly would be even closer in the future.

A few minutes ago I pointed out that the Republic of China was established in 1912 after a revolution strongly motivated by a new tide of political thought of Europe. It was the first Republic in entire Asia. The ensuing thirty years for the new Republic were all turbulent and chaotic. Only after the end of World War II, the new Republic got a very short breathing period. But it was already too late, the entire nation became fully exhausted by the eight-year Sino-Japanese war from 1937 to 1945. The Chinese Communists seized the opportunity to engage a civil war against the nationalist government of KMT led by late Generalissimo Chiang Kai-shek. The Communists won the war in 1949, consequently, the government of the Republic of China was then moved from the Chinese mainland to the island of Taiwan with her Constitution which was promulgated in 1947.

In 1949 when the government of the Republic of China was relocated on Taiwan, she remained to be the legitimate government of whole China with a majority of nations in the UN supporting this claim diplomatically, the number was 47 out of 59. As the membership of the UN grew up to exactly 100 in 1960, the number of nations which maintained diplomatic ties with the Republic of China on Taiwan was 53, still a majority support in the world organization. Her diplomatic relations reached a peak ten years later in 1970 with 67 nations formally recognizing her, and the membership of the UN was 126, yet the following year in 1971, a drastic down-turn took place, because of the change of attitude of the US vis-à-vis her relationship with the PRC. The seat of a founding member of the UN, the Republic of China was unprecedently replaced by a relatively young regime, the People's Republic of China which was created in 1949, 38 years junior to the ROC. What was truly in question as an issue at the UN in 1971 was not the Republic of China's legitimacy as a sovereign state which was so challenged and defeated, but it was her representation right which she insisted, should cover the entire China, including the Chinese mainland over which she was not exercising jurisdiction. It was her ''representation right'' that she lost, not her sovereignty as a state. Around the end of 1971, after the UN fiasco, the number of states which recognized Republic of China on Taiwan dropped from 67 to 54. It was an admitted failure for the Republic of China in her battle with the People's Republic of China over the so-called

''Chinese representation right'' issued in the UN. Yet this does not mean at all as the PRC has ever so alleged that the Republic of China has lost in the battle at UN together with her statehood. This allegation is absolutely groundless, untrue and absurd in accordance with international law.

There is no denial that after our forced departure from the United Nations, the Republic of China on Taiwan has become more and more isolated internationally. Yet the frustration on the international front has never hampered the iron will and firm determination of the people and government of the Republic of China to move on forward to effectively develop our economy and to enhance our democracy.

Twenty years ago, in 1976, our total trade volume was $15.6 billion US dollars; last year, 1996, our export import trade volume reached $217.2 billion US dollars, with a surplus $14.7 billion US dollars. The Republic of China has been fortunate and had a 6% annual growth for the past ten years, bringing our per capita gross national product to $12,000. Exports have made our economy. Today the Republic of China is a leading producer of electronics, computers and other industrial products. Today we are selling the world disk drives, monitors, notebooks and modems. To give you an example: last year, we had $11.6 billion in computer-hardware production. We are the largest computer manufacturer in the world after the United States, Japan and Germany.

Our trade with the European Union has grown rapidly in a very encouraging way in the past three years. The volume grew from $23 billion in 1994 to $29.5 billion in 1995 and $31.3 billion in 1996.

Of our European trading partners, Germany enjoys the highest volume of $8.6 billion, followed by the Netherlands with $5.2 billion, UK $4.6 billion, France $4.2 billion and Italy $2.6 billion. And Belgium is our 7th trading partner with a volume of $1.32 billion, after Switzerland of $1.75 billion, ahead of Sweden of $1.13 billion. My government has attached great importance to our trade with the European Union as a whole in the past; we will continue to do the same in the future.

Our focus on high technology and electronic exports has been a success. In less than 50 years, Taiwan ranks as the world's 20th largest economy with a gross national product of $275 billion. We are the 13th largest trading nation in the world and have accumulated world's third largest reserves of foreign exchange. Yet we are not a member of the UN.

We have come a long way in terms of political achievements. It was not very long ago that ''Martial Law'' was still in effect and minimal contacts were allowed between us and our compatriots on the Chinese Mainland. In 1987, just 10 years ago, the late president Chiang Ching-kuo lifted the marshal law and allowed the major opposition party—Democratic Progressive Party—to form. President Chiang also eliminated the restrictions and bans on newspapers, public assembly and demonstrations.

President Chiang's decision to lift martial law laid the foundation of a series of additional political reforms beginning in the early 1990s. President Chiang passed away in 1988, and was immediately succeeded by President Lee Teng-Huei in accordance with our Constitution. It was President Lee who charted all those extremely important reforms in the 90's. The National Assembly amended our Constitution to allow the government to hold all-Taiwan elections to replace Assembly members and lawmakers who had not faced their electorate for more than 40 years. In 1991, the first all-Taiwan National Assembly was elected, seating 325 members. The Assembly further amended the Constitution in 1992 and 1994 to shorten the terms of office of the president and Assembly members from six years to four. Most importantly, the amended Constitution allowed our President to be elected by all voting age citizens in the ROC's jurisdiction in 1996. On March 23, 1996, Dr. Lee Teng-Huei defeated three other presidential rivals and became the first popularly-elected President of the Republic of China. In the five thousand years of Chinese history, this was the first time that the Chinese people were able to elect their head of state directly. The legitimacy of the government of the Republic of China on Taiwan was rightfully strengthened. The fact that the government of the Republic of China is fully exercising her sovereignty and jurisdiction over the area of Taiwan island has become absolutely indisputable in whatever de jure sense.

President Lee Teng-Huei has rapidly transformed Taiwan's old single-party government into a working democracy. He has successfully orchestrated a quiet revolution, bringing new freedoms to his people. This transformation was achieved in quiet manner. There have been no class confrontations, no military coup and no political suppression in Taiwan. The process of reform in Taiwan was unique and unprecedented.

Taiwan now has a multi-party system and has realized the ideal of popularly-elected government. We have a total respect for individual freedom and this is clearly the most free and liberal era in Chinese history. Free speech is fully protected; all types of government controls over society have been relaxed or eliminated. We are now an open, pluralistic and free society. Our government has taken upon itself to defend and protect the fundamental human rights of every citizen. But unfortunately, many countries in the world still indulge themselves in the lie brazenly told by the PRC that the government of the Republic of China does not exist.

Despite our economic strength and political liberalization, we have formal diplomatic ties with only 30 nations in the world, even though we enjoy substantive relations with all major countries. We feel hurt and neglected, because we have not been accorded proper recognition by the world community. Since the late 80's we have been pragmatic in our foreign relations. We try to hold on to our friend and seek new friends and new ''connections'' whenever possible. So far this new pragmatism has served us well. I have to emphasize here that this new approach on our foreign relations has nothing to do with the so-called ''Independence of Taiwan''. Taiwan is the name of an area or the name of a province where the government of the Republic of China is situated. Taiwan is not a name of a nation, nor the name of my government. It's simply a geographical term. Since on the island of Taiwan or in the area of Taiwan, there has long been a sovereign government called the Republic of China, there is absolutely no sense for us to try to create another state on Taiwan. What we have been seeking for in the international community is a better recognition of the government of the Republic of China which she deserves to have.

It is true that the People's Republic of China maintains that there is one China, and so do we. Yet we have different interpretation of the ''One China''. Our position is rather simple that the One China was divided in 1949, which remains divided now. The international community should recognize the fact of a divided China and treat the ROC government as a sovereignty with effective jurisdiction over Taiwan and the offshore islands under its control. The spirit of our diplomacy of pragmatism is based on the acceptance of the fact that PRC is the political entity which has firm and effective control of the Chinese mainland area, and at the same time Taiwan area is under the tight control and legal jurisdiction of my government. We will not compete with the PRC on the ''representation right'' issue. On international relations, they may well represent the mainland, and we represent Taiwan area. Hence, one China with two separate political entities is a reality no one can deny and a fact that the world must deal with realistically.

Just as East and West Germany enjoyed simultaneously membership in the United Nations before their reunification, Republic of China should be allowed to participate in the world organizations with the PRC. A membership for Taiwan would definitely bring about more peaceful contacts between Taiwan and the mainland and further help pave the way for the reunification of a ''One China''. In short, like Korea, PRC and ROC on Taiwan deserve recognition. While developing our relations abroad, we hold no hostility with PRC at all, any move in expanding our breathing space in the world community is not aiming at mainland China at all. We simply want to be treated as what we are. We want to be treated no more than what we deserve to have.

Mr. Chairman, as the Republic of China's foreign minister, I would like to stress and also clarify a few points, which might be of interest to you and to your colleagues:

1. Both the Republic of China on Taiwan and the People's Republic of China on mainland believe in One China. The government of the Republic of China, and the political party in power, KMT, repudiates Taiwan independence.

2. One China does not mean the People's Republic of China. Beijing argues that ''there is only one China and only the PRC has sovereignty rule over China; therefore Taiwan is part of PRC.'' We believe that PRC leaders represent a political authority, not single China. Communist China does not equate to the China. China is still now divided and governed by two separate governments; the PRC and the ROC, each having its own jurisdiction and sovereignty over its own areas.

3. Beijing should openly renounce the use of force against Taiwan and resume talks and dialogues with us. Beijing must give peace a chance. All issues can be discussed. President Lee has indicated his willingness to travel to Beijing or anywhere else to hold talks with Communist leaders.

4. Both Chinese societies can benefit from more direct economic, social and cultural exchanges. In fact our investments in the mainland in the last ten years have amounted to more than $25 billion. Our investments have enabled the mainland to build foreign exchange reserves and created jobs. Influx of our capital has improved living standards and relieved poverty and backwardness among the mainland Chinese population.

5. Beijing should accept us as an equal partner. We seek to have better relations with the mainland. We do not want to see Chinese fighting Chinese, not in Taiwan Strait, nor on international arena, but rather Chinese helping Chinese. Our compatriots on the mainland and we share a common ethnic bond.

6. In Taiwan there is no support for a reckless or precipitate reunification with the mainland at the moment, certainly not under the terms of formula set forth by the PRC, such as the so-called ''One State, Two Systems'' Formula, which definitely is inapplicable and unacceptable to ROC on Taiwan.

7. We will continue our ''pragmatic diplomacy'' which means that we will seek friends and allies everywhere and want the world to know that we exist. We will seek to expand

our trade and cultural offices in over 150 countries and regions, in addition to the 30 nations that have formal ties with us. We will also seek to join international organizations, including the UN, and her peripheral organizations, because we have so much to contribute to the world;

8. Our ultimate goal is for the world to recognize us as a full member of the international community. We are well aware how important and difficult the process of reintegration into the international community will be for Taiwan. However, we have the resources and commitment that will allow us to make our positive contribution to peace, prosperity and good will in the world.

9. We will take full responsibility for our own destiny, but we believe that as an economically prosperous and democratically free nation seeking its proper place in the world, we can expect the nations of the world, particularly the European nations to assist us in this task.

10. We are prepared, too, to shoulder our share of responsibility for helping and assisting other nations, including mainland China, not in the spirit of paternalism or dominance but mutual cooperation and respect.

Looking forward towards the 21st century, I foresee a vibrant Republic of China actively promoting economic and trade cooperation with all regions around the world, but with emphasis on two areas—members of the Association of Southeast Asia Nations (ASEAN) and the mainland China. This type of economic and trade cooperation will strengthen the regional economic infrastructure and will stimulate the flow of resources throughout the region, leading to further economic growth as we seek to become an Asia-Pacific regional operation center by the year 2000.

While pursuing economic growth and strength, the perfection of our democratic system remains to be our most cherished and most urged goal in our national policy. We firmly believe that no country could ever become a truly great country until it becomes fully democratic.

Mr. Chairman, ladies and gentlemen, with your understanding, sympathy and genuine support, as a democratic and sovereign state, in the midst of challenges, unfair, unequal treatments and tests of all kind, we, the Republic of China on Taiwan, shall rise up again.

I thank you all so much.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, June 6, 1997, the Federal debt stood at $5,352,776,809,883.07. (Five trillion, three hundred fifty-two billion, seven hundred seventy-six million, eight hundred nine thousand, eight hundred eighty-three dollars and seven cents)

One year ago, June 6, 1996, the Federal debt stood at $5,139,284,000,000. (Five trillion, one hundred thirty-nine billion, two hundred eighty-four million)

Twenty-five years ago, June 6, 1972, the Federal debt stood at $427,810,000,000 (Four hundred twenty-seven billion, eight hundred ten million) which reflects a debt increase of nearly $5 trillion—$4,924,966,809,883.07 (Four trillion, nine hundred twenty-four billion, nine hundred sixty-six million, eight hundred nine thousand, eight hundred eighty-three dollars and seven cents) during the past 25 years.

RICHARD AND JANET CONES—SOUTH DAKOTA SMALL BUSINESS OWNERS OF THE YEAR

Mr. DASCHLE. Mr. President, I was privileged to meet earlier this week with Richard and Janet Cone, owners of Cone Ag-Service, Inc., in Pierre, South Dakota. They were recently designated the South Dakota Small Business Owners of the Year by the Small Business Administration.

This award is a testament to the Cones' drive and business acumen over the last 30 years, during which they have provided high quality, liquid fertilizer to South Dakota farmers. Like many small businesses, they began at the kitchen table and have grown into a business that employs eight full-time and six part-time employees.

The Cones' success story also includes timely and appropriate assistance from a Federal agency, the Small Business Administration. This agency joined with a local lender to help finance the Cone Ag-Service at a crucial point in its growth, proving that even the best business idea may need financial backing to come to fruition.

But, the most important measure of Cone Ag-Service's success is its customers, who loyally return year after year. The Cones can rely upon the word-of-mouth communication by their customers to generate new business. This type of advertising can't be bought with money; rather, it takes a good product and responsive customer service.

Nearly 200 years ago, the expedition of Lewis and Clark set in motion a great westward expansion of settlers across America. As many of these pioneers made their way up the Missouri River, one can only imagine what entered their minds as they climbed atop the river bluffs and gazed out over the limitless plains of Dakota Territory. Surely, there was very little to remind them of the comforts they had left behind or of the riches they dreamed lay ahead. But there were opportunities to be found, hidden amidst the prairie grass, and a few adventurous souls dared to settle here and make South Dakota their home.

That frontier spirit still runs through the veins of South Dakotans today, but the horizons that await us are no longer hidden. Small businesses like Cone Ag-Service are being created to take advantage of the commercial opportunities our State holds. They are the pioneers of today and I salute them.

TRIBUTE TO SENATOR STROM THURMOND

Mr. SHELBY. Mr. President, I rise today to join with many of my colleagues in saluting a great friend, patriot, and statesman—the senior Senator from South Carolina, STROM THURMOND. Listening to the debate recently, I realized that many were speaking of their personal experiences while serving with Senator THURMOND. I, however, would like to share with my colleagues the greatest story I know about Senator THURMOND—the true story of his life. To me it illustrates one key thing: that the hallmark of STROM THURMOND's life has been his dedication to serving others.

Senator THURMOND was born in 1902 and raised in Edgefield, SC. Following his graduation in 1923 from Clemson University, young STROM THURMOND began his career, first as a teacher and coach, then, at the age of 21, as an officer in the U.S. Army Reserve. Eventually, Senator THURMOND went on to become the county superintendent of education, city attorney, county attorney, State Senator and circuit judge of South Carolina. From 1942 to 1946, Senator THURMOND, along with millions of other brave young men, served in World War II. For his service in the American, European, and Pacific theaters, Senator THURMOND earned 5 battle stars and 18 decorations and medals, including the Legion of Merit with oak leaf cluster, the Purple Heart, and the Bronze Star for valor. Upon his return to South Carolina, STROM THURMOND was elected to serve as Governor of South Carolina. During his tenure as Governor, Senator THURMOND was a candidate for President of the United States. Five years later, in 1954, STROM THURMOND was elected as a write-in candidate for U.S. Senator and has served with distinction in this body as chairman of two prestigious committees, as well as serving as the President pro tempore.

The many personal sacrifices that Senator THURMOND has made over the past nine decades demonstrate his respect for our institution of government and our Nation's history. He knows all too well that when one fails to stand for his principles, those principles will perish. And STROM THURMOND, as a young paratrooper, as a Presidential candidate, and now, as a U.S. Senator, stands—sometimes all alone—for the greatest principles on which America was founded.

STROM even had to switch parties—not once, but effectively, twice, to keep advancing his strongly held principles and ideals. In a sense, though Senator THURMOND has been a Dixiecrat, a Democrat and a Republican, he has always been, most of all, a proud American.

STROM THURMOND has witnessed incredible growth and change in our Nation and our world, and his knowledge of our past and vision for our future is crucial to our present. The Senator's strong leadership, patriotism, dependability, and devotion to duty is inspiring—and his stamina is legendary. The people of South Carolina are fortunate to have such an able gentleman represent them; we here in the U.S. Senate are lucky to stand with him; and all Americans should be grateful for Senator THURMOND's 41 years of service in the Senate and proud of his 94 years of service to this country.

HONORING THE SORENSENS ON THEIR 50TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America. The data are undeniable: Individuals from strong families contribute to the society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it is both instructive and important to honor those who have taken the commitment of ''till death us do part'' seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor John and Rosalie Sorensen of Des Plaines, IL, formerly of Howard's Ridge, MO, who on July 12, 1997, will celebrate their 50th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Sorensens' commitment to the principles and values of their marriage deserves to be saluted and recognized.

TRIBUTE TO KATHRYN HOOK

Mr. THURMOND. Mr. President, in my almost 42 years of service to the U.S. Senate, I have probably had more than one thousand individuals work for me as members of my personal and committee staffs. Among these legions, I have been fortunate to have had a number of particularly capable, dedicated, and selfless men and women who truly went above and beyond the call of duty in assisting me and in carrying out their duties as staffers. Today, I rise to pay tribute to Miss Kathryn Hook, a person who has been with me for just short of 30 years, whose work and efforts have been invaluable, and to many South Carolinians, is as much a part of my office as I am. Sadly, today marks Kathryn's last day on the job.

A woman with a warm and outgoing personality, Kathryn first arrived in my office in 1967 and immediately began to make friends not only among my staff, but with our neighbors in other Senate offices. I recall that at that time the late Bobby Kennedy was one of my colleagues, and he had an office adjacent to mine. As he would walk down the halls with his dogs, he would almost inevitably stop into my reception room to say ''hello'' to Kathryn. It is my understanding that later, when Senator Kennedy ran for President, he asked Kathryn if she was interested in working on his South Carolina campaign activities, and as tempting and flattering an offer as that most certainly must have been, commendably, Kathryn chose to stay in my employ. It is a decision that I am grateful she made.

For almost three decades, Kathryn has been such a fixture on my staff, she has earned the title of ''Dean of Women,'' and she has made countless contributions to the operations of this office in many different ways. Working at the back of the reception room of 217 Russell, dubbed the ''Dogwood Alcove'' because of the personal touches she has made to her workspace, Kathryn has pleasantly, politely, and warmly greeted probably tens of thousands of visitors to my office, ranging from constituents who have come by to say ''hello,'' to senior American and foreign government officials who are making official calls on matters of policy. In each case, she has demonstrated the famed hospitality of South Carolinians, making anyone who enters my suite feel as though they are a long lost friend, and making sure that they know that they are welcome in my office.

Perhaps more importantly, though, is the influence she has had on young staffers who have worked under her. Kathryn is a woman of high and uncompromising standards, and a strong work ethic. In the course of her career, she has passed these commendable qualities and characteristics on to those who have been her direct subordinates, as well as to many other staffers who have worked with her through the years. There is no question that Kathryn has left her mark on an untold number of STROM THURMOND staffers, and that her influence has benefitted these individuals both while they worked for me, and in subsequent jobs. I have no doubt that there are hundreds of people, particularly women, who owe their success in life to the lessons they learned from Kathryn Hook.

Of course, Kathryn's contributions go far beyond that of her duties in the reception room and as the personal assistant to my chief of staff. She is the point of contact for any number of South Carolinians, particularly those from her hometown of Florence, who know Kathryn and feel comfortable contacting her on a multitude of issues that range from correcting problems with a relative's Social Security check, to legislative issues. Kathryn's intimate knowledge of office policy, procedures, and history has made her a useful resource for staff members who need advice and guidance on issues or have a question that can only be answered by her institutional memory.

Mr. President, Kathryn Hook is a unique and special woman in many different ways, and it is impossible to cite all of the highlights of her career or to adequately summarize the impact she has had in my office. Suffice it to say, her efforts over the years have helped me do my job as a legislator and in assisting the people of South Carolina. Kathryn's long tenure of invaluable service to our State was recently recognized and honored by the Governor of South Carolina who presented her with our State's highest award, ''The Order of the Palmetto,'' in a ceremony held in the Strom Thurmond Room of the U.S. Capitol. Regrettably, I do not have an equivalent commendation with which I can present her, but I hope she knows that I have valued her faithful service, will certainly miss her sense of humor and energetic personality, and that I am pleased to count her among my friends. It is a bittersweet day on which I say goodbye to Kathryn Hook, as not only is it her last day on my staff, but it is her birthday as well. I wish her many more years of health and happiness, and I thank her for her many years of devoted and selfless service.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

Mr. DORGAN. Madam President, I ask unanimous consent to claim the time of the leader's designee in morning business. The Democratic leader is allotted 60 minutes.

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

DISASTER RELIEF

Mr. DORGAN. Madam President, I come to the floor today again to speak of the disaster relief bill, the so-called supplemental appropriations bill. This bill provides substantial amounts of money for disaster relief, especially for people of the region of North Dakota, South Dakota, and Minnesota, the region where victims of blizzards, fires and floods now await action by the U.S. Congress on a disaster appropriations bill.

On Saturday, in the Bismarck Tribune, an associated press writer, John McDonald, was in Grand Forks, ND. The headline says, ''Patience Short with Congress.'' Here is what the story says:

> Ranee Steffan had strong words for Members of Congress who think flood victims can wait while the bickering continues in Washington over a disaster relief bill.
>
> ''You are playing with our lives,'' Mrs. Steffen warned Friday from the sweltering travel trailer that she and her family now call home. ''This isn't some game. You should come here and walk in my shoes for a day.''
>
> Homeless for over a month, out of work and bounced from one temporary shelter to another, the wife and mother of two is fed up with lawmakers who seem to think that Grand Forks residents are ''getting along just fine.''
>
> All she wants, she says, is to move back into a real home and to start working again.
>
> But that isn't likely to happen until Congress and President Clinton work out differences in the emergency spending bill that has $5.6 million of disaster relief for disaster victims.

I noticed this weekend in the Washington Times, Saturday, June 7, Speaker Gingrich, the Speaker of the House of Representatives, ''vows not to yield on disaster aid,'' according to the headline. He says that after a veto, the GOP

will send the bill back with the same riders. And then it says, ''Mr. Gingrich predicted voters will not remember this standoff over the supplemental appropriations bill at the ballot boxes next year,'' suggesting, I suppose, that, well, it is just that region up there, North Dakota, Minnesota, South Dakota. They will not remember this.

In this morning's Washington Post, we read that in a ''contentious meeting of Republican leaders after adjournment Thursday, Majority Leader LOTT of the Senate argued that this time—unlike 2 years ago—the GOP would win the PR battle. He claimed Americans did not care much about the supplemental appropriations bill providing help for the victims of Red River flooding in the Dakotas and Minnesota.''

I do not know if that is an accurate quote. It is in Robert Novak's column in today's paper. But I worry about what all of this says. It says somehow that this is a game, it is politics, it is trying to claim a political advantage in the fighting over a disaster bill.

It is interesting that if you take a look at other disaster bills in the Congress and what has happened in those disaster bills, the time line is really quite interesting. We had, as many Americans will recall, a terrible hurricane called Hurricane Andrew. When Hurricane Andrew hit the Florida coast, it decimated and devastated miles and miles of homes, and people were living in camps and trying to figure out what to do next. That was 1992. That hurricane hit August 24, 1992, killing 40 people and destroying more than 25,000 homes. Again, this was August 24, 1992 that the hurricane hit. On September 8, just 2 weeks later, President Bush called for a $7.7 billion relief package. That took place on September 8. On September 23, President Bush signed it into law. It took 1 month from the hurricane to signing the bill into law.

What a difference compared to our experience this year.

Madam President, on March 19 of this year, the President sent his first request to Congress for a disaster bill to provide supplemental appropriations for a range of disasters that had occurred in our country. March 19, April 19 went by, May 19, and we are headed toward June 19—nearly 3 full months—and the disaster bill is not yet law.

Now, Congress passed a disaster bill, but some in Congress decided they wanted to make a political sideshow out of it and they put very controversial provisions in it, provisions they knew the President would be forced to veto, provisions that had no relationship to this bill at all, extraneous provisions having no business in this bill. The President told them long ago to pass a clean bill. If they put provisions that were controversial in this bill thinking he would sign it, they were wrong.

So the Congress, attempting to provoke a fight, because some political leaders here decided it was in their advantage to do so, stuck a couple of very controversial items in this bill and sent it down to the President, knowing it would face a certain veto. They took a couple of weeks' vacation first, and broke for the Memorial Day recess. Now it is going to be nearly 3 weeks later than it should have been before a bill would get passed that the President might have an opportunity to sign. But, in any event, they finally did send a bill down to the President this morning containing provisions they knew the President would not sign. The President vetoed the bill, and it now has returned to the House of Representatives, just within the past several hours.

At the end of my remarks, Madam President, I will introduce a bill that is a clean disaster supplemental bill. It strips the two extraneous provisions that are highly controversial out of the legislation. I will send it to the desk and ask it be considered by unanimous consent. If it is considered by unanimous consent, this will go to the House of Representatives. After all, the House passed this bill plus the two controversial provisions. The House could consider it, they could send it to the President, he could sign it, and tomorrow the disaster relief would be available to the people who are victims of this disaster. I have alerted the majority that I intend to do so, and at the end of my remarks I will ask this piece of legislation be considered.

Now, Madam President, before I go further, I will go through once again what has happened to our region and why this is urgent and why some of us have had a bellyful of the politics around here on this bill.

Let me describe, first of all, the blizzards in our part of the country, 3 years' worth of snow in 3 months, 10 feet of snow dropped on our region of the country. The last blizzard was the worst blizzard of 50 years, and the worst blizzard of 50 years dumped nearly 2 feet of snow on much of North Dakota, some of South Dakota, and some of Minnesota. Traffic was stalled, as it was many times this winter, with the nine blizzards that we had. All the roads were shut down. Power poles snapped like toothpicks.

Here is the result of howling winds of 20 and 40 miles an hour and 80-below windchill temperatures and 2 feet of snow in the worst blizzard of 50 years. This is a snowbank on flat land and a farmer standing in front of it to show the size of the snowbank. The snowbank is nearly three times as tall as he is.

The blizzard that hit had this impact: 80,000 people in our region out of power, power poles snapped like toothpicks, lying on the ground all across our region. Some people were out of power for a week and more, while power crews struggled 24 hours a day to try to get the poles up and the lines up and restore power to these communities.

I was in Grafton, ND, when they were out of power for 5 days, and met a woman who was 89-years-old at a shelter. Yes, they went to shelters because they could not cook, did not have electricity, did not have heat in their homes, and it was bitterly cold. Madam President, this woman was 89 years of age, and she said, ''I am getting along just fine. We sure appreciate all the folks here at the shelter.'' What a great spirit and a great attitude.

But all of those folks went through this kind of dilemma of blizzard after blizzard after blizzard, with shutdowns of virtually all the roads in the State, cattle freezing on their feet because the snow was suffocating them, and then power outages affecting tens of thousands of people. My colleague Senator CONRAD showed this picture the other day. I had shown it previously, a picture similar to it, dead cattle lying on the range, cattle whose hooves were frozen, dairy cows whose udders were frozen. A fellow was in town a while back and he said someone asked a rancher, ''What are you doing this afternoon?'' He answered, ''Going home to shoot some more calves.'' These calves simply would not make it. Their hooves were frozen and they would not be able to walk any longer. Hundreds of thousands of head of livestock died in those winter blizzards.

Then what happened is the Sun came out and it began to warm up in our part of the country. What was a farm—and this is a farm—now looks like an ocean. The Red River Valley became a flood that was 140 miles long by 20 to 30 miles wide. This is a farm in this photograph. But, of course, this year, it was a flood; 1.7 million acres of farm land were under water when this picture was taken.

This picture shows what that flood looks like from the air. It looks like a huge lake that extends for the entire Red River Valley, with patches of ground in places where you could see some dikes that have been erected to try to protect some areas of the country. That flood inundated Watertown, SD. It was an enormous flood—in Watertown, MN, and Breckenridge and Fargo, ND. That flood water was channeled through Fargo, and for 24 hours a day they wondered whether the dikes would hold, and they did hold in Fargo. Some homes got wet and they had some flooding damage, but it could have been much worse. Then that Red River flooding came to Grand Forks, ND, as they tried to channel that through the city. The flood crest was predicted to be 49 feet, the highest flood crest in history. But it wasn't 49 feet, it was 54 feet. As the water rushed over the dikes down the streets of Grand Forks, people left their homes, running to their cars, running to National Guard trucks, to evacuate their city, in most cases with nothing but the clothes on their backs.

In this photograph is Grand Forks, ND, and East Grand Forks, MN. It looks like a lake with buildings sticking out of the lake, a city completely inundated by a flood. A city of 50,000

people was on this side of the river, with 90 percent evacuated; 9,000 people were on this side of the river, 100 percent evacuated. I might say that this whole area in Grand Forks, ND, will never again be inhabitable. All of these business places are ruined and will be destroyed.

More than that, during the flood when the waters broke the dike, the city of Grand Forks also suffered a major fire, as depicted in this photograph. In the middle of flooding, you can see the firefighters of Grand Forks, ND, standing in the ice-cold water up to their wastes, fighting a fire, a fire that destroyed 11 of the larger downtown business buildings in Grand Forks, ND, and then spread to three blocks. They had to bring this firefighting material in with huge airplanes, dropping flame retardant on these buildings because they couldn't fight the fire from here. The firefighters didn't have the equipment to fight a fire in a flood. These firefighters, suffering from hypothermia, were using fire extinguishers to fight a fire in downtown Grand Forks, ND. Of course, they finally put the fire out.

I was on a Coast Guard boat in Grand Forks, and as we went up and down the streets of Grand Forks, ND, here is what you saw, streets that looked like rivers and lakes, as shown in this photograph. Occasionally, you would see a car top sticking up. The boat I was on ran into a car. We could not see it, but we knew we ran into a car because we saw about two inches of a radio antenna sticking above the water. When I told the pilot of the boat, ''I think you ran into a car,'' he said, ''I guess so, but, you know, it wasn't there yesterday.'' What happened is that river was running so fast that it was taking cars underneath, and you could not see them moving all around that town, as the river destroyed the central core of that city. When the fire was finally put out in downtown Grand Forks, ND, here is part of what it looked like. It skipped over three different blocks, but you could see what it did to downtown Grand Forks, ND.

Some say, well, that is quite a tragedy, but it happens other places in the country. I don't know of any other place in the country where they have suffered a circumstance where a major city was almost totally and completely evacuated and a major part of the city permanently and totally destroyed. In the middle of all of this, I went to North Dakota, and I was in North Dakota on almost all weekends. I went there with President Clinton on Air Force One during the middle of a week, on a Tuesday. He flew into Grand Forks, ND. While this city was evacuated, thousands of them were sent to Grand Forks AFB. They were put in giant airplane hangars where thousands of cots were set up, and that is where many of them slept overnight until they could find some other shelter to move to or some other family to take them in or to get transportation to a relative who lived in another city. ''Red Cross tops 1 million meals,'' the Grand Forks Herald says. ''How bad was our disaster? Let us count the meals.''

People who one day had a home, had warmth, had shelter, had a stove and a refrigerator, a place for kids to come home to from school and a place to come to at the end of the work day, now had nothing. They were living on cots in an Air Force hangar and eating from the Red Cross shelter. And then, finally, the river went back into its bank. Here is what Grand Forks residents have come home to find: 600 homes totally destroyed that will never again be lived in. Another 600 to 800 homes were severely damaged.

I don't know if many people know what a home looks like when it has been totally submerged in a flood. I was in a boat that was floating on top of the water at the rooftop level of most of these homes. These homes are totally destroyed and will never again be repaired. I have some more photographs here. Here is what a basement looks like.

This is what happens out in the yard. They strip all the wallboard out of a home and all of the things that used to be their possessions and put them on the boulevard out in front. What used to be a nice street, where cars would drive up and down, is now on both sides of the street filled with trash, filled with the remnants of a home. You can only drive there one way, up and down. The garbage trucks come all day long, back and forth, trying to keep up to haul out this garbage.

This home was totally submerged in water. When it came back to rest, it rested on top of an old Ford car. This picture shows a home sitting on top of a car. That is what floods do.

This home was in the same neighborhood, and it just collapsed. It was brought up from its foundation and then collapsed.

The Grand Forks Herald, in the midst of all of this, says, ''Here is why the Federal Government needs to pass disaster relief now.'' I have shown you the result of all of this. There is more. There is a problem that farmers and ranchers have—some are flat on their backs having lost their entire herds in the blizzard. But most urgent is the need to give the people who are trying to run these cities the resources so they can tell the people who are out of their homes, here is what your future is going to be. Regarding the 600 homes that are going to have to be bought out, the city needs to be able to say to those 600 families, ''We are going to buy you out and create a new flood way.'' Under any definition, all of those 600 homes are in the flood way.

So those 600 families are on hold now. One is living in a tent, by the way, in their yard—a tent—a mother, a father, and children, because they need to know what their future is going to be. They don't have any money, or a home, and they don't have a job. In this disaster bill are the resources that allow the city to say to those people, ''We are going to buy your home and establish a new flood plain and, with that commitment, you can now go and get another home.'' Until that happens and this bill is passed, those families' lives are on hold—600 families just in that area, and the 800 homes that were severely damaged. Many of them will face a similar circumstance. All of their lives are on hold.

We hear people around here say this, and I heard them last week and the week before saying that time doesn't matter, nothing is urgent, nothing can be done that isn't being done, there is money in the pipeline. You know, I have heard people like that before. They say, ''My belt buckle was won in a rodeo,'' and they say, ''There is money in the pipeline.'' What a bunch of nonsense. The fact is that the money in this bill is critical. It deals with housing. This funding is what is necessary to give these people hope and to give the city the resources to allow them to move back into either their homes or a different home and get on with their lives.

Until this bill is signed, until the bill is done, all of these people's lives are on hold. ''There is money in the pipeline,'' we are told. Yes, FEMA, the Federal Emergency Management Agency, has some money, but that is short-term emergency money. It is not the kind of money that will finally unlock the housing questions and jobs questions that are in front of all of these families. Until this bill gets passed and signed, none of these families will know what their future can be or is going to be. So those who stand here and say that there is money in the pipeline and there is nothing that can be done that isn't now being done, I say to them, you are wrong and you know it. If you don't know it, buy a plane ticket and fly to Grand Forks and talk to the flood victims that you are holding hostage. If you don't have the decency to do that, then stop talking about it, because you don't know what you are talking about.

There is not money in the pipeline to deal with the emergency needs of these people. Every one in this Chamber has a responsibility to understand that. If they don't understand it, they will not talk about it. If Congress doesn't decide this week—and there is some indication it won't—to pass a disaster bill without continuing to play politics, then all of these people's lives will continue to be on hold for another week and another week and another week. In the midst of all of this, we will have, I suppose, the prospect of front page stories like, ''Gingrich Vows Not to Yield on Disaster Bill.'' This says, ''After veto, GOP will send back same riders.''

We have people who, a couple of years ago, waltzed around this town and boasted—and I can get you the quotes and the names and the days, but I will not do that at the moment—that

if they didn't get their way in this Congress or in the last Congress, they intended to shut down the Government. They boasted repeatedly, ''Either we get our way or we will shut down the Government.'' They said, ''Frankly, nobody cares if we shut down the Government.'' Well, they boasted about it and they kept their word; they shut down the Government and they paid an enormous price for it.

Now, some of those same people are trying to portray themselves as being opposed to shutting down the Government, so they want to attach an amendment to this disaster bill saying, we want to tell people that we are opposed to shutting down the Government. The amendment has nothing to do with this bill—totally extraneous and unrelated. But they want to use this bill to say we are opposed to shutting down the Government. The amendment by which they do that is controversial, and I am not going to get into the merits of that. Frankly, I care less about the merits of that than do some other people. But as was demonstrated by my comments about the disaster relief when Hurricane Andrew hit Florida, a disaster bill that was passed in less than a month—in fact, in about 2 weeks after President Bush sent it up. As was shown by that, it is unusual for people around here to believe it is appropriate to play politics on a disaster bill.

In most cases when you are talking about disaster aid, you are talking about victims. When you are talking about victims, in most cases, politics takes a back seat. Members of the House and the Senate—Republicans, Democrats, Conservatives, Liberals—don't think much about politics in those cases. They say we have had people who were victims and had tough times through an act of nature, who have been dealt a bad blow, who are homeless, hopeless, helpless, and whose families are jobless and who need us to say, ''You are not alone, let us help you.'' And in almost all cases, the Congress has reached out a helping hand and said, ''Here is a disaster bill we are going to pass and we are going to do it on a timely basis to try to give hope to those people who are victims.''

In every case that I have recalled since I have been here, whether it was the earthquake victims of California, or the hurricanes in Florida, or tornadoes, or blizzards, or floods, I have felt that the taxpayers of North Dakota want us to say: Let us help.

Let's reach out and provide the helping hand; extend the hand of friendship and the hand of help to say that the rest of the country wants to join you in helping you get back on your feet.

For years we have had disaster bills move through the Congress without someone saying, ''I have a new idea. Why don't I try to jam up the disaster bill with a very controversial issue and shove it down the President's throat? Why don't we try to do that? So what if the victims are hurt by that? So what? They are just from North Dakota.'' Or, as this paper says, people will forget by the next election. ''So what?''

What a hard-headed, cold-hearted attitude for people to take on a disaster bill. I can't remember when I have been as disappointed in the behavior of Congress as on this bill.

Last evening, after the basketball game, the Chicago Bulls and the Utah Jazz promoted during the second half of that game a new television sitcom, I guess—I don't know. I have never seen it, probably never will, certainly don't intend to. If I do, it will be by accident. But the title was ''Men Behaving Badly.'' ''Men Behaving Badly.'' I thought, that could describe what I am going to face tomorrow in the Senate again. And someone said, ''Well, but the Senate is more than just men.'' That is true, and it is a better place because of it. But I don't see anyone other than some prominent leaders out here leading in a direction that is counterproductive, and it is behaving badly.

There is an easy way for us to solve this problem. Today, Monday, thousands of people in Grand Forks and East Grand Forks woke up not in their homes—some in camper trailers, some in tents, some in motels, some in shelters, some in neighboring towns, some in acquaintances' homes, some in relatives' homes. They woke up not in their own homes and not in their own beds because they do not have a home. Most of them don't have a job. What they have is a wait on their hands waiting for the Congress and for their city to make a decision about their future.

Why is it up to us to make a decision? Because we have in this bill the resources that will allow those two cities to describe a new floodplain and buy out some of these homes and give people an opportunity to create a new future. But today, on Monday, they woke up probably feeling as anxious and as angry about this as I did, wondering: What on Earth are people thinking about trying to create a major political issue over a disaster bill?

Madam President, this weekend in the middle of this debate the Republican National Committee was on the radio in North Dakota with paid radio ads on this issue. Why would the Republican National Committee be doing paid radio ads about this issue? Because this is now, and has always been, according to leadership and the Republican National Committee, a political issue. From their point of view, the point seems to be to add extraneous and unrelated issues to this bill, and then try and shove it down the President's throat.

You know. The shoe is going to be on the other foot someday. Someday somebody else is going to have a disaster. Somebody else is going to do to them what is now being done to the people of this region. And then they are going to complain about it, and say, ''How can you do that?'' I am not going to do it to them because I have not done that since I came to Congress, and I will not do it in the future. I will not play politics with the lives of people who have been victimized by national disasters. But someone will again in the future because the precedent is now established that it is just fine to do. It is OK. Get a disaster bill, and then get the national political committee of whichever party involved and start doing radio ads creating an advantage, and have the Speaker go to the Editorial Board and say, ''We are not going to yield on this issue.'' Besides, it is just a bunch of folks up there in that territory; and says, ''Voters will not remember this standoff over the supplemental appropriations at the ballot box.''

Well, I am appalled by what we are facing here. And I don't know what we expect this week.

And I am not the only one who is appalled. I have here an article from the Sioux Falls, SD, paper. The headline reads, about the Governor of South Dakota, Governor Janklow, who is a Republican: ''Janklow Slams GOP on disaster-aid bill.'' The article goes on to say, ''Misguided Republican strategy will make Congress look bad.''

Governor Janklow has it right.

This is not, and should not be, a bill on which the two parties play a game of political Ping-Pong. This ought to be a disaster bill that provides relief to victims.

So, Madam President, in the remaining days of this week I urge Members of the leadership here in the Congress to give us an opportunity to pass a disaster bill that does not contain extraneous or unrelated issues that are controversial. Give us an opportunity to pass a piece of legislation like that, have the President sign it, and have those people who are now wondering about their future who suffered through significant disasters, blizzards, floods, and fires to be able to understand disaster aid is on the way with the President's signature, that aid begins to move, decisions will be able to be made, and people's lives will be able to begin to move on as if normal again. But that can only happen if Members of the House and the Senate decide that they will forgo the opportunity to play politics with the disaster bill.

Madam President, the Fargo Forum, which is a newspaper in North Dakota, wrote an editorial. This is North Dakota's largest paper. ''Act now on flood relief bill. More than 6 weeks ago the flood-ravaged Red River Valley just wanted to be left high and dry * * * [In] an ironic perversion of the wish, Congress acted or failed to act.'' The ''Red River Valley just wanted to be left high and dry.'' Well, it is high and dry all right.

The point of their editorial is that Congress needs to act now. This is not a case where a week from now, or a month from now it is just fine. This is

urgent. This is an urgent need, and Congress needs to act now.

The Grand Forks Herald is the newspaper of a city of 50,000 people. Every day since Congress took the Memorial Day recess at the front of their masthead they say, ''10 Days Since Congress Let Us Down.'' I suppose it is now 18 days since the House adjourned without passing the disaster bill. The editorial makes the point, and every citizen in Grand Forks makes the point, that Congress ought to move on this disaster bill and move now.

On March 19 the President sent his request to Congress. When the flood occurred and the President went to Grand Forks, ND, and spoke to several thousand people in an airplane hangar at the Grand Forks Air Force Base, he made the point that he was seeking a significant disaster relief bill and that he hoped that Congress would not add extraneous or unrelated amendments to the bill. What he hoped would not happen has happened. The result has now been substantial delay—at least 3 weeks' delay, and probably more.

Madam President, my desire would be that everyone call a political truce, that we simply recognize that the disaster bill is to respond to disasters, and that the way to provide hope and help to the victims of the disasters is to pass a bill without the major areas of controversy that have now been sent to the President.

UNANIMOUS-CONSENT REQUEST

Madam President, for all these reasons, I now send to the desk a clean supplemental appropriations bill for myself, Mr. CONRAD, Mr. WELLSTONE, and Mr. JOHNSON.

Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 18, H.R. 581; that all after the enacting clause be stricken, and that the text of the clean supplemental appropriations bill that I just sent to the desk be inserted in lieu thereof, that the bill be passed, and that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DORGAN. Madam President, let me describe what it is I was just proposing. The major items of controversy that now exist in the legislation the President vetoed are the so-called anti-Government shutdown provision—the so-called continuing resolution provision—and the census issue.

I know the President in his veto message was going to object to more than those two. The bill that I sent to the desk and asked unanimous consent be considered was the conference report that was agreed to in both the House and the Senate, with the anti-Government shutdown provision and the census provision removed.

The shutdown provision has substantial amounts of controversy attached to it. I have no objection at all for that to be considered at any time. I just do not think it ought to be considered on a disaster bill.

My bill removes the census portion of the disaster bill. I do not object that the Senate consider the census provision at some point. But there are plenty of other opportunities to consider it. As soon as the President signs the bill and disaster aid begins to flow, we will have other bills come to the floor of the Senate. My understanding is that there was a proposal to be brought to the floor of the Senate tomorrow. Both of these issues could be offered as amendments to that bill. I have no objection to that. If somebody wants to offer that, let's offer that and have a debate. I have no objection nor concern about that.

I just do not want these provisions to be provisions that interminably delay a disaster bill which should have passed, now it is 3 weeks ago.

If the newspaper reports are correct, it looks like this issue will not be resolved this week, nor probably next week.

How long do victims of a disaster have to wait? When will Congress understand its obligation, and the historical approach of dealing with disaster bills, of not adding highly controversial issues to a bill that deals with disasters?

It seems to me that this should be a time for cooler heads to prevail; a time for both sides to back away a bit and decide to pass the disaster bill without these provisions.

I have taken the time again today simply to attempt to describe what our region of the country is faced with, to describe why we are upset and angry about what has happened to this piece of legislation. And I will no doubt be on the floor additional times today and during this week.

I hope that in the coming couple of hours Members of Congress will decide this is not a strategy that does anything other than hurt victims of a disaster.

Does it help the political party? I don't think so. I mean, I guess that is why a political party would run ads over this weekend in my State, because they think they are being helped by it. I don't think anybody is being helped by it. I think the net result is that victims of a disaster get hurt.

I mean, if there are some who do not care who gets hurt as you march toward a political victory, that is one thing. But I don't think this is marching toward anything but chaos in any event, and I think it is clear who is getting hurt. Victims of the disaster are getting hurt.

I started today with a description of Ranee Steffan, who is living in a camper trailer, has been for some while, perhaps will be for some while, with her kids. She does not want much. She, her family, and her children want a job because she doesn't have a job, because most of the businesses in this area have been closed—wants a job and a home. She wants decisions to be made that will allow that to happen in her city, and in her community. And until this piece of legislation passes that cannot happen.

On behalf of Ranee Steffan, and so many other thousands of families whose lives are on hold, I hope very much that both sides of the aisle will decide to pass a disaster bill free from contentious unrelated political matters. We need to get aid to those who need it as quickly as is possible.

Madam President, I yield the floor.

The PRESIDING OFFICER. The assistant majority leader is recognized.

URGENT SUPPLEMENTAL APPROPRIATIONS

Mr. NICKLES. Madam President, first, I objected to the unanimous-consent consideration. My friend and colleague from North Dakota expected it. He knew I would do so. He basically tried to pass the bill as designed by one Senator. That is not the way the legislative body works. The way the legislative body works is that there are procedures. It goes through committees. Senators add amendments trying to influence the behavior of Congress, trying to influence the behavior of Government, trying to set policy. That is what happened in this bill.

I might tell my colleague from North Dakota I did not vote for the bill anyway. I think this bill was not just a disaster bill. This bill grew, and it grew too much. The President submitted a bill in, I think, early May, for approximately $4 billion. This bill grew to over $9 billion. I voted against it.

Now, the President vetoed the bill, and he vetoed it supposedly because Congress put in a provision that says if, for whatever reason, we do not get an appropriation bill passed by the end of September, we will continue operating at this year's level of funding. I happen to think that is a perfectly responsible thing to do. The President does not like it. Maybe some Democrats do not like it, I guess because they want to spend a lot more money than this year's level. I think it was a responsible thing to do so we would avoid a shutdown, so Government employees, Government agencies, everyone would know that if in the event we did not pass an appropriation bill, we could continue operating at this year's level. I think that is proper. They did not. The President vetoed the bill. I wish he had not vetoed it for that reason. If I was President, I would have vetoed it because it spent too much money. That is one of the reasons why we have divisions of power. We happen to be equal branches. We do not just write an appropriation bill just designed by the President. If so, we would not have a Congress. We would just let the President write the bill.

But that is not the way the system works. We have equal branches of Government. So the President can submit his proposal, and then we will act on it.

He vetoed it, and we have a couple of options. We can vote to override the veto—in all likelihood, we do not have the votes to override the veto, and so then we will work with colleagues to see if we can come up with a proposal that will pass and get his signature. And that is the proper way to do it. It is not the proper way to do it to try to pass it by unanimous consent, a bill designed by one Senator. I, for one, would object because I think it spends too much money not even related to the two objections that my colleague from North Dakota had outlined.

Mr. DORGAN. Will the Senator from Oklahoma yield just for a point?

Mr. NICKLES. I will be happy to yield at this point.

Mr. DORGAN. I appreciate the Senator's statement. The bill that I asked unanimous consent to have considered was not a bill written by me. It was the exact conference report just reported out by Congress, minus the two contentious provisions. So I do not want people to think it was a bill written by me. It was exactly what the conference did, leaving out the two very controversial provisions.

Mr. NICKLES. Madam President, I understand my colleague did not like two provisions. Maybe the President did not like two provisions. It may well be the President will look at the rest of the bill and he will not like other provisions. My point being, we have two branches of Government, both equal, and the President can make a request and Congress disposes of it and he has the right to veto it. Evidently he has done that. I understand the majority leader of the Senate is trying to get in contact with him today and maybe some discussions will ensue.

I also just happened to be looking at this report. The initial request was $4.5 billion in discretionary outlays. The committee report, the committee report as it came out of the Senate was $7.6 billion, so, in other words, $3 billion more than originally requested. The conference report, after it went to conference, was $8.6 billion. And if you add budget authority with the mandatory it was over $9.5 billion.

So this, like a lot of urgent supplementals, grew, and many times they grow at the request of the administration. They did not make it in their initial request, but they asked for more money, and somebody else said, well, I think we should fund this and everyone was in agreement, both Democrats and Republicans, so we go ahead and fund it. What we wind up doing is we fund things in an urgent supplemental that, frankly, should be funded in the normal appropriations process. We should be in the process of passing normal appropriations bills now for next year so they do not have to be in the supplemental; we do not have to prefund them. We should fund it through the process. And I, for one, since evidently the President's vetoed this bill, hope we come in with a very streamlined, strictly urgent supplemental bill.

And I, for one, have serious questions whether or not we should be funding Bosnia assistance in this. How can the Bosnia assistance be urgent? We have had the troops over there. We have known about it. You cannot say that is not expected. We have known the troops are over there. I know that they are raiding operation and maintenance accounts; they are drawing down those funds. We have underfunded defense in the past. But we have known we have had a significant peacekeeping force in Bosnia and we do not fund it. And so then we start saying, well, we need to fund it all of a sudden because we did not put enough money in for defense last time.

We have known those troops are over there and should be funded. But the costs have risen significantly. We should get control of those costs. I have some reservations about whether or not we should have had those troops in the international peacekeeping force in the first place. The President puts them over there, underfunds them and asks us to bail him out with an urgent supplemental. I have some reservations about it.

Mr. President, there is only two issues of dispute. One is on the census language, one is on whether or not we would have a continuing resolution to keep the Government open should we reach an impasse on appropriations.

Just a couple of final comments. We have reached an impasse in appropriations the last 2 years, in 1995 and in 1996, prior to the last election. The way that was solved in 1996, prior to the election, was the President basically said I am going to shut Government down unless you give me a lot more money. Unfortunately, in my opinion, we succumbed to that temptation; we gave the President about $8.5 billion so we could get out of town. I hope we do not repeat that failure.

Who was the real loser in that? Maybe Congressmen and Senators weren't, but I think the taxpayers lost. We wrote big checks. Discretionary spending really went up. It went up in some cases, Madam President, even more than the President requested so we could get out of town. I hope we do not replay that.

So the essence of this continuing resolution was, if for whatever reason we have an impasse, let us at least continue operations at this year's level so we will avoid that disaster, so we will not have the curtailment, so we will not have the shutdown, and I still think it is good policy. I regret the President vetoing it for that reason. I think that was a mistake. He has that right to do it.

I think it is important we follow constitutional procedures and keep in mind constitutional prerogatives. The President is President. He does not have the right to dictate every detail in an appropriation bill. He can veto every appropriation bill he does not like. I want to preserve that right. But likewise, we are an equal branch of Government and we have a right to put on language that a majority of Senators are supportive of.

So I will work with my colleagues from North Dakota. I see another colleague, Senator CONRAD, is here and wishes to speak on the issue, and I will not detain him. I know he has very strong feelings, as Senator DORGAN does, as well. And so I will work with my colleagues. Hopefully, we will be able to come up with another bill, one that will not cost taxpayers as much as the previous bill, and hopefully we will be able to break the impasse and provide needed relief in a timely manner.

I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, I ask unanimous consent for 15 minutes.

Mr. NICKLES. Madam President, reserving the right to object, what was the request?

Mr. CONRAD. I was asking for 15 minutes.

The PRESIDING OFFICER. There is an order already standing for Senator COVERDELL to be recognized at 4 o'clock.

Mr. CONRAD. All right, then I will withdraw my request.

DISASTER RELIEF

Mr. CONRAD. Madam President, the President of the United States has now vetoed the disaster relief bill. He has done so because there were unrelated provisions put in that legislation.

Madam President, the time for political games is over. This is a headline from the largest newspaper in our State over the weekend. The headline is: ''You Are Playing with Our Lives.'' The woman quoted is a Renee Steffan. The article said, ''She has strong words for Members of Congress who think flood victims can wait while bickering continues in Washington over a disaster relief bill.''

She goes on to say, ''You are playing with our lives.''

She issued that warning from the sweltering travel trailer that she and her family now call home. She says, ''This isn't some game. You should come here and walk in my shoes for a day.'' Homeless for a month, out of work, and bounced from one temporary shelter to another, the wife of two is fed up with lawmakers who think Grand Forks residents are getting along just fine.

Madam President, Grand Forks residents are not getting along just fine. Not only are Grand Forks residents not getting along just fine, nor are the residents of East Grand Forks. In these two communities, 50,000 in Grand Forks, 9,000 in East Grand Forks, nearly every single soul was evacuated 6 weeks ago. Thousands of them are still homeless. Their homes are destroyed. Their jobs are destroyed. And their lives are on hold waiting for us to act.

The President vetoed this bill. He said clearly these unrelated provisions ought not to be in a disaster relief bill.

That is the plea and the request of the people from Grand Forks and East Grand Forks. Send a clean bill to the President, one he can sign so that the relief can start to flow.

Now, the Washington Post this morning, in the Novak column, he reported, and I quote:

At a contentious meeting of Republican leaders after adjournment Thursday, Lott argued that this time, unlike 2 years ago, the GOP would win 'the PR battle.' He claimed Americans did not care much about the supplemental appropriations bill providing help for victims of Red River flooding in the Dakotas and Minnesota.

I do not know if that is really the position of the majority leader. I hope it is not. But if it is, let me just say that he is wrong. People do care. The outpouring from across the United States has been unprecedented.

People of the United States care a lot about helping people hit by a disaster. They have proven it time after time after time. The fact is, if the majority leader really believes that the American people do not care, he is wrong. The American people are better than that.

And for those who do not think it makes any difference, let me just quote from the Republican Governor from South Dakota. The Republican Governor says, ''If you've got a disaster bill, you ought to deal with the disaster.''

For those who say that delay does not matter, Janklow—

Again, the Republican Governor of South Dakota—

said the delay in the legislation is blocking reconstruction of sewage facilities, highways and a State-owned rail line in South Dakota.

It is not just the Republican Governor of South Dakota who understands that delay matters, but there is a Republican Congressman from Minnesota, JIM RAMSTAD, a former North Dakotan, by the way, a member of the Ways and Means Committee, who said over the weekend: ''Those who argue that there is money in the pipeline are being disingenuous at best.''

This is a Republican Congressman from Minnesota. He said, ''There's no money for housing, no money for livestock, no money for sewage systems, no money for water supply, no money for housing buyouts. There is no money in the pipeline for those things. They can't really rebuild without the funds that are tied up in the disaster relief bill.''

And he concluded by saying, ''Let's end the Washington games.''

Madam President, the people of North Dakota and Minnesota and South Dakota and the 30 other States that are affected by this disaster make one request. Send a disaster relief bill that is clean, that does not have these unrelated provisions, send it quickly so the relief can begin to flow. The people in our areas need it. As that woman said from a sweltering trailer, the time for these political games is over. People have been hurt and they need help. Now is the time to respond.

I thank the Chair and yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Georgia is recognized.

Mr. COVERDELL. Parliamentary inquiry. It is my understanding that the hour from 4 to 5 has been designated under my control, or any person that I shall delegate time to?

The PRESIDING OFFICER. The Senator is correct.

Mr. COVERDELL. Mr. President, in light of the presentation we have just heard and the recent veto of the emergency aid by the President, I am going to yield 10 minutes of my time to the distinguished Senator from Texas, and then I will return to the original content of the purpose of the hour from 4 to 5 after she has responded.

I yield 10 minutes to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 10 minutes.

THE SUPPLEMENTAL APPROPRIATIONS BILL

Mrs. HUTCHISON. Thank you, Mr. President. I thank the distinguished Senator from Georgia, because I do want to respond and make sure that everyone is singing from the same page.

I appreciate very much what the distinguished Senators from North Dakota are feeling right now, and what they must feel every time they go home. I, too, have visited disaster areas in my home State in the last week, and it is a devastating situation.

Mr. President, I want to make it clear that all of us are going to make sure that the victims of disasters in all the 35 States that are covered will have all of the help they need, and they will have it in the absolute minimum time it takes to get that to them. In fact, the disaster victims in North Dakota and Minnesota and South Dakota are getting help right now. They are getting the SBA loans, they are getting the agriculture help, they are getting the assistance that they need, and it is there now, and we have $2 billion in the pipeline waiting to come in to them, not waiting for us to act. That is in the pipeline now. So the money is there, make no mistake about it.

But it is very important that everyone know that this is a supplemental appropriations bill. It is the first appropriations bill that has gone through this year. There are many items that must be covered. We are covering the replenishment of FEMA funds, the Federal Emergency Management Agency funds, because they are being depleted right now as we speak, going to the victims of North Dakota, South Dakota, Minnesota, California and other States. We are giving that money to them, and we are going to replenish it with this supplemental bill.

But there are many other things covered in this bill. It is not as if this is just a disaster relief bill for those areas. It is also a $1.9 billion expenditure for overseas peacekeeping, to replenish the funds that have gone into the protection of Bosnia. There is $928 million for veterans compensation and pensions, $29.9 million for plane crash investigations, $6.4 million to the FBI to reimburse New York State and local jurisdictions for assisting in the investigation of Flight 800, $197 million for the National Park Service, $103 million for the Fish and Wildlife Service, $67 million for the Forest Service, $20 million for the Bureau of Indian Affairs, $585 million for the Army Corps of Engineers, $510 million for the U.S. mission in Southwest Asia, $58 million for the Women, Infants, and Children Program. Mr. President, it goes on.

This is a supplemental appropriations bill. These are funds that are to replenish funds that have already been spent. In addition to that, we are setting the process by which we do appropriations this year. That is why we have the Government Shutdown Prevention Act. That is why we are saying if we do not come to agreement on October 1 for all of the appropriations bills, that Government will continue to function, that people will not have to worry about their paychecks, that veterans will not have to worry about their pensions, that people going on vacation will not have to worry about it. We are saying right now, here is how we are going to proceed.

I think it has been portrayed that Congress is playing games. Congress has passed a bill. It is not absolving the President of all responsibility to veto anything he wants to veto, and then say, well, I didn't like it and it's your responsibility.

He has a responsibility. The President can sign this bill. I would like for the President to explain why he wants the ability to shut down Government. I would like the President to explain what is unreasonable about providing for the ongoing Government expenditures at today's levels while Congress and the President might continue to negotiate on an appropriations bill that has not been passed by September 30.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Will the Senator yield for just a moment?

Mrs. HUTCHISON. I will be happy to yield.

Mr. COVERDELL. Is it not the Senator's understanding that the emergency appropriations Congress passed and sent to the President last week was voted for by the Senate majority leader?

Mrs. HUTCHISON. I think that is correct, Mr. President.

Mr. COVERDELL. It was voted for by the Senate minority leader?

Mrs. HUTCHISON. Absolutely.

Mr. COVERDELL. Voted for by a majority of the Republican Senators?

Mrs. HUTCHISON. In fact, the majority of the Republican Senators and two-thirds of the whole U.S. Senate.

Mr. COVERDELL. And a majority of the other side of the aisle?

Mrs. HUTCHISON. That is correct.

Mr. COVERDELL. My point is, how much more bipartisan? We don't see that happening here very often. So the emergency relief and all of its provisions, the guarantee you talk about to keep the Government from shutting down, was voted for by the leadership, Republican, Democrat, by the majority of both sides of the aisle, and the President says the Congress is playing games with emergency relief? It seems a little incongruous to me.

Mrs. HUTCHISON. I can certainly understand why the Senator from Georgia would be a little confused, when Republicans produced a bill that gave the President everything he asked for the Federal Emergency Management Agency, for Bosnia, and for all these other programs that are being replenished for the administration. I can understand why he would be confused that the President would veto the bill and accuse Republicans of playing political games. That is confusing.

In fact, I have to say I think the President needs to step up to the line and say what is unreasonable about providing for the orderly process of Government, the orderly appropriations process, telling people what to expect if there is not an agreement on September 30 between the President and Congress. There are no hammers, there is no fear on the part of Government employees or veterans or people who are counting on paychecks coming on time. What is wrong with providing for that? We are not cutting back on what people are getting now. We are just saying, let's provide a level playing field here. Let's negotiate in good faith. And if the President does not want to do that, if the President wants to shut down Government or wants to have a hammer over Congress' head, wants to have some artificial shutdown of Government at his disposal, I would like for the President to explain to the American people why. Why? Because if we do not pass this now, then people will not know what to expect. Government employees will not know what to expect, veterans will not know what to expect. We may not pass an appropriations bill on which this could be put, as a matter of process, for months to come.

I think this is the responsible approach to take so everyone understands. If the President disagrees, tell us why. Tell us why you want to shut down Government, Mr. President, or you want people to be in fear of shutting down Government, or you want a hammer over Congress' head in order to have some sort of advantage. I mean, what is it? What is it that would cause you to veto a bill that you say is so important to you, for disaster relief and other supplemental appropriations, when, in fact, all you have to do is sign the bill?

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. HUTCHISON. Mr. President, I think the responsibility lies in the White House. The Congress has done its job. I would appreciate the President stepping up to the line and saying what is so bad about having a process which everyone knows, right now, and can plan for, an orderly, responsible transfer between fiscal years. I would just like the President to step up and say what's wrong with that. We ask him to do that today.

We want him to provide the relief he has asked for. And, Mr. President, Congress has done its job.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank the Senator from Texas. I think she is absolutely on point. Getting the emergency relief where it needs to go, protecting its ability to do its work, is in the President's hands now because Congress—particularly here in the Senate, but the House as well—has sent a broadly based, broadly agreed-to document to the President. So, if it doesn't move on to the people who need it, the President will have to accept that responsibility.

THE FAMILY FRIENDLY WORKPLACE ACT

Mr. COVERDELL. Mr. President, for the next 15 minutes or so, since we are talking about vetoes, I would like to talk about the Family Friendly Workplace Act, S. 4. This is a piece of legislation that has been authored by the good Senator from Missouri, Senator ASHCROFT, myself, and others. It is designed to make the workplace a friendlier place, a more flexible place. Lo and behold, in the middle of the debate, the President has announced to the country he would have to veto this bill, which is as puzzling as his veto of this emergency relief. He has said he would have to veto the act. We have had a filibuster underway on this Family Friendly Workplace Act. We have tried to break the filibuster twice and have failed to do so because of the supporters of the President on the other side of the aisle.

If you want to know what the American public thinks about this kind of legislation, you just need to go talk to them. In a survey for Money magazine in May of this year, 64 percent of the public and 68 percent of women would prefer time off to overtime pay if they had the choice, which they do not. The Federal workers, since 1978, have had this choice, but not these hourly laborers. If they had the choice, they would prefer time off to overtime pay. That is what the Family Friendly Workplace Act is about. It is about giving employees and their employers the voluntary—underscore voluntary—option to design programs to meet this desire.

A Penn & Schoen survey found that 75 percent support the choice of time off in lieu of overtime pay. President Clinton's own Labor Department has reported that help in balancing the needs of work and family is the No. 1 need among working American women. You would think, given what we have seen and the stress that is being pounded upon the average American family, we would be stepping forward with legislation such as S. 4, and trying to create a system in the workplace that allows these working families to meet their special needs and to adjust the time they need to juggle between family and the workplace.

Mr. President, I see we have been joined by the distinguished Senator from Wyoming, who has been an advocate of the Family Friendly Workplace Act. I yield up to 10 minutes to the Senator from Wyoming, to share his thoughts on this legislation with us.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Thank you very much, Mr. President. I thank my colleague for arranging this special order.

It seems to me that this is something that is very important. I have watched this discussion with great interest, having had some experience in small business, and, I must confess, I have been very surprised by it. It seems to me that over the years, particularly the last 2½ years, we have spent in this body a great deal of time talking about making things more family friendly. We have talked about how we could provide more time for families to share in the schooling of their youngsters, to share in their communities, to share in the things that make communities strong, and to work that in to our professional lives.

Then comes a proposal to do that which allows for flextime, which allows for comptime, and we find suddenly a great deal of opposition. That is a puzzle to me. As I mentioned, I have been in a small business where you don't have many employees, and I recognize from the employer side that there has to be some communication, because you may not be able to spare someone for a certain length of time. On the other side, I think it is equally or perhaps even more important that the employee is not forced by the employer to take the time differently than they would like to. But it is my understanding and my belief that in this bill those things are protected, that it is a cooperative agreement between the employer and the employee, to come to these conclusions.

So I was very disappointed. Even though I haven't spoken a great deal on it, I was very disappointed last week when we didn't get enough votes to vote cloture. There certainly are enough votes to pass the bill. I am disappointed that the White House has apparently indicated the President will not sign the bill, largely as a result of the labor unions to which the White House is so sensitive. This Family Friendly Workplace Act would help working Americans do the things—the

very things—that the President has been talking about and made an issue of in the last election and since. And then we find there is opposition to it.

Most Americans, I believe—the Americans that I have talked to—do, in fact, want flexibility in the workplace, would like to have the opportunity to be able to make some adjustments. We have a business in our town of Cheyenne. It is called Unicover. They are the ones who put out first-day stamps, first-day covers. The owner testified before the Senate Labor Committee a few months ago. His employees came to him and asked for comptime/flextime so there could be some arrangements. He wants to offer that to his employees but cannot, of course, until S. 4 is passed. I suppose this has been said—in fact, when you are discussing an issue like this, everything has been said—but the May 1997 survey from Money magazine found 68 percent of working women would prefer comptime to overtime pay. The Labor Department has indicated that it would help in balancing work and attention to the family, which is the No. 1 issue for working American women.

So I am truly puzzled by the opposition to it, and I can only imagine that it is simply a political opposition brought on by the opposition of the labor unions to it, which surprises me as well, because certainly union leaders and union members want to do something with their families as well.

Americans need the flexibility in the workplace if we are to accomplish the things that we want to, if we are to accommodate the fact that more and more women, more and more mothers are in the workplace and, therefore, since both family members often are working that there does need to be flexibility.

Our current laws go back to 1938. Most jobs were in manufacturing; very strict. One-payroll families were the norm. That has obviously changed to where now two-payroll families are, indeed, the norm. In 1938, 16 percent of the women with children worked outside the home; in 1997, more than 70 percent work outside the home.

This Family Friendly Workplace Act creates new choices for employees and employers. By mutual agreement, they can agree to substitute some alternatives for overtime, some alternatives to the 40-hour operation. They can take time off to do the things that they need to do or bank some hours with comptime. Federal workers, I understand, have enjoyed this flexibility scheduling now for nearly 20 years, and they can do that. Why not the rest of the working community? S. 4 protects workers' rights, and that is important, very important. Penalties for direct or indirect employer coercion are doubled from current law. Accumulated comptime may be paid in cash by year's end.

So, Mr. President, I hope that we intend to continue to push, continue to address S. 4 in this Congress and, hopefully, get the bill passed. It meets the realities of the modern-day workplace, it meets the needs of modern-day families, and is something that I think is very favored among people in this country.

It is a little frustrating sometimes to find this kind of dilemma that we are caught up in this week, quite frankly, a situation where if a bill doesn't suit the President, it has to bring us to a standstill. After all, the President is not a king; the President doesn't run the country. He has to give as well as the Congress. That is what this is about. Here we find another that is very similar.

I hope that we find some areas of agreement that will allow us to put into place S. 4 and protect the rights of workers, protect the opportunity for options, protect the opportunity for families to have a friendly workplace. I hope we do it very soon.

Mr. President, I thank my friend for this time and for his work and that of the Senator from Missouri on this bill. It has been exemplary. Thank you very much. I yield the floor.

Mr. COVERDELL. I wonder if the Senator will yield for a moment.

Mr. THOMAS. Sure.

Mr. COVERDELL. It is sort of ironic that this Monday afternoon we are beset with Presidential vetoes or threats to veto. He has indicated that he will veto the Family Friendly Workplace Act if it includes flextime, which is what I think most of us feel is among the more important features, to allow working families to adjust their time.

The Senator from Wyoming has talked about compromise, but I just want to reiterate and try to get your impression. Don't you find it unusual that the only thing we have been met with here is a filibuster, and that if you are really interested in creating a family workplace work environment, wouldn't you think we would be getting suggested new language or something that might compromise, instead of sort of a straight-arm and voting down attempts to end the filibuster?

Mr. THOMAS. I say to the Senator, I think that is curious. If you have an issue where you are on different sides of the issue and opposed to one another, then you get this kind of thing. But here is one where, if you went around and talked about opportunities to have some choices in the workplace, if you talked about a way to allow people to have some flextime with their families, everybody would agree, nobody would disagree with that.

So it is strange that having that as the premise, having that as the basis that we find instead of searching for a way to make it work, as you say, it becomes an absolute stoppage of anything happening. It is curious, and I am surprised. I guess that is why I am here expressing some surprise in the way this has turned.

Mr. COVERDELL. I thank the Senator from Wyoming. As usual, he has contributed substantially to the discussion.

Mr. President, in my opening remarks, I spoke of the percentage of working women who would prefer time off to overtime pay if they had a choice, which they don't. That is what we are trying to create here.

I read this very interesting article from the Radcliffe Public Policy Institute, ''Work and Family Integration.'' It is very interesting. It says:

> Economic changes have direct consequences on work and family life.

That says it all. I have been arguing for the better part of 2 years now that when we talk about American culture and what is happening in the American family, we tend to point fingers to who is causing the trouble, and Hollywood gets a pretty good dose of it. But I don't think Hollywood holds a candle to Uncle Sam. Uncle Sam has put so much economic pressure on the working families that it has dramatically changed the nature of the way these families function.

It goes on to say:

> It is increasingly common for all adult family members to spend a greater number of hours at work in order to make up for declining median family incomes to fulfill personal career goals or to cater to growing workplace demands.

Again, I would argue, that while the median family income has declined, the biggest culprit in absorbing those median income salaries is the Government. In fact, by our analysis in Georgia, an average family today forfeits 55 percent of their income after they pay direct taxes, almost 40 percent, cost of Government regulations, $7,000 per family, and their share of higher interest payments because of the national debt that has been put on their backs.

That pressure needs relief in many ways. No. 1, which we are talking about here, we need to lower the economic pressure, we need to lower the taxes on those average families; No. 2, there should be no impediment in the workplace that blocks working families and the companies for whom they work from finding ways to suit and balance the needs of these work careers and the needs at home.

This article says:

> Married women with children have entered the labor force in record numbers. They, therefore, have less time for caregiving in the home.

They have less time. We have seen the SAT scores aren't as good, teenage violence is worse, teenage suicide has quadrupled, and you have to say to yourself, ''Well, if there is not as much opportunity or attention to govern the home, you are going to have problems like this that will begin to emerge.''

> Many parents, both mothers and fathers, feel conflicted and torn between spending time with their families and meeting workplace demands.

This is the point I was making a moment ago: A massive amount of pressure in both places and we are operating under a workplace that is governed

by laws that are a half a century old, almost 60 years old. You think back 60 years to 1930, the 1930 workplace. First of all, it was mostly rural. Now it is only 2 percent that is rural. Just reflect for a minute on the kinds of massive change that have occurred between 1930 and 1997 and you can understand that the governance in the workplace probably, like everything else, requires some modernization.

It says work and family life should not be in opposition but should enrich each other. Work and family life should not be in opposition but should enrich each other. That is what this legislation is trying to do. It is trying to allow the workplace to adjust to the different needs that the different workers have with regard to maintaining and governing their families.

Here is a quote:

> It's like you are caught between a rock and a hard place because if you want to have a family, you want to have a couple of children, you can't do that unless you have lots of money to support them. Well, you can, but you'd have to be able to take care of them, at least provide the basics, and in order to do that you either have to have your husband gone all the time working so hard or working toward getting his degree or else both of you have to be working, but the more you're working, the less time you have with your kids, so it's like you can't win.

That is from a young woman in her twenties in Salt Lake City.

> But the more you're working, the less time you have with your kids, so it's like you can't win.

You know, we wonder why, even with the economy doing reasonably well, why you get so much anxiety coming out of the workplace. Well, that is it, right there, ''But the more you're working, the less time you have with your kids, so it's like you can't win.

So here comes S. 4 and it says you and your employer voluntarily can make decisions and create options about what happens in the workplace so that hopefully it can help make it possible for you both to be working and still win. I am absolutely baffled by the threat from the other end of Pennsylvania Avenue, ''I would have to veto this if flextime is left in the legislation.'' That sure does not square with anything we are seeing or reading.

I was looking at the average hours per week parents devote to undivided child care—in other words, full blown. If the woman is employed, it is 6.6 hours per week. If she is unemployed, it is just under double, 12.9 hours a week, of undivided attention. It doubles.

Now, you cannot unemploy these people to get this added time. That will not work, given what has been happening here in Washington for the last 30 years and given the economic pressure on them, but you can begin to modify the rules in the workplace so that there is an offset, an opportunity to adjust.

Mr. President, we have just been joined by the senior Senator from New Mexico, chairman of the Budget Committee and a Senator most knowledgeable and concerned about a friendly workplace.

I yield up to 10 minutes if that is sufficient, to the Senator from New Mexico.

Mr. DOMENICI. I thank you for those kind words, and, yes, that is sufficient.

First of all, I am very proud to be a cosponsor of the Family Friendly Workplace Act. The way I see it, this bill is long overdue for American workers in the private sector. Federal employees have had flextime and comptime for nearly 20 years and it is about time the millions of American men and women who do not work for the Government receive the same benefits.

I vigorously support this bill for the following three reasons. One, it is fair. Federal employees currently have comptime and flextime. It is voluntary. And it protects employees.

Times have changed since we adopted the rigid 40-hour work week. Under current law, you cannot arrange a schedule to work 44 hours one week and save those 4 hours to take time off in the next week to be with your children or to do something very important to help your sick mother or your grandmother. Current law says you cannot do that even if you want to and your boss agree.

Federal employees have had flextime for many, many years. What we have now found out is that Federal employees who have been participating in flextime are highly satisfied. That should not surprise anyone. It is a very rational and reasonable thing.

Eight out of ten workers support continuation of the program; 72 percent say they have more flexibility to spend more time with their families and on personal needs; 74 percent said the flexible schedule has improved their morale and made them feel better about their work and about their employers. If comptime flextime is good enough for Federal employees, then why not for the 80 million people that work in the private sector of America?

For example, FBI employees have comptime and flextime. Isn't what is good enough for them also good enough for restaurant workers, hospital employees, hotel chain workers, telecommunication employees, and, yes, firemen, policemen, and others who might be burdened by the 40-hour-a-week rigid nonflexible time?

Federal workers can currently use their flextime schedules to attend such things as a school play, baseball games, PTA meetings, dance recitals, Boy Scout or Girl Scout meetings and activities, doctors visits, school field trips, and dental appointments for children. As a matter of fact, I say to my good friend, Senator COVERDELL, we got those examples from people who said this is exactly what they would like to do and we got it from Federal employees who say this is exactly what they are doing.

This bill, as I understand it, and I would not be supporting it without this, is good because it is voluntary or optional. It encourages employers and employees to work together to arrange schedules which fit the individual needs of employees and yet provide the management with enough opportunities to get the work done that they need done. Nothing in this bill requires employees to adjust their work schedules if they do not want to.

Mr. COVERDELL. Will the Senator yield?

Mr. DOMENICI. I am happy to yield to the Senator.

Mr. COVERDELL. You are right now on the core dispute. You have argued for the need in the new modern workplace for the flexible time and what it does to morale and conflicting schedules, and you said you would not be for this if it was not voluntary.

Mr. DOMENICI. That is correct.

Mr. COVERDELL. That would be the same for me.

As you know, if I could comment about it, not only is it voluntary, but the legislation has strict procedures to guarantee that it is voluntary, and there would be ramifications of severe proportions if an employer were to do anything other than make it voluntary.

Mr. DOMENICI. No question. In fact, I was going to get to that in a moment.

It is so voluntary that employees under this law can withdraw from a comptime and flextime arrangement at any time. Employees can cash out accrued hours of comptime and flextime at any time. These provisions are going to be enforced just as rigidly as the current provisions of the Fair Labor Standards Act.

This bill protects employees from employer misconduct because it contains anti-coercion provisions. I would not support it if it did not have this protection because this is what assures that it would really be voluntary. There are always people who would like to deny employees certain rights and some employees would like to not work as hard as they should for their employers. We cannot correct all of that.

But obviously this law says that an employer cannot claim inconvenience as a reason for not allowing an employee to take comptime. Once the employer and employee have agreed to a schedule, the employer cannot then change his mind and say it would be inconvenient to do it that way.

As an example, an employer cannot force an employee to accept time off rather than monetary overtime pay by promising to promote an employee. This is investigated in the same way that the Fair Labor Standards Act rules and regulations of today are handled on behalf of the American workingman and in fairness to the management and ownership.

Now I do not understand why the Democrats and labor unions are standing in the way of bringing choice and flexibility to the American workplace. If Democrats really cared about the

best interests of American workers they would stop misleading the people about this bill and pass it.

The Baucus-Kennedy substitute amendment does not help the American worker because it only provides comptime and does not contain the flextime biweekly work schedule of flexible credit hours. Flextime is very important. It is important to everyone in the workplace but most important to women and non-overtime workers.

The combination, Mr. President, of comptime and flextime will benefit 67 percent of all working women in the private sector. Whereas comptime, by itself, will only benefit 4.5 percent of all working women in the private sector.

The Baucus-Kennedy bill wipes out flextime. Now, what could be more unfair than to penalize all but 4.5 percent of the working women in America by restructuring a bill so narrowly that only 4.5 percent are benefited? Under the broader bill with both flextime and comptime, 67 percent of those same working women would have an option to better their work schedule to help them with their daily lives and with their families.

The Baucus-Kennedy substitute amendment limits accrued comptime to 80 hours a year, versus this bill's 240 hours. Doing the math, one can say that the Republican bill is three times as flexible for the American working people than the substitute being offered.

The Democrats, and for some reason the labor unions, falsely claim that this bill will end the 40-hour workweek. This bill will allow employees who want a variation of the 40-hour week to have one—voluntarily and with no coercion. For those workers who want to keep the standard schedule, they can. It is their option and their employers option. They do not have to change one bit. If they like the rigidity of 8-to-5 work with an hour off for lunch, then so be it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COVERDELL. I yield 2 additional minutes to the Senator.

For those who want to keep the standard 40-hour workweek from the Depression, they can keep it that way. For those of us who are yearning to make the workplace more hospitable to our working people, for those of us who are concerned about family life and would like to have workers have a little more family time, we urge the labor unions to change sides on this.

I saw a couple of my friends from the labor unions outside in the hall and my first remark to them when I walked out was, ''Why are you against the working women?'' Of course, we had a lot of fun after that. But actually that is the issue.

This bill will help women more than anything else, to provide them with flexibility and no loss of pay. This flexibility can be used to make their lives better in the event they need family time off to take care of things other than work.

I believe the other side of the aisle needs to listen to what the American worker wants: flexibility. Ninety-one percent of working mothers support flexible work schedules.

Now, frankly, there are many other reasons we could discuss here on the floor. Until the public gets excited and worked up, and until women start writing the labor unions and asking them: What are you doing to us? Why don't you keep yourselves out of this issue? and, Why are you against this? things won't change. Until there is enough foment in society for more flexibility in the workplace, then reform will not occur.

Mr. COVERDELL. Mr. President, I thank the Senator from New Mexico for a really precise and very focused presentation on the nature of the volunteer provisions of this legislation and the safeguards that are built into the legislation to assure that it is indeed a voluntary opportunity for workers and their employers.

Just a moment ago, before the Senator from New Mexico arrived, I read this quote from Radcliffe Public Policy Institute, where this woman in her twenties says, ''But the more you are working, the less time you have with your kids, so it's like you can't win.'' He makes a point that we are going to need a public furor out there because this is good, common sense. We are trying to make it so that this 20-year-old woman, whoever she is, can be in the workplace and can win, and can meet the needs and issues of her family. This article goes on to say that XYZ company—they don't name the company—is trying to figure out how to deal with this fact. You have this 30-year-old with two kids at home, who is not going to give you 16 hours a day, as they did when they were in their twenties. Yet, we still want to be globally competitive. I actually don't think we have a good answer. These people, the ones who have opted to have kids and work less, are getting hurt in their reviews.

See, the current work rules just don't meet the current requirements, and you can't make it so that one shoe fits everybody. It just doesn't. There are different pressures on the working mothers and fathers. That is why I have been so complimentary of the Senator from Missouri for coming forward with the family friendly workplace.

Mr. ASHCROFT. Will the Senator yield?

Mr. COVERDELL. I am glad to yield to the Senator.

Mr. ASHCROFT. I asked the Senator to yield for a question, which is, some who are opposed to this have indicated that this is a pay cut. Is it your understanding that when a person takes time and a half off with pay later instead of overtime pay, that that represents a pay cut? Or is that a way to have some time off the next week without taking a pay cut?

Mr. COVERDELL. As the Senator knows, there is nothing about this legislation that represents, in any way, a detriment to the worker, as in a pay cut or any other function of their work. The only thing that happens with the passage of this is that workers have more options and opportunities, and under no condition would it lead to a pay cut—none.

Mr. ASHCROFT. I wonder if the Senator from Georgia had the opportunity to see the USA Today lead editorial, which says, ''Harried Workers Need Comp Time's Flexibility.'' I was kind of interested in the way they closed the editorial:

> A choice between time off and overtime is an option that can benefit employees and employers alike.

Their last words:

> Those who stand in the way deserve a permanent vacation.

I recommend this editorial to the Senator.

Mr. COVERDELL. I have not had a chance to read the editorial. But I say to the Senator from Missouri that in many discussions with individuals with whom I have not necessarily been philosophically together in the past, they think your legislation is correct—people of all persuasions. It is the kind of thing we ought to get into the workplace. If the Senator will yield, you and I are, at the moment, functioning on the time that the good Senator from Ohio has come to use. So if we might, I would like to yield up to 7 minutes to the Senator from Ohio, and then we might ask unanimous consent to get another minute or two.

Mr. ASHCROFT. I will be pleased to yield. I ask unanimous consent that the USA Today editorial entitled ''Harried Workers Need Comp Time's Flexibility'' be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HARRIED WORKERS NEED COMPTIME'S FLEXIBILITY

Our View: But unions are blocking flexible work rules favored by employees and employers alike

What works better for you? Pay for overtime or compensatory time off instead?

Three quarters of workers say they want a choice. And they should have it.

With workers spending an hour more on the job each week than they did 15 years ago and 60% of women working, many workers are stretched to their limits in meeting family needs. A survey by the independent Families and Work Institute found 40% of workers saying they don't have enough time for family chores; another third lack time for personal needs.

The problem has some businesses scrambling for answers. Seven in 10 offer workers flexible starting and ending hours. Many have added a personal day off. Some are experimenting with ''free days'' that combine vacation, holiday and sick leave.

And many say they would like to offer time off for overtime. But they can't, at least not to the 60 million full-time hourly employees who make up the bulk of the private workforce.

Federal law bars the practice.

The Fair Labor Standards Act mandates private hourly workers be paid 1.5 times their hourly wage for each hour over 40 worked in any seven-day period. No time off instead, even if the employee wants it.

It's a ridiculous situation, made more ludicrous by fumbling over the issue in Congress. Both parties claim they want comptime, but labor union resistance is causing the Democrats to stall.

Last week, the Senate couldn't agree even to allow a vote on a comptime measure. The bill, similar to one already passed by the House, would allow, but not require, employers to offer employees 1.5 hours of paid time off for every hour worked over 40 hours instead of paying overtime. Employees could bank up to 240 comptime hours a year. They could use them when they wanted as long as they provided reasonable notice and doing so wouldn't cause undue disruption to the business. Unused hours would be cashed at the end of the year. Employees also could negotiate agreements with employers for 80-hour, two-week schedules—45 hours one week, 35 the next, for example—without overtime.

Any finding that employers coerced employees would lead to double pay, heavy fines and potential jail time.

Democrats say that's not good enough. They argue employers will still coerce workers. But the real source of their opposition lies elsewhere. Labor unions don't want comptime except through negotiations with unions. And unions contributed $30 million to Democratic campaigns last year.

Without labor opposition, most differences over comptime could be solved.

A choice between time off and overtime is an option that can benefit employees and employers alike. Those who stand in the way deserve a permanent vacation.

Mr. DEWINE. Mr. President, I thank my colleague from Georgia for his eloquent statement and comments about the need for S. 4. I also thank my friend and colleague from Missouri for the great work he has been doing to bring not only to the attention of the Senate but to the American people exactly what is at stake in regard to this bill.

Mr. President, I am proud, again, to be on the floor to speak in favor of the Family Friendly Workplace Act. This bill is a truly necessary and forward-looking response to the major changes that have already taken place in the U.S. work force in the last few years.

Mr. President, today's working men and working women feel battered between the conflicting demands of work and family. They feel there has to be a better way. I think they are right.

Mr. President, the bill we are here to talk about on the floor today represents that better way—a better way for workers to balance the needs of family and the needs of the workplace. This bill gives working people the flexibility that they know would make a huge difference for the better in their lives.

Mr. President, according to a survey conducted by the U.S. Department of Labor Women's Bureau, the top concern of working women is flexible scheduling in the workplace—flexible scheduling, which will allow them to balance their responsibilities at work with the needs of their children and the needs of their spouses. A stunning 66 percent of working women with children reported that their primary concern was the difficulty that they were having in balancing work and family.

According to another recent poll conducted, 88 percent of all workers want more flexibility, either through scheduling flexibility or choice of compensatory time in lieu of traditional overtime pay. In that same poll, Mr. President, 75 percent—three-fourths—favored a change in the law that would permit hourly workers such a choice.

These poll results tally with what most of us know intuitively, what we know from talking to our own constituents. As both the economy and American family life grow more and more complex, the men and women in America's work force want greater flexibility to be able to cope with all of these changes.

The legislation known as S. 4 would do that. It does not propose doing something untried, something unheard of, something never used before. On the contrary, this is not revolutionary. We have a history of its use in the public sector, and we have a history of its use among employers who are not hourly but are salaried employees. All this bill does is give workers and their employers in the private sector the same kind of workplace flexibility that their counterparts have had for years in the public sector.

Mr. President, I don't think it is outrageous to say that workers in the private sector should have the benefit of the same kind of flexibility Government workers have today. In fact, all it is is a fair shake. It is only equity and equality; it is only fairness.

Mr. President, American society has changed a great deal over the last few decades. The stereotypical role of management and labor, male and female workers, simply does not exist anymore today. In 1938, when the original underlying legislation was passed, less than 16 percent of married women worked outside of the home. Today, more than 60 percent of married women work outside of the home. And 75 percent of mothers with school age children work outside the home today.

The world has gone around many times in those years and the world has changed. The American society has changed. The squeeze on these workers, between family and job, is so great that workers themselves believe that action is absolutely imperative. That is why we are trying to change the outdated Fair Labor Standards Act. Mr. President, this would be a real, positive and necessary change for real American working families.

A few weeks ago, I was on the floor and I talked about the Morris family, an Ohio family. Clayton Morris, a father and a husband, is a public employee. That means he has the option of choosing compensatory time over traditional monetary overtime pay. He is free to spend important extra time, because of this, with his 2½-year-old son, Domenic.

However, Clayton's wife Ann is a sales assistant for a Cleveland area business form company. That means she can't take time off to be with Domenic in lieu of overtime pay. The Federal Government today prohibits her from doing that. Ann has said, ''He''—referring to husband Clayton—''has the ability, if he works overtime, to store those hours. He can use the stored comptime to be at home where he is needed. However, when I need to be able to leave work, I end up having to take sick time or vacation time to do the very same thing. It would be really nice if I had a flexible schedule.''

Mr. President, American workers and their employers want and are demanding this flexibility. Seemingly, countless studies and surveys have pointed out, time and time again, Americans' overwhelming need, desire, and support of a more flexible workplace schedule and the changes the Family Friendly Workplace Act would provide.

Mr. President, if you look at a family like the Morrises, you can see one major reason for the broad public support for this bill. People in the private sector see their friends and family members who are in the public sector; they see how much this type of flexibility helps them and helps their families. They see it and know it works.

Mr. President, I regret that thus far in the U.S. Senate, some Members of the Senate have chosen to stand in the way of the perfectly legitimate desire on the part of American workers and employers for a truly flexible, family-friendly workplace.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the time under our control be extended by 10 minutes. We checked with the other side, and I believe they are in concurrence. This is so that the Senator might finish his remarks and appropriately not have to rush. Then we may be rejoined by the Senator from Missouri.

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

The Senator from Ohio is recognized.

Mr. DEWINE. In conclusion, Mr. President, let me stress that it is not too late for this Senate to work toward an intelligent bipartisan resolution of this issue.

I say to my friends: Let's put politics aside. Let's try to see how far we can move toward giving America's workers what they want, what they need, and what they deserve. This is one case where thus far the American people are far ahead of this Congress—far ahead of this Congress in the very real sense that they know this law needs to be changed. They know that we need to have this flexibility. They not only want it. They are demanding it.

I am confident that in the days ahead and weeks ahead we will be able to bring about this change that the American workers—people who work by the hour, who are out there every day trying to make a difference, every day who are trying to balance their family

obligations with their obligations in the workplace—need. They need this type flexibility that S. 4 will give them.

I again commend my colleague from Georgia for the great work that he has done on this bill, and my colleague from Missouri for bringing this matter to the floor.

I thank the Chair and I yield the floor.

Mr. COVERDELL. Mr. President, I thank the Senator from Ohio. I hope that the family that he alluded to in the term of his career will find the relief we are so avidly pursuing here.

I have been reading—the Senator wasn't present through all of it—from the Radcliffe Public Policy Institute, the great article that talks about the rigors and stress in the workplace. And it says, ''Effects of Economic Changes on Families and Children.'' It is a short article. I hope everybody gets a chance to read it.

It says that because mothers assume more of the caretaking responsibilities for children, the elderly, and frail, the problems of integrating work and family responsibilities can disproportionately impact women, both professionally and personally, the very point that S. 4 is trying to correct, or at least help correct.

It says a major consequence of changes in the economy is that dependents do not spend as much time with the family members who are responsible for their welfare.

I mentioned earlier. You can see it in all the data about family and children: school scores, the violence, the drugs, and a host of related problems.

Relationships among all family members suffer, and in some cases affect both family stability and workplace performance. The total time parents spend with their children has diminished by about one-third in the last 30 years.

In the face of that, the rules that govern the workplace have stayed virtually static. Here we have a situation where children receive a third less attention. Of course, SAT scores have plummeted, teenage violence has soared, and the Congress has not stepped forward to modernize that workplace.

I thank the Senator from Ohio. We have just been joined by the primary author and sponsor of the Family Friendly Workplace Act. He has done a remarkable job in explaining the necessity of this to America.

I am going to yield the remainder of my time, which is about 5 minutes, to the bill's primary sponsor, Senator ASHCROFT of Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Thank you, Mr. President.

Let me take this moment to express my appreciation and give my thanks to the Senator from Georgia, the Senator from Ohio, the Senator from New Mexico, the Senator from Wyoming, and others who have spoken eloquently in behalf of American workers.

It is easy to say, Well, we are talking about a bill here, a bill before the U.S. Senate. But the truth of the matter is that we are talking about people. We are taking about people and families. We are talking about the fact that people in single-parent homes—obviously 100 percent of the parents—have to be at work. And in multiple-parent homes, two-parent families, the cost of doing business and taxes have really literally driven the second parent into the workplace, and they need to have time. People feel the financial stress, and they feel the family stress.

All that we really have offered by the administration is that we would give people family and medical leave, which is a way to say that you can have time off without pay if you need to spend time with your family. If you give people time off without pay, that increases the financial stress that they went to work to resolve.

I have found in my own family that every time I had to take a kid to the doctor that was not when I needed less pay. That was when I needed my full paycheck, because when you had those emergencies there is all of the little dollar costs of those emergencies.

So I really believe that this opportunity we present to let people sort of develop a bank of time off so that they can take time off with pay later on is very important.

The comptime part of this bill—which is to say that, if you are asked to work overtime, you can say instead of having time-and-a-half-time overtime pay I would like to have an hour and a half with pay off later on for each hour that I work in overtime. Time off with pay instead of just taking pay as time for the overtime is a way for people to meet these needs.

It only though goes to people who normally get overtime. What you really find out is that of about close to 60 million workers who work by the hour in America only about a third of them ever get any overtime at all. Most companies say, ''Well, we just can't afford to be paying 150 percent of our labor costs. So we don't provide for any overtime.''

So, if all we did was to address the comptime parts of the labor force, which is the way you can get time and a half off for working an hour of overtime, time and a half off with pay, we would find ourselves limited from a quarter to a third of the work force that we were helping.

The last time I checked, whether or not your company does overtime, or whether or not you normally get overtime, your kid still gets sick, your kids still get awards, your kids still go to soccer games, and they still need their parents. But, if we just deal with the narrow quadrant of the culture that gets overtime, we are going to ignore two-thirds to three-quarters of the culture, and we really need to do more than that.

It is important for us to then have what we provided for every Federal employee, and that is the option for flextime. Flextime is the way to schedule work in advance, to work an extra hour in one period so you can take an hour off with pay in another period, or the most popular program for Federal workers. This started in the 1970's.

So there is not a big problem to work 45 hours 1 week in return for only having worked 35 hours in the next week, and that really results in people taking every other Friday off. Since Friday is a working day, you can do the motor vehicle license stuff, or you can go to the doctors. It is the ability for people to spend time with their families.

One other point needs to be mentioned, especially in light of the remarks of the Senator from New Mexico about serving working women. Overtime work in this country is concentrated among men. Hourly workers are just about split evenly between women and men. But overtime work is 2-to-1 in favor of men. So for every woman that gets an overtime hour men get two overtime hours.

So, if we are really going to try to relieve pressure on working women, we do less for women in this bill if we just do the comptime, and if we do not get to the flextime part of the bill.

I think it couldn't be said more clearly than in USA Today, the lead editorial, ''Harried workers need comptime flexibility but unions blocking flexible work rules are favored by employees and employers alike.''

That is the black letterhead line sort of stuff.

I already submitted this for the Record. It says those who stand in the way deserve a permanent vacation. I don't know that we want to put them on vacation but send them home.

The point is we really need to find ways to help workers. This is the way to help people have more time with their families without taking a pay cut and to help people plan. The more pressing the responsibilities are the more valuable planning is.

It is against the law right now to plan with your employer to work an extra hour this week and take that hour off with pay next week. We shouldn't make it against the law for people to do reasonable things like that. It is against the law right now for your employer to say, ''Instead of paying you time and a half time off, I am giving you time and a half off with pay down the road.'' It is against the law.

The Government shouldn't be about the business of making reasonable agreements like that against the law.

The editors of USA Today have made it clear that they agree that this is something that needs to happen, and that labor unions and their lobbyists here in Washington shouldn't stand between the American people in this capacity to serve their families.

It is with that in mind that we should continue to work toward the enactment of the Family Friendly Workplace Act.

I yield the floor.

The PRESIDING OFFICER. All time granted to the Senator from Georgia has now expired.

Mr. COVERDELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REPORT OF DRAFT LEGISLATION ENTITLED ''THE CLONING PROHIBITION ACT OF 1997''—MESSAGE FROM THE PRESIDENT—PM 46

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary.

To the Congress of the United States:

I am pleased to transmit today for immediate consideration and prompt enactment the ''Cloning Prohibition Act of 1997.'' This legislative proposal would prohibit any attempt to create a human being using somatic cell nuclear transfer technology, the method that was used to create Dolly the sheep. This proposal will also provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer in human beings.

Following the February report that a sheep had been successfully cloned using a new technique, I requested my National Bioethics Advisory Commission to examine the ethical and legal implications of applying the same cloning technology to human beings. The Commission concluded that at this time ''it is morally unacceptable for anyone in the public or private sector, whether in a research or clinical setting, to attempt to create a child using somatic cell nuclear transfer cloning'' and recommended that Federal legislation be enacted to prohibit such activities. I agree with the Commission's conclusion and am transmitting this legislative proposal to implement its recommendation.

Various forms of cloning technology have been used for decades resulting in important biomedical and agricultural advances. Genes, cells, tissues, and even whole plants and animals have been cloned to develop new therapies for treating such disorders as cancer, diabetes, and cystic fibrosis. Cloning technology also holds promise for producing replacement skin, cartilage, or bone tissue for burn or accident victims, and nerve tissue to treat spinal cord injury. Therefore, nothing in the ''Cloning Prohibition Act of 1997'' restricts activities in other areas of biomedical and agricultural research that involve: (1) the use of somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, and tissues; or (2) the use of somatic cell nuclear transfer techniques to create animals.

The Commission recommended that such legislation provide for further review of the state of somatic cell nuclear transfer technology and the ethical and social issues attendant to its potential use to create human beings. My legislative proposal would implement this recommendation and assign responsibility for the review, to be completed in the fifth year after passage of the legislation, to the National Bioethics Advisory Commission.

I urge the Congress to give this legislation prompt and favorable consideration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 9, 1997.*

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 1:30 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1469. An act making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore [Mr. THURMOND].

MEASURES READ THE FIRST TIME

The following bills, previously received from the House of Representatives for the concurrence of the Senate, were read the first time:

H.R. 908. An act to establish a Commission on Structural Alternatives for the Federal Courts of Appeals.

H.R. 1000. An act to require States to establish a system to prevent prisoners from being considered part of any household for purposes of determining eligibility of the household for food stamp benefits and the amount of food stamp benefits to be provided to the household under the Food Stamp Act of 1977.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2085. A communication from the Acting Assistant Attorney General of the Department of Justice, transmitting pursuant to law, a report on a rule entitled ''Revision of Regulations Governing the Remission or Mitigation of Civil and Criminal Forfeitures'' (RIN1105–AA23), received on June 2, 1997; to the Judiciary Committee.

EC–2086. A communication from the General Counsel of the Office of Management and Budget, from the Executive Office of the President, transmitting, pursuant to law, a report on a rule entitled ''Release of Official Information, and Testimony by OMB Personnel as Witnesses, In Litigation'', received on May 22, 1997; to the Committee on Governmental Affairs.

EC–2087. A communication from the Secretary of Education, transmitting, a draft of proposed legislation entitled ''Career Preparation Education Reform Act of 1997'', received on June 4, 1997; to the Committee on Labor and Human Resources.

EC–2088. A communication from the Acting Under Secretary for Food, Nutrition, and Consumer Services from the Department of Agriculture, transmitting, pursuant to law, a rule entitled ''Quality Control Provisions of the Mickey Leland Childhood Hunger Relief Act'', received on June 2, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2089. A communication from the Chairman of the Nuclear Regulatory Commisssion, transmitting, pursuant to law, the report of a major rule relative to licensing, inspection, and annual fees charged to its applicants and licensees, (RIN3150–AF55) received on May 22, 1997; to the Committee on Environment and Public Works.

EC–2090. A communication from the Administrator of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, a report entitled ''NHTSA Plan for Achieving Harmonization of the U.S. and European Side Impact Standards''; to the Committee on Appropriations.

EC–2091. A communication from the Legislative Counsel of the Office of the Congressional and Legislative Affairs, Department of the Interior, transmitting, pursuant to law, a draft of proposed legislation to make corrections to the Omnibus Parks and Public Lands Management Act of 1996, received on June 4, 1997; to the Committee on Energy.

EC–2092. A communication from the Secretary of the Interior, Department of Interior, transmitting, a report relative to sustained agricultural production under irrigation; to the Committee on Energy and Natural Resources.

EC–2093. A communication from the Acting General Counsel of the Department of Energy, transmitting, pursuant to law, a rule that amends the Energy Policy and Conservation Act, (RIN1904–AA45) received on June 4, 1997; to the Committee on Energy and Natural Resources.

EC–2094. A communication from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, a rule entitled ''Guidelines for Furnishing Sensori-neural Aids,'' (RIN2900–AI60) received on June 3, 1997; to the Committee on Veterans' Affairs.

EC–2095. A communication from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, a rule entitled ''Scheduling for Rating Disabilities; Muscle Injuries,'' (RIN2900–AE89) received on June 3, 1997; to the Committee on Veterans' Affairs.

EC–2096. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 95–15; to the Committee on Appropriations.

REPORTS OF COMMITTEE

The following report of committee were submitted:

By Mr. SPECTER, from the Committee on Veterans' Affairs:

Special entitled ''Legislative and Oversight Activities During the 104th Congress by the Senate Committee on Veterans' Affairs'' (Rept. 105–23).

By Mr. SHELBY, from the Select Committee on Intelligence, without amendment:

S. 858. An original bill to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 105–24).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. FAIRCLOTH (for himself and Mr. HELMS):

S. 849. A bill to amend the Internal Revenue Code of 1986 to increase the unified estate and gift tax credit to exempt farms and small businesses from estate taxes, and for other purposes; to the Committee on Finance.

By Mr. AKAKA (for himself, Mr. SMITH of New Hampshire, Mr. REID, and Mr. TORRICELLI):

S. 850. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DORGAN (for himself, Mr. CONRAD, Mr. WELLSTONE, Mr. JOHNSON, and Mr. DASCHLE):

S. 851. A bill entitled the Emergency Disaster Assistance Act; to the Committee on Appropriations.

By Mr. LOTT (for himself and Mr. FORD):

S. 852. A bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles; to the Committee on Commerce, Science, and Transportation.

By Mr. D'AMATO (by request):

S. 853. A bill to protect the financial interests of the Federal government through debt restructuring and subsidy reduction in connection with multifamily housing; to enhance the effectiveness of enforcement provisions relating to single family and multifamily housing (including amendments to the Bankruptcy code); to consolidate and reform the management of multifamily housing programs; and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GREGG (for himself, Mr. FORD, Mr. GRAHAM, and Mr. HAGEL):

S. 854. A bill to amend the Internal Revenue Code of 1986 to provide a reduction in the capital in the capital gains tax for assets held more than 2 years, and for other purposes; to the Committee on Finance.

By Mr. FAIRCLOTH (for himself, Mr. HAGEL, Mr. SHELBY, and Mr. HUTCHINSON):

S. 855. A bill to provide for greater responsiveness by Federal agencies in contracts with the public, and for other purposes; to the Committee on Governmental Affairs.

By Mr. ROBB:

S. 856. A bill to provide for the adjudication and payment of certain claims against the Government of Iraq; to the Committee on Foreign Relations.

By Mr. SARBANES:

S. 857. A bill for the relief of Roma Salobrit; to the Committee on the Judiciary.

By Mr. SHELBY:

S. 858. An original bill to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. KYL (for himself and Mr. GRAMM):

S. 859. A bill to repeal the increase in tax on social security benefits; to the Committee on Finance.

By Mr. HARKIN:

S. 860. A bill to protect and improve rural health care, and for other purposes; to the Committee on Finance.

By Mr. INHOFE:

S. 861. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of Federal law enforcement canines that are no longer needed for official purposes to individuals with experience handling canines in the performance of law enforcement duties; to the Committee on Governmental Affairs.

By Mr. GRASSLEY (for himself, Mr. BAUCUS, Mr. JEFFORDS, Mr. HATCH, Mr. KERREY, Mr. THOMAS, Mr. ROBERTS, and Mr. HAGEL):

S. 862. A bill to amend title XVIII of the Social Security Act to change the payment system for health maintenance organizations and competitive medical plans; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FAIRCLOTH (for himself and Mr. HELMS):

S. 849. A bill to amend the Internal Revenue Code of 1986 to increase the unified estate and gift tax credit to exempt farms and small businesses from estate taxes, and for other purposes; to the Committee on Finance.

THE AMERICAN FARM HERITAGE AND SMALL BUSINESS PRESERVATION ACT

Mr. FAIRCLOTH. Mr. President, I rise to introduce the American Farm Heritage and Small Business Preservation Act, and I am joined by the senior Senator from North Carolina. The act excludes the first $1.5 million of estate and gift assets from taxation, and it carries an effective date of January 1, 1998.

The act will relieve the tax burden that befalls farmers and small businessmen upon the death of the proprietor. There is truth in the old axiom that farmers ''live like paupers and die like kings,'' and, in fact, the IRS reports that farmers face estate taxes six times more often than other Americans.

There are numerous estate and gift tax relief bills in the congressional hopper. However, I favor a straightforward approach, and, rather than require some form of participation in the business operation for a fixed period of time—and thus permit the IRS to establish nebulous and complicated regulations—the American Farm Heritage and Small Business Preservation Act proposes a simple $1.5 million exclusion for all estates.

The estate tax encourages the demise of the family farm and forces heirs to mortgage their agricultural heritage to the IRS. The estate tax is not a threat to just large farmers: some 20 percent of farms that report annual sales over $50,000 will trigger inheritance taxes. Indeed, the nature of a farm operation—75 percent of farm assets are nonliquid—complicates the difficulties inherent in the payment of estate taxes for farm families, and the financial structure of a farm thus further contributes to this erosion of our agricultural heritage. The average annual return on farm assets is just 4 percent, and the addition of mortgage obligations reduces the return to a mere 0.5 percent, so it is almost impossible for the next generation to continue to farm the family land.

As metropolitan areas continue to grow and encroach upon the farms that sit outside these areas, the value of the farms increases, and it drives up the estate tax burden. This pattern forces heirs to sell the farmland to developers rather than continue their agricultural heritage. Further, the Agriculture Department estimates that 500,000 farmers will retire over the next two decades. The failure of the Congress to reduce the impact of estate taxes thus threatens the continued operation of almost one-quarter of the farms in the United States.

I am thus committed to estate tax relief for American families. The IRS is a tax collection agency, not a board of directors, and Washington does not deserve a windfall from every funeral.

By Mr. AKAKA (for himself, Mr. SMITH of New Hampshire, Mr. REID, and Mr. TORRICELLI):

S. 850. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes.

THE DOWNED ANIMAL PROTECTION ACT OF 1997

● Mr. AKAKA. Mr. President, today I am introducing the Downed Animal Protection Act, a bill to eliminate inhumane and improper treatment of downed animals at stockyards. Senators SMITH, REID, and TORRICELLI have joined me in sponsoring this bill. The legislation prohibits the sale or transfer of downed animals unless they have been humanely euthanized.

Downed animals are severely distressed recumbent animals that are so sick they cannot rise or move on their own. Once an animal becomes immobile and cannot stand, it must lie where it falls, often without receiving basic assistance. Downed animals that survive the stockyard are slaughtered for human consumption.

These animals are extremely difficult, if not impossible, to handle humanely. They have very demanding needs, and must be fed and watered individually. The suffering of downed animals is so severe that the only humane solution is immediate euthanasia.

Mr. President, the bill I have introduced requires that these hopelessly sick and injured animals be euthanized by humane methods that rapidly and

effectively render animals insensitive to pain. Humane euthanasia of downed animals will limit animal suffering and will encourage the livestock industry to concentrate on improved management and handling practices to avoid this problem in the first place.

Downed animals comprise a tiny fraction, less than one-tenth of 1 percent, of animals at stockyards. Banning their sale or transfer would cause no economic hardship. The Downed Animal Protection Act will prompt stockyards to refuse crippled and distressed animals and will make the prevention of downed animals a priority for the livestock industry. The bill will reinforce the industry's commitment to humane handling of animals.

The downed animal problem has been addressed by major livestock organizations such as the United Stockyards Corp., the Minnesota Livestock Marketing Association, the National Pork Producers Council, the Colorado Cattlemen's Association, and the Independent Cattlemen's Association of Texas. All these organizations have taken strong stands against improper treatment of animals by adopting ''no-downer'' policies. I want to commend these and other organizations, as well as responsible and conscientious livestock producers throughout the country, for their efforts to end an appalling problem that erodes consumer confidence.

Despite a strong consensus within industry, the animal welfare movement, consumers, and Government that downed animals should not be sent to stockyards, this sad problem continues, causing animal suffering and an erosion of confidence in the industry.

Mr. President, this legislation will complement industry efforts to address this problem by encouraging better care of animals at farms and ranches. Animals with impaired mobility will receive better treatment in order to prevent them from becoming incapacitated. The bill will remove the incentive for sending downed animals to stockyards in the hope of receiving some salvage value for the animals and would encourage greater care during loading and transport. The bill will also discourage improper breeding practices that account for most downed animals.

My legislation would set a uniform national standard, thereby removing any unfair advantages that might result from differing standards throughout the industry. Furthermore, no additional bureaucracy will be needed as a consequence of my bill because inspectors of the Packers and Stockyards Administration regularly visit stockyards to enforce existing regulations. Thus, the additional regulatory burden on the agency and stockyard operators will be insignificant.

I ask unanimous consent that a copy of the Downed Animal Protection Act be printed in the RECORD. I urge all of my colleagues to join in supporting this legislation.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Downed Animal Protection Act''.

SEC. 2. UNLAWFUL STOCKYARD PRACTICES INVOLVING NONAMBULATORY LIVESTOCK.

(a) IN GENERAL.—Title III of the Packers and Stockyards Act, 1921, is amended by inserting after section 317 (7 U.S.C. 217a) the following:

''SEC. 318. UNLAWFUL STOCKYARD PRACTICES INVOLVING NONAMBULATORY LIVESTOCK.

''(a) DEFINITIONS.—In this section:

''(1) HUMANELY EUTHANIZED.—The term 'humanely euthanized' means to kill an animal by mechanical, chemical, or other means that immediately render the animal unconscious, with this state remaining until the animal's death.

''(2) NONAMBULATORY LIVESTOCK.—The term 'nonambulatory livestock' means any livestock that is unable to stand and walk unassisted.

''(b) UNLAWFUL PRACTICES.—It shall be unlawful for any stockyard owner, market agency, or dealer to buy, sell, give, receive, transfer, market, hold, or drag any nonambulatory livestock unless the nonambulatory livestock has been humanely euthanized.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) takes effect 1 year after the date of the enactment of this Act.

(2) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall issue regulations to carry out the amendment.●

By Mr. LOTT (for himself and Mr. FORD):

S. 852. A bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles; to the Committee on Commerce, Science, and Transportation.

NATIONAL MOTOR VEHICLE SAFETY, ANTI-THEFT, TITLE REFORM, AND CONSUMER PROTECTION ACT OF 1997

Mr. LOTT. Mr. President, today I am here to talk to my colleagues about used cars. No, not to sell you one, but more importantly, to protect Americans who buy used cars. I am joined by my friend and colleague Senator FORD in introducing legislation which will require that the title of a vehicle, at the time of resale, indicate that it has been significantly damaged. This bill is about safety. This bill is about consumer protection.

We believe America's policy must protect used car consumers from unknowingly purchasing automobiles which have been totaled and rebuilt, but sold as undamaged vehicles. Often these vehicles have serious safety problems. We want you to join us in helping to protect the public. In the last Congress, I worked with Senator Exon to advance similar legislation. We need to complete the job this Congress.

According to the U.S. Department of Transportation's automobile auction figures, the practice of selling rebuilt salvage vehicles as undamaged used cars costs consumers and the auto industry nearly $4 billion annually. In some States, as many as 70 percent of all totaled vehicles may return to the roads after being purchased by unsuspecting buyers. This is dangerous to everyone on America's highways.

While most States require some type of disclosure on the title indicating a vehicle's history, the requirements vary from State to State. Some rebuilders take advantage of these inconsistencies in State titling procedures to obtain clean titles that bear no indication of previous vehicle damage. Not only does this type of fraud affect the consumer's wallet, it also threatens the consumer's safety.

Several years ago, Congress established a Federal task force to study this issue. This consumer friendly bill stems from the recommendations of that task force.

Our bill requires that any vehicle with damage exceeding 75 percent of its preaccident value be designated as a salvage vehicle. If the salvage vehicle is rebuilt and placed back on the road, the title to the vehicle must be branded as a rebuilt salvage vehicle and it must have an inspection to assure that stolen parts were not used in the repair. In addition, all rebuilt salvage vehicles must have a decal permanently affixed to the driver's side door jamb indicating that the vehicle has been rebuilt. It will also specify whether the vehicle has passed an approved safety inspection.

Mr. President, the number of victims in the rebuilt salvage vehicle industry is growing, and it must be stopped. We need to establish policies to stop these illegal practices and protect American drivers. Along with Mr. FORD, I urge you to join us as a cosponsor of this common sense legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 852

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Motor Vehicle Safety, Anti-theft, Title Reform, and Consumer Protection Act of 1997''.

SEC. 2. MOTOR VEHICLE TITLING AND DISCLOSURE REQUIREMENTS.

(a) IN GENERAL.—Subtitle VI of title 49, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 333—AUTOMOBILE SAFETY, ANTI-THEFT, AND TITLE DISCLOSURE REQUIREMENTS

''Sec.
''33301. Definitions.
''33302. Passenger motor vehicle titling.
''33303. Label requirement.
''33304. Petition for extensions of time.
''33305. Effect on State law.
''33306. Civil and criminal penalties.

''§ 33301. Definitions

''For the purposes of this chapter the following definitions and requirements shall apply:

''(1) PASSENGER MOTOR VEHICLE.—The term 'passenger motor vehicle' means a motor vehicle as defined in section 32101(7) that is rated by the manufacturer at not more than 10,000 pounds gross vehicle weight and that is either—

''(A) a passenger motor vehicle as defined in section 32101(10), including a multipurpose passenger vehicle as defined in section 32101(9); or

''(B) a truck (other than a truck referred to in section 32101(10)(B)).

''(2) SALVAGE VEHICLE.—

''(A) IN GENERAL.—Subject to subparagraph (E), the term 'salvage vehicle' means any passenger motor vehicle that has been wrecked, destroyed, or damaged to the extent that—

''(i) if the vehicle is not rebuilt or reconstructed, the total estimated cost; or

''(ii) if the vehicle is rebuilt or reconstructed, the total actual cost

of parts and labor to rebuild or reconstruct the passenger motor vehicle to its preaccident condition for legal operation on the roads or highways exceeds 75 percent of the retail value of the passenger motor vehicle, immediately before it was wrecked, damaged, or destroyed, as set forth in the most recent edition of any nationally recognized compilation (including automated databases) of current retail values that is approved by the Secretary.

''(B) VEHICLES EXCLUDED.—Such term does not include any passenger motor vehicle that—

''(i) has a model year designation of the year in which the vehicle was wrecked, destroyed, or damaged, or one of the 6 immediately preceding model years; or

''(ii) had a retail value, immediately before it was wrecked, destroyed, or damaged, of more than $10,000.

Beginning with the second calendar year beginning after the date of enactment of the National Motor Vehicle Safety, Anti-theft, Title Reform, and Consumer Protection Act of 1997, the Secretary shall adjust the dollar figure in clause (ii) of this subparagraph to reflect the change, if any, in the average consumer price index for the preceding year from the average consumer price index for 1997.

''(C) DETERMINATION OF VALUE OF REPAIR PARTS.—For purposes of subparagraph (A), the value of repair parts shall be determined by using—

''(i) the published retail cost of the original equipment manufacturer parts; or

''(ii) the actual retail cost of the repair parts to be used in the repair.

''(D) DETERMINATION OF LABOR COSTS.—For purposes of subparagraph (A), the labor cost of repairs shall be computed by using the hourly labor rate and time allocations that are reasonable and customary in the automobile repair industry in the community in which the repairs are performed.

''(E) CERTAIN VEHICLES INCLUDED.—The term 'salvage vehicle' includes, without regard to whether the passenger motor vehicle meets the 75 percent threshold specified in subparagraph (A)—

''(i) any passenger motor vehicle with respect to which an insurance company acquires ownership under a damage settlement (except for a settlement in connection with a recovered theft vehicle that did not sustain a sufficient degree of damage to meet the 75 percent threshold specified in subparagraph (A)); or

''(ii) any passenger motor vehicle that an owner may wish to designate as a salvage vehicle by obtaining a salvage title, without regard to the extent of the damage and repairs.

''(F) SPECIAL RULE.—A designation of a passenger motor vehicle by an owner under subparagraph (E)(ii) shall not impose any obligation on—

''(i) the insurer of the passenger motor vehicle; or

''(ii) an insurer processing a claim made by or on behalf of the owner of the passenger motor vehicle.

''(3) SALVAGE TITLE.—

''(A) IN GENERAL.—The term 'salvage title' means a passenger motor vehicle ownership document issued by a State to the owner of a salvage vehicle.

''(B) TRANSFER OF OWNERSHIP.—Ownership of a salvage vehicle may be transferred on a salvage title.

''(C) PROHIBITION.—The salvage vehicle may not be registered for use on the roads or highways unless the salvage vehicle has been issued a rebuilt salvage title.

''(D) REQUIREMENT FOR A SALVAGE TITLE.—A salvage title shall be conspicuously labeled with the word 'salvage' across the front of the document.

''(4) REBUILT SALVAGE VEHICLE.—The term 'rebuilt salvage vehicle' means—

''(A) For passenger motor vehicles subject to a safety inspection in a State that requires such an inspection under section 33302(b)(2)(H), any passenger motor vehicle that has—

''(i) been issued previously a salvage title;

''(ii) passed applicable State antitheft inspection;

''(iii) been issued a certificate indicating that the passenger motor vehicle has—

''(I) passed the antitheft inspection referred to in clause (ii); and

''(II) been issued a certificate indicating that the passenger motor vehicle has passed a required safety inspection under section 33302(b)(2)(H); and

''(iv) affixed to the door jamb adjacent to the driver's seat a decal stating 'Rebuilt Salvage Vehicle—Antitheft and Safety Inspections Passed'; or

''(B) for passenger motor vehicles in a State other than a State referred to in subparagraph (A), any passenger motor vehicle that has—

''(i) been issued previously a salvage title;

''(ii) passed an applicable State antitheft inspection;

''(iii) been issued a certificate indicating that the passenger motor vehicle has passed the required antitheft inspection referred to in clause (ii); and

''(iv) affixed to the door jamb adjacent to the driver's seat, a decal stating 'Rebuilt Salvage Vehicle—Antitheft Inspection Passed/No Safety Inspection Pursuant to National Criteria'.

''(5) REBUILT SALVAGE TITLE.—

''(A) IN GENERAL.—The term 'rebuilt salvage title' means the passanger motor vehicle ownership document issued by a State to the owner of a rebuilt salvage vehicle.

''(B) TRANSFER OF OWNERSHIP.—Ownership of a rebuilt salvage vehicle may be transferred on a rebuilt salvage title.

''(C) REGISTRATION FOR USE.—A passenger motor vehicle for which a rebuilt salvage title has been issued may be registered for use on the roads and highways.

''(D) REQUIREMENT FOR A REBUILT SALVAGE TITLE.—A rebuilt salvage title shall be conspicuously labeled, either with 'rebuilt salvage vehicle—antitheft and safety inspections passed' or 'rebuilt salvage vehicle—antitheft inspection passed/no safety inspection pursuant to national criteria', as appropriate, across the front of the document.

''(6) NONREPAIRABLE VEHICLE.—

''(A) IN GENERAL.—The term 'nonrepairable vehicle' means any passenger motor vehicle that—

''(i)(I) is incapable of safe operation for use on roads or highways; and

''(II) has no resale value, except as a source of parts or scrap only; or

''(ii) the owner irreversibly designatges as a source of parts or scrap.

''(B) CERTIFICATE.—Each nonrepairable vehicle shall be issued a nonrepairable vehicle certificate.

''(7) NONREPAIRABLE VEHICLE CERTIFICATE.—

''(A) IN GENERAL.—The term 'nonrepairable vehicle certificate' means a passenger motor vehicle ownership document issued by the State to the owner of a nonrepairable vehicle.

''(B) TRANSFER OF OWNERSHIP.—Ownership of the passenger motor vehicle may be transferred not more than 2 times on a nonrepairable vehicle certificate.

''(C) PROHIBITION.—A nonrepairable vehicle that is issued a nonrepairable vehicle certificate may not be titled or registered for use on roads or highways at any time after the issuance of the certificate.

''(D) REQUIREMENT FOR NONREPAIRABLE VEHICLE CERTIFICATE.—A nonrepairable vehicle certificate shall be conspicuously labeled with the term 'nonrepairable' across the front of the document.

''(8) FLOOD VEHICLE.—

''(A) IN GENERAL.—The term 'flood vehicle' means any passenger motor vehicle that has been submerged in water to the point that rising water has reached over the door sill of the motor vehicle and has entered the passenger or truck compartment.

''(B) REQUIREMENT FOR DISCLOSURE.—Disclosure that a passenger motor vehicle has become a flood vehicle shall be made by the person transferring ownership at the time of transfer of ownership. After such transfer is completed, the certificate of title shall be conspicuously labeled with the term 'flood' across the front of the document.

''(9) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''§ 33302. Passenger motor vehicle titling

''(a) CARRYFORWARD OF CERTAIN TITLE INFORMATION IF A PREVIOUS TITLE WAS NOT ISSUED IN ACCORDANCE WITH CERTAIN NATIONALLY UNIFORM STANDARDS.—

''(1) IN GENERAL.—If—

''(A) records that are readily accessible to a State indicate that a passenger motor vehicle with respect to which the ownership is transferred on or after the date that is 1 year after the date of enactment of the National Motor Vehicle Safety, Anti-theft, Title Reform, and Consumer Protection Act of 1997, has been issued previously a title that bore a term or symbol described in paragraph (2); and

''(B) the State licenses that vehicle for use, the State shall disclose that fact on a certificate of title issued by the State.

''(2) TERMS AND SYMBOLS.—

''(A) IN GENERAL.—A State shall be subject to the requirements of paragraph (1) with respect to the following terms on a title that has been issued previously to a passenger motor vehicle (or symbols indicating the meanings of those terms):

''(i) salvage.

''(ii) unrebuildable.

''(iii) parts only.

''(iv) scrap.

''(v) junk.

''(vi) nonrepairable.

''(vii) reconstructed.

''(viii) rebuilt.

''(ix) any other similar term, as determined by the Secretary.

''(B) FLOOD DAMAGE.—A State shall be subject to the requirements of paragraph (1) if a term or symbol on a title issued previously for a passenger vehicle indicates that the vehicle has been damaged by flood.

''(b) NATIONALLY UNIFORM TITLE STANDARDS AND CONTROL METHODS.—

''(1) IN GENERAL.—Not later than 18 months after the date of the enactment of the National Motor Vehicle Safety, Anti-theft,

Title Reform, and Consumer Protection Act of 1997, the Secretary shall issue regulations that require each State that licenses passenger motor vehicles with respect to which the ownership is transferred on or after the date that is 2 years after the issuance of final regulations, to apply with respect to the issuance of the title for any such motor vehicle uniform standards, procedures, and methods for—

''(A) the issuance and control of that title; and

''(B) information to be contained on such title.

''(2) CONTENTS OF REGULATIONS.—The titling standards, control procedures, methods, and information covered under the regulations issued under this subsection shall include the following:

''(A) INDICATION OF STATUS.—Each State shall indicate on the face of a title or certificate for a passenger motor vehicle, as applicable, if the passenger motor vehicle is a salvage vehicle, a nonrepairable vehicle, a rebuilt salvage vehicle, or a flood vehicle.

''(B) SUBSEQUENT TITLES.—The information referred to in subparagraph (A) concerning the status of the passenger vehicle shall be conveyed on any subsequent title, including a duplicate or replacement title, for the passenger motor vehicle issued by the original titling State or any other State.

''(C) SECURITY STANDARDS.—The title documents, the certificates and decals required by section 33301(4), and the system for issuing those documents, certificates, and decals shall meet security standards that minimize opportunities for fraud.

''(D) IDENTIFYING INFORMATION.—Each certificate of title referred to in subparagraph (A) shall include the passenger motor vehicle make, model, body type, year, odometer disclosure, and vehicle identification number.

''(E) UNIFORM LAYOUT.—The title documents covered under the regulations shall maintain a uniform layout, that shall be established by the Secretary, in consultation with each State or an organization that represents States.

''(F) NONREPAIRABLE VEHICLES.—A passenger motor vehicle designated as nonrepairable—

''(i) shall be issued a nonrepairable vehicle certificate; and

''(ii) may not be retitled.

''(G) REBUILT SALVAGE TITLE.—No rebuilt salvage title may be issued to a salvage vehicle unless, after the salvage vehicle is repaired or rebuilt, the salvage vehicle complies with the requirements for a rebuilt salvage vehicle under section 33301(4).

''(H) INSPECTION PROGRAMS.—Each State inspection program shall be designed to comply with the requirements of this subparagraph and shall be subject to approval and periodic review by the Secretary. Each such inspection program shall include the following:

''(i) Each owner of a passenger motor vehicle that submits a vehicle for an antitheft inspection shall be required to provide—

''(I) a completed document identifying the damage that occurred to the vehicle before being repaired;

''(II) a list of replacement parts used to repair the vehicle;

''(III) proof of ownership of the replacement parts referred to in subclause (II) (as evidenced by bills of sales, invoices or, if such documents are not available, other proof of ownership for the replacement parts); and

''(IV) an affirmation by the owner that—

''(a) the information required to be submitted under this subparagraph is complete and accurate; and

''(b) to the knowledge of the declarant, no stolen parts were used during the rebuilding of the repaired vehicle.

''(ii) Any passenger motor vehicle or any major part or major replacement part required to be marked under this section that—

''(I) has a mark or vehicle identification number that has been illegally altered, defaced, or falsified; and

''(II) cannot be identified as having been legally obtained (through evidence described in clause (i)(III)),

shall be contraband and subject to seizure.

''(iii) To avoid confiscation of parts that have been legally rebuilt or remanufactured, the regulations issued under this subsection shall include procedures that the Secretary, in consultation with the Attorney General of the United States, shall establish—

''(I) for dealing with parts with a mark or vehicle identification number that is normally removed during remanufacturing or rebuilding practices that are considered acceptable by the automotive industry; and

''(II) deeming any part referred to in subclause (I) to meet the identification requirements under the regulations if the part bears a conspicuous mark of such type, and is applied in such manner, as may be determined by the Secretary to indicate that the part has been rebuilt or remanufactured.

''(iv) With respect to any vehicle part, the regulations issued under this subsection shall—

''(I) acknowledge that a mark or vehicle identification number on such part may be legally removed or altered, as provided under section 511 of title 18, United States Code; and

''(II) direct inspectors to adopt such procedures as may be necessary to prevent the seizure of a part from which the mark or vehicle identification number has been legally removed or altered.

''(v) The Secretary shall establish nationally uniform safety inspection criteria to be used in States that require such a safety inspection. A State may determine whether to conduct such safety inspection, contract with a third party, or permit self-inspection. Any inspection conducted under this clause shall be subject to criteria established by the Secretary. A State that requires a safety inspection under this clause may require the payment of a fee for such inspection or the processing of such inspection.

''(I) DUPLICATE TITLES.—No duplicate or replacement title may be issued by a State unless—

''(i) the term 'duplicate' is clearly marked on the face of the duplicate or replacement title; and

''(ii) the procedures issued are substantially consistent with the recommendation designated as recommendation 3 in the report issued on February 10, 1994, under section 140 of the Anti Car Theft Act of 1992 (15 U.S.C. 2041 note) by the task force established under such section.

''(J) TITLING AND CONTROL METHODS.—Each State shall employ the following titling and control methods:

''(i) If an insurance company is not involved in a damage settlement involving a salvage vehicle or a nonrepairable vehicle, the passenger motor vehicle owner shall be required to apply for a salvage title or nonrepairable vehicle certificate, whichever is applicable, before the earlier of the date—

''(I) on which the passenger motor vehicle is repaired or the ownership of the passenger motor vehicle is transferred; or

''(II) that is 30 days after the passenger motor vehicle is damaged.

''(ii) If an insurance company, under a damage settlement, acquires ownership of a passenger motor vehicle that has incurred damage requiring the vehicle to be titled as a salvage vehicle or nonrepairable vehicle, the insurance company shall be required to apply for a salvage title or nonrepairable vehicle certificate not later than 15 days after the title to the motor vehicle is—

''(I) properly assigned by the owner to the insurance company; and

''(II) delivered to the insurance company with all liens released.

''(iii) If an insurance company does not assume ownership of an insured person's or claimant's passenger motor vehicle that has incurred damage requiring the vehicle to be titled as a salvage vehicle or nonrepairable vehicle, the insurance company shall, as required by the applicable State—

''(I) notify—

''(I) the owner of the owner's obligation to apply for a salvage title or nonrepairable vehicle certificate for the passenger motor vehicle; and

''(II) the State passenger motor vehicle titling office that a salvage title or nonrepairable vehicle certificate should be issued for the vehicle.

''(iv) If a leased passenger motor vehicle incurs damage requiring the vehicle to be titled as a salvage vehicle or nonrepairable vehicle, the lessor shall be required to apply for a salvage title or nonrepairable vehicle certificate not later than 21 days after being notified by the lessee that the vehicle has been so damaged, except in any case in which an insurance company, under a damage settlement, acquires ownership of the vehicle. The lessee of such vehicle shall be required to inform the lessor that the leased vehicle has been so damaged not later than 30 days after the occurrence of the damage.

''(v)(I) any person who requires ownership of a damaged passenger motor vehicle that meets the definition of a salvage or nonrepairable vehicle for which a salvage title or nonrepairable vehicle certificate has not been issued, shall be required to apply for a salvage title or nonrepairable vehicle certificate, whichever is applicable.

''(II) An application under subclause (I) shall be made the earlier of—

''(a) the date on which the vehicle is further transferred; or

''(b) 30 days after ownership is acquired.

''(III) The requirements of this clause shall not apply to any scrap metal processor that—

''(a) acquires a passenger motor vehicle for the sole purpose of processing the motor vehicle into prepared grades of scrap; and

''(b) carries out that processing.

''(vi) State records shall note when a nonrepairable vehicle certificate is issued. No State shall issue a nonrepairable vehicle certificate after 2 transfers of ownership in violation of section 33301(b)(7)(B).

''(vii)(I) In any case in which a passenger motor vehicle has been flattened, baled, or shredded, whichever occurs first, the title or nonrepairable vehicle certificate for the vehicle shall be surrendered to the State not later than 30 days after that occurrence.

''(II) If the second transferee on a nonrepairable vehicle certificate is unequipped to flatten, bale, or shred the vehicle, such transferee shall be required, at the time of final disposal of the vehicle, to use the services of a professional automotive recycler or professional scrap processor. That recycler or reprocessor shall have the authority to—

''(a) flatten, bale, or shred the vehicle; and

''(b) effect the surrender of the nonrepairable vehicle certificate to the State on behalf of the second transferee.

''(III) State records shall be updated to indicate the destruction of a vehicle under this clause and no further ownership transactions for the vehicle shall be permitted after the vehicle is so destroyed.

''(IV) If different from the State of origin of the title or nonrepairable vehicle certificate, the State of surrender shall notify the

State of origin of the surrender of the title or nonrepairable vehicle certificate and of the destruction of such vehicle.

''(viii)(I) In any case in which a salvage title is issued, the State records shall note that issuance. No State may permit the retitling for registration purposes or issuance of a rebuilt salvage title for a passenger motor vehicle with a salvage title without a certificate of inspection that—

''(a) complies with the security and guideline standards established by the Secretary under subparagraphs (C) and (G), as applicable; and

''(b) indicates that the vehicle has passed the inspections required by the State under subparagraph (H).

''(II) Nothing is this clause shall preclude the issuance of a new salvage title for a salvage vehicle after a transfer of ownership.

''(ix) After a passenger motor vehicle titled with a salvage title has passed the inspections required by the State, the inspection official shall—

''(I) affix a secure decal required under section 33301(4) (that meets permanency requirements that the Secretary shall establish by regulation) to the door jamb on the driver's side of the vehicle; and

''(II) issue to the owner of the vehicle a certificate indicating that the passenger motor vehicle has passed the inspections required by the State.

''(x)(I) The owner of a passenger motor vehicle titled with a salvage title may obtain a rebuilt salvage title and vehicle registration by presenting to the State the salvage title, properly assigned, if applicable, along with the certificate that the vehicle has passed the inspections required by the State.

''(II) If the owner of a rebuilt salvage vehicle submits the documentation referred to in subclause (I), the State shall issue upon the request of the owner a rebuilt salvage title and registration to the owner. When a rebuilt salvage title is issued, the State records shall so note.

''(K) FLOOD VEHICLES.—

''(i) IN GENERAL.—A seller of a passenger motor vehicle that becomes a flood vehicle shall, at or before the time of transfer of ownership, provide a written notice to the purchaser that the vehicle is a flood vehicle. At the time of the next title application for the vehicle—

''(I) the applicant shall disclose the flood status to the applicable State with the properly assigned title; and

''(II) the term 'flood' shall be conspicuously labeled across the front of the new title document.

''(ii) LEASED VEHICLES.—In the case of a leased passenger motor vehicle, the lessee, within 15 days after the occurrence of the event that caused the vehicle to become a flood vehicle, shall give the lessor written disclosure that the vehicle is a flood vehicle.

''(c) ELECTRONIC PROCEDURES.—A State may employ electronic procedures in lieu of paper documents in any case in which such electronic procedures provided levels of information, function, and security required by this section that are at least equivalent to the levels otherwise provided by paper documents.

''§ 33303. Label requirement

''(a) IN GENERAL.—The Secretary shall by regulation require that a label be affixed to the windshield or window of a rebuilt or remanufactured salvage vehicle before its first sale at retail containing such information regarding that vehicle as the Secretary may require. The requirements prescribed by the Secretary under this subsection shall be similar to the requirements of section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232). The label shall be affixed by the individual who conducts the applicable State antitheft inspection.

''(b) REMOVAL, ALTERATION, OR ILLEGIBILITY OF REQUIRED LABEL.—No person shall willfully remove, alter, or render illegible any label required by subsection (a) affixed to a rebuilt or remanufactured salvage vehicle before the vehicle is delivered to the actual custody and possession of the ultimate purchaser of the vehicle.

''§ 33304. Petition for extensions of time

''(a) IN GENERAL.—Subject to subsection (b), if a State demonstrates to the satisfaction of the Secretary, a valid reason for needing an extension of a deadline for compliance with requirements under section 33302(a), the Secretary may extend, for a period determined by the Secretary, an otherwise applicable deadline with respect to that State.

''(b) LIMITATION.—No extension made under subsection (a) shall remain in effect on or after the applicable compliance date established under section 33302(b).

''§ 33305. Effect on State law

''(a) IN GENERAL.—Beginning on the effective date of the regulations issued under section 33302, this chapter shall preempt any State law, to the extent that State law is inconsistent with this chapter or the regulations issued under this chapter that—

''(1) establish the form of the passenger motor vehicle title;

''(2)(A) define, in connection with a passenger motor vehicle (but not in connection with a passenger motor vehicle part or part assembly separate from a passenger motor vehicle)—

''(i) any term defined in section 33301;

''(ii) the term 'salvage', 'junk', 'reconstructed', 'nonrepairable', 'unrebuildable', 'scrap', 'parts only', 'rebuilt', 'flood', or any other similar symbol or term; or

''(B) apply any of the terms referred to in subparagraph (A) to any passenger motor vehicle (but not in connection with a passenger motor vehicle part or part assembly separate from a passenger motor vehicle); or

''(3) establish titling, recordkeeping, antitheft inspection, or control procedures in connection with any salvage vehicle, rebuilt salvage vehicle, nonrepairable vehicle, or flood vehicle.

''(b) ADDITIONAL DISCLOSURES.—Additional disclosures of the title status or history of a motor vehicle, in addition to disclosures made concerning the applicability of terms defined in section 33301, may not be considered to be inconsistent with this chapter.

''(c) DISCLOSURE OF SAFETY INSPECTION.—Nothing in this chapter shall preclude a State from disclosing on a rebuilt salvage title that a rebuilt salvage vehicle has passed a State safety inspection that differed from the nationally uniform criteria promulgated under section 33302(b)(2)(H)(v).

''(d) STATE ENFORCEMENT.—Subsection (a) does not preclude a State from enforcing the provisions of this chapter by injunction or otherwise, or by establishing State civil or criminal penalties for violations of the provisions of this chapter.

''§ 33306. Civil and criminal penalties

''(a) PROHIBITED ACTS.—It shall be unlawful for any person knowingly and willfully to—

''(1) make or cause to be made any false statement on an application for a title (or duplicate title) for a passenger motor vehicle;

''(2) fail to apply for a salvage title in any case in which such an application is required;

''(3) alter, forge, or counterfeit—

''(A) A certificate of title (or an assignment thereof);

''(B) a nonrepairable vehicle certificate;

''(C) a certificate verifying an antitheft inspection or an antitheft and safety inspection; or

''(D) a decal affixed to a passenger motor vehicle under section 33302(b)(2)(J)(ix);

''(4) falsify the results of, or provide false information in the course of, an inspection conducted under section 33302(b)(2)(H);

''(5) offer to sell any salvage vehicle or non-repairable vehicle as a rebuilt salvage vehicle; or

''(6) conspire to commit any act under paragraph (1), (2), (3), (4), or (5).

''(b) CIVIL PENALTY.—Any person who commits an unlawful act under subsection (a) shall be subject to a civil penalty in an amount not to exceed $2,000.

''(c) CRIMINAL PENALTY.—Any person who knowingly commits an unlawful act under subsection (a) shall, upon conviction, be—

''(1) subject to a fine in an amount not to exceed $50,000;

''(2) imprisoned for a term not to exceed 3 years; or

''(3) subject to both fine under paragraph (1) and imprisonment under paragraph (2).''.

(b) CONFORMING AMENDMENT.—The analysis for subtitle VI of Title 49, United States Code, is amended by adding at the end the following new item:

''Automobile safety, antitheft, and title disclosure requirements 33301''.

By Mr. D'AMATO (by request):

S. 853. A bill to protect the financial interests of the Federal Government through debt restructuring and subsidy reduction in connection with multifamily housing; to enhance the effectiveness of enforcement provisions relating to single family and multifamily housing (including amendments to the Bankruptcy Code); to consolidate and reform the management of multifamily housing programs; and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE HOUSING 2020: MULTIFAMILY MANAGEMENT REFORM ACT

● Mr. D'AMATO. Mr. President, as chairman of the Committee on Banking, Housing, and Urban Affairs, I introduce the Housing 2020: Multifamiy Management Reform Act at the request of the Secretary of the Department of Housing and Urban Development [HUD], the Honorable Andrew M. Cuomo.

I am a cosponsor of separate legislation to reform HUD's multifamily housing inventory, the Multifamily Assisted Housing Reform and Affordability Act of 1997 (S. 513). While the Senate and the administration bills share the same objectives, some policy differences exist. Specifically, each bill takes a significantly different approach to the following key issues: project-basing versus tenant-basing; tax implications of debt restructuring; and use of third parties to administer the restructuring program.

I look forward to working with my colleagues in the Senate and Secretary Cuomo to resolve HUD's multifamily housing crisis as expeditiously as possible.●

By Mr. GREGG (for himself, Mr. FORD, Mr. GRAHAM, and Mr. HAGEL):

S. 854. A bill to amend the Internal Revenue Code of 1986 to provide a reduction in the capital gains tax for assets held more than 2 years, and for other purposes; to the Committee on Finance.

THE LONG-TERM INVESTMENT ACT OF 1997

Mr. GREGG. Mr. President, I introduce, with Senators FORD, HAGEL, and GRAHAM a sliding-scale capital gains proposal, the Long-Term Investment Act of 1997. Given the sobering demographics associated with the impending aging of the baby-boom generation, it is more important than ever that laws enacted by Congress promote long-term capital investment and savings by all Americans.

Central to this objective is a reduction in the current capital gains tax rate on long-term investments. A capital gains reduction was agreed to in principle in the budget agreement. We have a proposal that we believe embodies a fundamental change in tax policy at less cost. Over the next 10 years, S. 2 will cost $129 billion, while Gregg/Ford will cost $45 billion.

We have developed a plan that would encourage long-term investments through a sliding-scale capital gains rate reduction. The plan would encourage individuals to hold assets over a number of years, allowing no reduction in the current rate on assets held for less than 1 year, with increasingly larger deductions to a maximum 50 percent reduction for investments held more than 8 years.

This sliding-scale plan encourages investments that will benefit long-term savings and capital—such as providing for a child's education or retirement income. The bill also rewards the small business owner and entrepreneurs as it will allow for a significant reduction in capital gains taxation that benefits those individuals who invest in the economy through the creation of small businesses and jobs. By rewarding long-term investment in businesses and job creation and discouraging the quick fix that so often is associated with speculation on Wall Street, we will be placing our Tax Code and job base on a more solid ground.

The Gregg/Ford sliding-scale reduction on capital gains taxation hinges on balancing two important goals—the promotion of savings and long-term investment through a significant capital gains cut, while also recognizing our current fiscal restraints.

The recent budget agreement reached between the President and Congress calls for a net tax cut of $85 billion and a gross tax cut of $135 billion over 5 years. The details of how this tax package should be put together will be worked out by the appropriate committees in the House of Representatives and the Senate.

The Clinton administration has indicated that it is for a capital gains rate reduction, but not in favor of a rate that dips below 20 percent. I believe that this bill is a consensus building bill that both sides can and will agree upon in the not-too-distant future.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Long-Term Investment Incentive Act of 1997''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. REDUCTION OF TAX ON LONG-TERM CAPITAL GAINS ON ASSETS HELD MORE THAN 2 YEARS.

(a) IN GENERAL.—Part I of subchapter P of chapter 1 (relating to treatment of capital gains) is amended by redesignating section 1202 as section 1203 and by inserting after section 1201 the following new section:

''SEC. 1202. CAPITAL GAINS DEDUCTION FOR ASSETS HELD BY NONCORPORATE TAXPAYERS MORE THAN 2 YEARS.

''(a) GENERAL RULE.—If a taxpayer other than a corporation has a net capital gain for any taxable year, there shall be allowed as a deduction an amount equal to the sum of the applicable percentages of the classes of net capital gain described in the table under subsection (b).

''(b) APPLICABLE PERCENTAGE.—For purposes of this subsection, the applicable percentage shall be the percentage determined in accordance with the following table:

''In the case of:	The applicable percentage is:
2-year gain	7.145
3-year gain	14.29
4-year gain	21.45
5-year gain	28.57
6-year gain	35.71
7-year gain	42.86
8-year gain	50.00.

''(c) GAIN TO WHICH DEDUCTION APPLIES.—For purposes of this section—

''(1) 2-YEAR GAIN.—The term '2-year gain' means the lesser of—

''(A) the net capital gain for the taxable year, or

''(B) the amount of long-term capital gain which would be computed for the taxable year if only gain from the sale or exchange of property held by the taxpayer for more than 2 years but not more than 3 years were taken into account.

''(2) 3-YEAR GAIN, ETC.—The terms '3-, 4-, 5-, 6-, or 7-year gain' mean the amounts determined under paragraph (1)—

''(A) by reducing the amount of the net capital gain under subparagraph (A) thereof by an amount equal to the long-term capital gain from the sale or exchange of property with a holding period less than the minimum holding period for any such category, and

''(B) by substituting 3, 4, 5, 6, or 7 years for 2 years and 4, 5, 6, 7, or 8 years for 3 years, respectively, in subparagraph (B) thereof.

''(3) 8-YEAR GAIN.—The term '8-year gain' means the lesser of—

''(A) the net capital gain for the taxable year, reduced by in the same manner as under paragraph (2)(A), or

''(B) the amount of the long-term capital gain which would be computed for the taxable year if only gain from the sale or exchange of property held by the taxpayer for more than 8 years were taken into account.

''(d) ESTATES AND TRUSTS.—In the case of an estate or trust, the deduction under subsection (a) shall be computed by excluding the portion (if any) of the gains for the taxable year from sales or exchanges of capital assets which, under sections 652 and 662 (relating to inclusions of amounts in gross income of beneficiaries of trusts), is includible by the income beneficiaries as gain derived from the sale or exchange of capital assets.

''(e) COORDINATION WITH TREATMENT OF CAPITAL GAIN UNDER LIMITATION ON INVESTMENT INTEREST.—For purposes of this section, the net capital gain for any taxable year shall be reduced (but not below zero) by the amount which the taxpayer takes into account as investment income under section 163(d)(4)(B)(iii).

''(f) TREATMENT OF COLLECTIBLES.—

''(1) IN GENERAL.—Solely for purposes of this section, any gain or loss from the sale or exchange of a collectible shall be treated as a short-term capital gain or loss (as the case may be), without regard to the period such asset was held. The preceding sentence shall apply only to the extent the gain or loss is taken into account in computing taxable income.

''(2) TREATMENT OF CERTAIN SALES OF INTEREST IN PARTNERSHIP, ETC.—For purposes of paragraph (1), any gain from the sale or exchange of an interest in a partnership, S corporation, or trust which is attributable to unrealized appreciation in the value of collectibles held by such entity shall be treated as gain from the sale or exchange of a collectible. Rules similar to the rules of section 751(f) shall apply for purposes of the preceding sentence.

''(3) COLLECTIBLE.—For purposes of this subsection, the term 'collectible' means any capital asset which is a collectible (as defined in section 408(m) without regard to paragraph (3) thereof).

''(g) TRANSITIONAL RULE.—

''(1) IN GENERAL.—Gain may be taken into account under subsection (c) only if such gain is properly taken into account on or after May 7, 1997.

''(2) SPECIAL RULES FOR PASS-THRU ENTITIES.—

''(A) IN GENERAL.—In applying paragraph (1) with respect to any pass-thru entity, the determination of when gains and losses are properly taken into account shall be made at the entity level.

''(B) PASS-THRU ENTITY DEFINED.—For purposes of subparagraph (A), the term 'pass-thru entity' means—

''(i) a regulated investment company,

''(ii) a real estate investment trust,

''(iii) an S corporation,

''(iv) a partnership,

''(v) an estate or trust, and

''(vi) a common trust fund.''

(b) DEDUCTION ALLOWABLE IN COMPUTING ADJUSTED GROSS INCOME.—Subsection (a) of section 62 is amended by inserting after paragraph (16) the following new paragraph:

''(17) LONG-TERM CAPITAL GAINS.—The deduction allowed by section 1202.''

(c) MAXIMUM CAPITAL GAINS RATE.—Section 1(h) is amended by adding at the end the following new sentence: ''For purposes of this subsection, taxable income shall be computed without regard to the deduction allowed under section 1202.''

(d) TREATMENT OF CERTAIN PASS-THRU ENTITIES.—

(1) CAPITAL GAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.—

(A) Subparagraph (B) of section 852(b)(3) is amended to read as follows:

''(B) TREATMENT OF CAPITAL GAIN DIVIDENDS BY SHAREHOLDERS.—A capital gain dividend shall be treated by the shareholders as gain from the sale or exchange of a capital asset held for more than 1 year but not more than

2 years; except that the portion of any such dividend designated by the company as allocable to 2-, 3-, 4-, 5-, 6-, 7-, or 8-year gain of the company shall be treated as gain from the sale or exchange of a capital asset held for the amount of years in such class for purposes of section 1202. Rules similar to the rules of subparagraph (C) shall apply to any designation under the preceding sentence.''

(B) Clause (i) of section 852(b)(3)(D) is amended by adding at the end the following new sentence: ''Rules similar to the rules of subparagraph (B) shall apply in determining character of the amount to be so included by any such shareholder.''

(2) CAPITAL GAIN DIVIDENDS OF REAL ESTATE INVESTMENT TRUSTS.—Subparagraph (B) of section 857(b)(3) is amended to read as follows:

''(B) TREATMENT OF CAPITAL GAIN DIVIDENDS BY SHAREHOLDERS.—A capital gain dividend shall be treated by the shareholders or holders of beneficial interests as gain from the sale or exchange of a capital asset held for more than 1 year but not more than 2 years; except that the portion of any such dividend designated by the company as allocable to 2-, 3-, 4-, 5-, 6-, 7-, or 8-year gain of the company shall be treated as gain from the sale or exchange of a capital asset held for the amount of years in such class for purposes of section 1202. Rules similar to the rules of subparagraph (C) shall apply to any designation under the preceding sentence.''

(3) COMMON TRUST FUNDS.—Subsection (c) of section 584 is amended—

(A) by inserting ''and not more than 2 years'' after ''1 year'' each place it appears in paragraph (2),

(B) by striking ''and'' at the end of paragraph (2), and

(C) by redesignating paragraph (3) as paragraph (4) and inserting after paragraph (2) the following new paragraph:

''(3) as part of its gains from sales or exchanges of capital assets held for periods described in the classes of gains under section 1202(c), its proportionate share of the gains of the common trust fund from sales or exchanges of capital assets held for such periods, and''.

(e) TECHNICAL AND CONFORMING CHANGES.—

(1) Subparagraph (B) of section 170(e)(1) is amended by inserting ''(or, in the case of a taxpayer other than a corporation, the percentage of such gain equal to 100 percent minus the percentage applicable to such gain under section 1202(a))'' after ''the amount of gain''.

(2) Subparagraph (B) of section 172(d)(2) is amended to read as follows:

''(B) the deduction under section 1202 and the exclusion under section 1203 shall not be allowed.''

(3)(A) Section 221 (relating to cross reference) is amended to read as follows:

''SEC. 221. CROSS REFERENCES.

''(1) For deduction for net capital gains in the case of a taxpayer other than a corporation, see section 1202.

''(2) For deductions in respect of a decedent, see section 691.''

(B) The table of sections for part VII of subchapter B of chapter 1 is amended by striking ''reference'' in the item relating to section 221 and inserting ''references''.

(4) The last sentence of section 453A(c)(3) is amended by striking all that follows ''long-term capital gain,'' and inserting ''the maximum rate on net capital gain under section 1(h) or 1201 or the deduction under section 1202 (whichever is appropriate) shall be taken into account.''

(5) Paragraph (4) of section 642(c) is amended to read as follows:

''(4) ADJUSTMENTS.—To the extent that the amount otherwise allowable as a deduction under this subsection consists of gain from the sale or exchange of capital assets held for more than 1 year, proper adjustment shall be made for any deduction allowable to the estate or trust under section 1202 or any exclusion allowable to the estate or trust under section 1203(a). In the case of a trust, the deduction allowed by this subsection shall be subject to section 681 (relating to unrelated business income).''

(6) The last sentence of paragraph (3) of section 643(a) is amended to read as follows: ''The deduction under section 1202 and the exclusion under section 1203 shall not be taken into account.''

(7) Subparagraph (C) of section 643(a)(6) is amended by inserting ''(i)'' before ''there shall'' and by inserting before the period '', and (ii) the deduction under section 1202 (relating to capital gains deduction) shall not be taken into account''.

(8) Paragraph (4) of section 691(c) is amended by striking ''sections 1(h), 1201, and 1211'' and inserting ''sections 1(h), 1201, 1202, and 1211''.

(9) The second sentence of section 871(a)(2) is amended by inserting ''or 1203'' after ''1202''.

(10) Subsection (d) of section 1044 is amended by striking ''1202'' and inserting ''1203''.

(11) Paragraph (1) of section 1402(i) is amended by inserting '', and the deduction provided by section 1202 shall not apply'' before the period at the end thereof.

(f) CLERICAL AMENDMENT.—The table of sections for part I of subchapter P of chapter 1 is amended by inserting after the item relating to section 1201 the following new item:

''Sec. 1202. Capital gains deduction for assets held by noncorporate taxpayers more than 2 years.''

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years ending on and after May 7, 1997.

(2) CONTRIBUTIONS.—The amendment made by subsection (e)(1) shall apply to contributions on or after May 7, 1997.

Mr. FORD. Madam President, we are all familiar with the parameters of the upcoming tax debate. The budget deal provides for $85 billion in net tax cuts over 5 years, and $250 billion in net tax cuts over 10 years.

Within those dollar limits, there's a strong desire to provide tax cuts in four areas: first, capital gains relief, second, estate tax relief, third, a $500-per-child tax credit, and fourth, education tax initiatives. But if you add up all the current proposals in each of these areas, you go way over the $250 billion mark set by the budget deal. Cheaper alternatives must be found.

I have had an interest for several years in providing capital gains relief for family farmers and small family businesses where the parents wish to pass along to their children the operation of the farm or the business.

Earlier this year, Senator GREGG and I each introduced capital gains tax reduction legislation which was based on a similar objective: The longer you have held an asset, the lower your capital gains rate will be. We call this the sliding scale capital gains tax reduction. Since then, we have gotten together, and produced a product which we believe combines the vest features of both of our bills. And we're introducing that legislation today.

The Ford-Gregg approach is a bipartisan compromise that will allow the tax cut package to move forward consistent with the budget deal.

The Ford-Gregg bill achieves the following objectives shared by all capital gains cut advocates:

First, it cuts the capital gains rate in half for individuals; second, it does not discriminate among types of assets; and third, it keeps things relatively simple.

In addition, the Ford-Gregg bill meets the following additional objectives:

First, it costs less than half as much as the major capital gains proposals; second, it rewards long-term investment over short-term speculation; and third, it's bipartisan.

Remember, the budget agreement calls for $250 billion in net tax cuts over 10 years. According to the Joint Tax Committee, the major capital gains proposal pending in the Senate (S. 2) would cost $129 billion over 10 years—eating up more than one-half of the net tax cut amount. On the other hand, the Joint Tax Committee estimates that the Ford-Gregg sliding scale proposal would cost only $45.2 billion over 10 years.

This is a better approach. It is a bipartisan approach. It's better public policy because it rewards long-term investment. It costs less than half as much. And it will make life a whole lot easier for the tax writing committees in the weeks ahead. And that is the message we will be delivering as the final tax package is being written.

By Mr. FAIRCLOTH (for himself, Mr. HAGEL, Mr. SHELBY, and Mr. HUTCHINSON):

S. 855. A bill to provide for greater responsiveness by Federal agencies in contracts with the public, and for other purposes; to the Committee on Governmental Affairs.

THE RESPONSIVE GOVERNMENT ACT

Mr. FAIRCLOTH. Mr. President, I rise to introduce the Responsive Government Act, and I am joined by the junior Senator from Nebraska, the senior Senator from Alabama, and the junior Senator from Arkansas.

The Responsive Government Act proposes six simple, but important, reforms to make the Federal work force more responsive to the American people and their concerns.

First, the Responsive Government Act will require all Federal agencies to include the telephone number of the writer on all official correspondence.

Too often, people receive letters from Federal agencies that have a return address, but no telephone number. In today's busy world, not everyone has time to write a letter to respond to the reams of mail from Federal bureaucrats.

Mr. President, there are few businesses that would send out a letter without a telephone number, and the Government should not be unaccountable to its customers.

The act also requires Federal offices to provide a person—not an automated computer system—to answer the main telephone number at service-oriented offices.

The Federal Government is here to serve the taxpayers. These Federal agencies should not greet taxpayers with a voice-mail system to screen their calls.

Mr. President, the taxpayers are entitled to a voice on the other end of the line to assist them, not a machine that tells them to leave a message.

The Responsive Government Act also requires Federal agencies to answer the telephones until 5 p.m. Too often, Mr. President, I hear constituents tell me that they just can't get Federal agencies to pick up the phone after 4. This just is not right. The Federal Government is too large, and, unfortunately, that means that citizens are forced into frequent contacts with Federal agencies. It should not be impossible to get in touch with Federal employees.

It should be as easy to get in touch with them as with businesses. The Act also requires Federal agencies to publish their principal telephone numbers in the local directories.

Of course, the blue pages list many Federal agencies, but not all of them. This is an important distinction. We need complete disclosure, Mr. President, and all agencies need to publish their numbers for the benefit of the public.

These agencies also need to attempt to locate service-oriented offices in areas with sufficient parking.

Too often, new agency offices are located in areas with limited public parking. There is often room for employee parking, but not for the public, and that cannot continue.

Finally, Mr. President, the Responsive Government Act requires all Federal agencies to remove computer games from all Federal Government computers.

These computers are for work, not fun, and the taxpayers are footing the bill for fun on the job.

The Federal Government spent close to $20 billion last year on computer equipment and support services. These systems increase productivity in most cases.

However, many of these computers are delivered already equipped with game programs, which reduce workers' efficiency and productivity.

This legislation will prohibit the Federal Government from purchasing computers with preloaded game programs.

These games, of course, decrease the productivity of Federal employees.

In fact, a private-sector survey found that workers spent an average of 5.1 hours per week playing games and other non-job-related tasks on their computers. This translates into an annual $10 billion loss in productivity.

Clearly, then, these games do not go unused.

In fact, many of these games now come equipped with a boss key.

This device lets the worker strike a single keystroke and transform the computer screen from the game to a false spreadsheet. The sole purpose of this device is to hide unproductive behavior from supervisors.

Mr. President, there is no reason for the Federal Government to buy computers with programs designed to divert employees' attention from their jobs.

This is a commonsense reform.

Governor George Allen of Virginia and former Labor Secretary Robert Reich ordered workers to delete these game programs. I commend them for their actions.

I ran for the Senate in 1992 because I wanted to bring some common sense—and private-sector experience—to Washington.

I want to see a Federal Government that is responsive to the citizens. This bill addresses practices that would ruin private-sector businesses.

There is no reason that Government should be less accountable to its customers.

Mr. HAGEL. Mr. President, I rise today in support of the Responsive Government Act. I am proud to be the principal cosponsor of this legislation, and I commend my colleague from North Carolina, Senator FAIRCLOTH, for his leadership in introducing this bill.

This bill would make Government agencies more responsive to the people who use their services. It is a narrow and targeted approach that addresses several of the most common complaints that Americans have about the service they receive from Government agencies.

This bill would make the Federal Government more user-friendly by requiring all Federal agencies to:

Include the telephone number of the author on all official correspondence so citizens know whom to contact and how to reach that person if there are questions;

Provide a person, not an automated system, to answer the main telephone number at service-oriented Federal agencies so citizens do not have to talk to a machine;

Ensure that telephones are answered until 5 p.m. so citizens can get assistance by phone during normal business hours;

Publish principal telephone numbers in the local directories so citizens can readily find how to reach the agency;

Attempt to locate service-oriented offices in areas with sufficient parking so citizens can come and go easily when doing business; and

Remove computer games from all Federal Government computers so Federal employees are not distracted from their jobs.

Mr. President, I ran for the U.S. Senate because I believe we need less Government. I also believe that we must make our Government better and more efficient. Federal agencies must always—always—be as user-friendly as possible for our citizens. Government agencies must always treat taxpayers with courtesy and respect.

This bill is a small but important step toward creating a service-oriented climate in the Federal Government. Americans deserve no less.

I urge my colleagues to support this legislation.

By Mr. ROBB:

S. 856. A bill to provide for the adjudication and payment of certain claims against the Government of Iraq; to the Committee on Foreign Relations.

THE IRAQI CLAIMS ACT OF 1997

Mr. ROBB. Mr. President, nearly 7 years ago President Bush invoked emergency economic sanctions against Iraq for its invasion of Kuwait. Freezing Iraqi financial assets made sense at the time because it prevented Saddam Hussein from funding his war campaign. Now, we need to take steps to unwind the sanctions regime to permit payment to United States businesses who sold products to Iraq but have never been paid.

Four years ago this month I introduced legislation—S. 1119, the Secured Payment Act of 1993—with 13 bipartisan cosponsors achieving that purpose. The bill clarified that certain moneys on deposit in United States banks belong to United States companies, not Iraq, and therefore should not be subject to the Iraqi assets freeze. Amendment language similar to S. 1119 was appended to the last State Department Authorization bill following a rollcall vote in the Foreign Relations Committee and approved by the full Senate. Unfortunately, the language was dropped in conference, leaving this matter unresolved.

The legislation I am introducing today represents a compromise on creating a settlement process for private preinvasion claims. The Iraq Claims Act of 1997 I believe takes a progressive step forward in disseminating the $1.2 billion in frozen assets.

First, it vests currently blocked assets in the President. Second, an Iraq Claims Fund will be created by the Treasury Department where those assets will be deposited. Third, within 2 years of enactment of the legislation, payment on private claims—certified by the Foreign Claims Settlement Commission—will be made out of the fund. Fourth, after payment has been made in full on all private claims, any funds remaining shall be made available to satisfy claims of the U.S. Government.

Mr. President, although much of the debate over my previous legislation concerned the minutiae of letter of credit law, international business transactions, and economic emergency powers, the Iraq Claims Act of 1997 lays aside those issues and establishes an equitable procedure for considering claims on a prioritized basis. While I understand that the administration is working on a proposal for similar legislation on Iraq claims, I would encourage the State and Treasury Departments to reevaluate their concerns

about the approach I am proposing. I would submit that this legislation is the most suitable, and politically viable, compromise available to come to closure on this issue.

Mr. President, these frozen assets were blocked to prevent Iraq from using the funds to support its aggression against Kuwait and its allies. That freeze—designed to hurt Iraq—is now hurting American companies. Some of those firms were a mere electronic transfer, a keystroke on a computer, away from receiving their payments when the emergency freeze was imposed. After 7 years, it is time to act expeditiously in their favor.

By Mr. SHELBY:

S. 858. An original bill to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, and Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. SHELBY. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 858

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 1998''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Detail of intelligence community personnel.
Sec. 304. Extension of application of sanctions laws to intelligence activities.
Sec. 305. Administrative location of the Office of the Director of Central Intelligence.
Sec. 306. Encouragement of disclosure of certain information to Congress.
Sec. 307. Provision of information on violent crimes against United States citizens abroad to victims and victims' families.
Sec. 308. Standards for spelling of foreign names and places and for use of geographic coordinates.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Multiyear leasing authority.
Sec. 402. Subpoena authority for the Inspector General of the Central Intelligence Agency.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Academic degrees in intelligence.
Sec. 502. Funding for infrastructure and quality of life improvements at Menwith Hill and Bad Aibling stations.
Sec. 503. Misuse of National Reconnaissance Office name, initials, or seal.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1998 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.
(2) The Department of Defense.
(3) The Defense Intelligence Agency.
(4) The National Security Agency.
(5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(6) The Department of State.
(7) The Department of the Treasury.
(8) The Department of Energy.
(9) The Federal Bureau of Investigation.
(10) The Drug Enforcement Administration.
(11) The National Reconnaissance Office.
(12) The National Imagery and Mapping Agency.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1998, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill ___ of the One Hundred Fifth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the Executive Branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 1998 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Director exercises the authority granted by this section.

SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 1998 the sum of $90,580,000.

(2) AVAILABILITY OF CERTAIN FUNDS.—Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee and the Environmental Intelligence and Applications Program shall remain available until September 30, 1999.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Community Management Account of the Director of Central Intelligence are authorized a total of 278 full-time personnel as of September 30, 1998. Personnel serving in such elements may be permanent employees of the Community Management Account element or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Community Management Account by subsection (a), there is also authorized to be appropriated for the Community Management Account for fiscal year 1998 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Community Management Account as of September 30, 1998, there is hereby authorized such additional personnel for such elements as of that date as is specified in the classified Schedule of Authorizations.

(3) CONSTRUCTION.—Authorizations in the classified Schedule of Authorizations may not be construed to increase authorizations of appropriations or personnel for the Community Management Account except to the extent specified in the applicable paragraph of this subsection.

(d) REIMBURSEMENT.—During fiscal year 1998, any officer or employee of the United States or member of the Armed Forces who is detailed to the staff of an element within the Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1998 the sum of $196,900,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. DETAIL OF INTELLIGENCE COMMUNITY PERSONNEL.

(a) DETAIL.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the head of a department or agency having jurisdiction over an element in the intelligence community or the head of an element of the intelligence community may detail any employee of the department, agency, or element to serve in any position in the Intelligence Community Assignment Program.

(2) BASIS OF DETAIL.—

(A) IN GENERAL.—Personnel may be detailed under paragraph (1) on a reimbursable or nonreimbursable basis.

(B) PERIOD OF NONREIMBURSABLE DETAIL.—Personnel detailed on a nonreimbursable basis shall be detailed for such periods not to exceed three years as are agreed upon between the heads of the departments or agencies concerned. However, the heads of the departments or agencies may provide for the extension of a detail for not to exceed one year if the extension is in the public interest.

(b) BENEFITS, ALLOWANCES, AND INCENTIVES.—The department, agency, or element detailing personnel to the Intelligence Community Assignment Program under subsection (a) on a non-reimbursable basis may provide such personnel any salary, pay, retirement, or other benefits, allowances (including travel allowances), or incentives as are provided to other personnel of the department, agency, or element.

(c) EFFECTIVE DATE.—This section shall take effect on June 1, 1997.

SEC. 304. EXTENSION OF APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES.

Section 905 of the National Security Act of 1947 (50 U.S.C. 441d) is amended by striking out ''January 6, 1998'' and inserting in lieu thereof ''January 6, 2001''.

SEC. 305. ADMINISTRATIVE LOCATION OF THE OFFICE OF THE DIRECTOR OF CENTRAL INTELLIGENCE.

Section 102(e) of the National Security Act of 1947 (50 U.S.C. 403(e)) is amended by adding at the end the following:

''(4) The Office of the Director of Central Intelligence shall, for administrative purposes, be within the Central Intelligence Agency.''.

SEC. 306. ENCOURAGEMENT OF DISCLOSURE OF CERTAIN INFORMATION TO CONGRESS.

(a) ENCOURAGEMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the President shall take appropriate actions to inform the employees of the executive branch, and employees of contractors carrying out activities under classified contracts, that the disclosure of information described in paragraph (2) to the committee of Congress having oversight responsibility for the department, agency, or element to which such information relates, or to the Members of Congress who represent such employees, is not prohibited by law, executive order, or regulation or otherwise contrary to public policy.

(2) COVERED INFORMATION.—Paragraph (1) applies to information, including classified information, that an employee reasonably believes to evidence—

(A) a violation of any law, rule, or regulation;

(B) a false statement to Congress on an issue of material fact; or

(C) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(b) REPORT.—On the date that is 30 days after the date of enactment of this Act, the President shall submit to Congress a report on the actions taken under subsection (a).

SEC. 307. PROVISION OF INFORMATION ON VIOLENT CRIMES AGAINST UNITED STATES CITIZENS ABROAD TO VICTIMS AND VICTIMS' FAMILIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national interests of the United States to provide information regarding the murder or kidnapping of United States citizens abroad to the victims, or the families of victims, of such crimes; and

(2) the provision of such information is sufficiently important that the discharge of the responsibility for identifying and disseminating such information should be vested in a cabinet-level officer of the United States Government.

(b) RESPONSIBILITY.—The Secretary of State shall take appropriate actions to ensure that the United States Government takes all appropriate actions to—

(1) identify promptly information (including classified information) in the possession of the departments and agencies of the United States Government regarding the murder or kidnapping of United States citizens abroad; and

(2) subject to subsection (c), make such information available to the victims or, where appropriate, the families of victims of such crimes.

(c) CLASSIFIED INFORMATION.—The Secretary shall work with the Director of Central Intelligence to ensure that classified information relevant to a crime covered by subsection (b) is promptly reviewed and, to the maximum extent practicable without jeopardizing sensitive sources and methods or other vital national security interests, made available under that subsection.

SEC. 308. STANDARDS FOR SPELLING OF FOREIGN NAMES AND PLACES AND FOR USE OF GEOGRAPHIC COORDINATES.

(a) SURVEY OF CURRENT STANDARDS.—

(1) SURVEY.—The Director of Central Intelligence shall carry out a survey of current standards for the spelling of foreign names and places, and the use of geographic coordinates for such places, among the elements of the intelligence community.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act the Director shall submit to the congressional intelligence committees a report on the survey carried out under paragraph (1).

(b) GUIDELINES.—

(1) ISSUANCE.—Not later than 180 days after the date of enactment of this Act, the Director shall issue guidelines to ensure the use of uniform spelling of foreign names and places and the uniform use of geographic coordinates for such places. The guidelines shall apply to all intelligence reports, intelligence products, and intelligence databases prepared and utilized by the elements of the intelligence community.

(2) BASIS.—The guidelines under paragraph (1) shall, to the maximum extent practicable, be based on current United States Government standards for the transliteration of foreign names, standards for foreign place names developed by the Board on Geographic Names, and a standard set of geographic coordinates.

(3) SUBMITTAL TO CONGRESS.—The Director shall submit a copy of the guidelines to the congressional intelligence committees.

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' means the following:

(1) The Select Committee on Intelligence of the Senate.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. MULTIYEAR LEASING AUTHORITY.

Section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f) is amended—

(1) in paragraph (e), by striking out ''without regard'' and all that follows through the end and inserting in lieu thereof a semicolon;

(2) by redesignating paragraph (f) as paragraph (g); and

(3) by inserting after paragraph (e) the following new paragraph (f):

''(f) Notwithstanding section 1341(a)(1) of title 31, United States Code, enter into multiyear leases for lease terms of not to exceed 15 years, except that—

''(1) any such lease shall be subject to the availability of appropriations in an amount necessary to cover—

''(A) rental payments over the entire term of the lease; or

''(B) rental payments over the first 12 months of the term of the lease and the penalty, if any, payable in the event of the termination of the lease at the end of the first 12 months of the term; and

''(2) if the Agency enters into a lease using the authority in subparagraph (1)(B)—

''(A) the lease shall include a clause that provides that the lease shall be terminated if specific appropriations available for the rental payments are not provided in advance of the obligation to make the rental payments;

''(B) notwithstanding section 1552 of title 31, United States Code, amounts obligated for paying costs associated with terminating the lease shall remain available until such costs are paid;

''(C) amounts obligated for payment of costs associated with terminating the lease may be used instead to make rental payments under the lease, but only to the extent that such amounts are not required to pay such costs; and

''(D) amounts available in a fiscal year to make rental payments under the lease shall be available for that purpose for not more than 12 months commencing at any time during the fiscal year; and''.

SEC. 402. SUBPOENA AUTHORITY FOR THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

(a) AUTHORITY.—Subsection (e) of section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q) is amended—

(1) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5)(A) Except as provided in subparagraph (B), the Inspector General is authorized to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of the duties and responsibilities of the Inspector General.

''(B) In the case of Government agencies, the Inspector General shall obtain information, documents, reports, answers, records, accounts, papers, and other data and evidence for the purpose specified in subparagraph (A) using procedures other than subpoenas.

''(C) The Inspector General may not issue a subpoena for or on behalf of any other element or component of the Agency.

''(D) In the case of contumacy or refusal to obey a subpoena issued under this paragraph, the subpoena shall be enforceable by order of any appropriate district court of the United States.

''(E) Not later than January 31 and July 31 of each year, the Inspector General shall submit to the Select Committee on Intelligence

of the Senate and the Permanent Select Committee on Intelligence of the House of Representative a report of the Inspector General's exercise of authority under this paragraph during the preceding six months.''.

(b) LIMITATION ON AUTHORITY FOR PROTECTION OF NATIONAL SECURITY.—Subsection (b)(3) of that section is amended by inserting '', or from issuing any subpoena, after the Inspector General has decided to initiate, carry out, or complete such audit, inspection, or investigation or to issue such subpoena,'' after ''or investigation''.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. ACADEMIC DEGREES IN INTELLIGENCE.

(a) IN GENERAL.—Section 2161 of title 10, United States Code, is amended to read as follows:

''§ 2161. Joint Military Intelligence College: master of science in strategic intelligence; bachelor of science in intelligence

''Under regulations prescribed by the Secretary of Defense, the President of the Joint Military Intelligence College may, upon recommendation by the faculty of the college, confer the degree of master of science in strategic intelligence and the degree of bachelor of science in intelligence upon the graduates of the college who have fulfilled the requirements for such degree.''.

(b) CONFORMING AMENDMENT.—The item relating to section 2161 in the table of sections at the beginning of chapter 108 of such title is amended to read as follows:

''2161. Joint Military Intelligence College: master of science in strategic intelligence; bachelor of science in intelligence.''.

SEC. 502. FUNDING FOR INFRASTRUCTURE AND QUALITY OF LIFE IMPROVEMENTS AT MENWITH HILL AND BAD AIBLING STATIONS.

Section 506(b) of the Intelligence Authorization Act for Fiscal Year 1996 (Public Law 104–93; 109 Stat. 974) is amended by striking out ''for fiscal years 1996 and 1997'' and inserting in lieu thereof ''for fiscal years 1998 and 1999''.

SEC. 503. MISUSE OF NATIONAL RECONNAISSANCE OFFICE NAME, INITIALS, OR SEAL.

(a) IN GENERAL.—Subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end the following:

''§ 426. Unauthorized use of National Reconnaissance Office name, initials, or seal

''(a) PROHIBITED ACTS.—Except with the joint written permission of the Secretary of Defense and the Director of Central Intelligence, no person may knowingly use, in connection with any merchandise, retail product, impersonation, solicitation, or commercial activity, in a manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the Secretary or the Director, any of the following:

''(1) The words 'National Reconnaissance Office' or the initials 'NRO'.

''(2) The seal of the National Reconnaissance Office.

''(3) Any colorable imitation of such words, initials, or seal.

''(b) INJUNCTION.—(1) Whenever it appears to the Attorney General that any person is engaged or is about to engage in an act or practice which constitutes or will constitute conduct prohibited by subsection (a), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice.

''(2) Such court shall proceed as soon as practicable to the hearing and determination of such action and may, at any time before final determination, enter such restraining orders or prohibitions, or take such other action as is warranted, to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.''

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that subchapter is amended by adding at the end the following:

''426. Unauthorized use of National Reconnaissance Office name, initials, or seal.''.

By Mr. KYL (for himself and Mr. GRAMM):

S. 859. A bill to repeal the increase in tax on Social Security benefits; to the Committee on Finance.

THE SENIOR CITIZENS INCOME TAX RELIEF ACT

Mr. KYL. Mr. President, I am pleased to have my colleague, Senator PHIL GRAMM, join me as an original cosponsor of the Senior Citizens Income Tax Relief Act. This legislation would give seniors relief from the Clinton Social Security tax increase of 1993.

The recently passed Federal budget deal provides target levels for new spending and for modest tax relief. As Congress begins to write the bills to implement this budget blueprint, attention turns to the details. One of them is whether there will be sufficient room for tax relief for senior citizens.

Millions of America's senior citizens depend on Social Security as a critical part of their retirement income. Having paid into the program throughout their working lives, retirees count on the Government to meet its obligations under the Social Security contract. For many, the security provided by this supplemental pension plan is the difference between a happy and healthy retirement and one marked by uncertainty and apprehension, particularly for the vast majority of seniors on fixed incomes.

As part of his massive 1993 tax hike, President Clinton imposed a tax increase on senior citizens, subjecting to taxation up to 85 percent of the Social Security received by seniors with annual incomes of over $34,000 and couples with over $44,000 in annual income.

This represents a 70-percent increase in the marginal tax rate for these seniors. Factor in the Government's Social Security earnings limitation, and a senior's marginal tax rate can reach 88 percent—twice the rate paid by millionaires.

An analysis of Government-provided figures on the 1993 Social Security tax increase finds that, by next year, America's seniors will have paid an extra $25 billion because of this tax hike, including $380 million from senior citizens in Arizona alone.

Mr. President, I want to make an additional important point. Despite all the partisan demagoguery, the only attack on Social Security in recent years has come from the administration and the other party in the Omnibus Budget Reconciliation Act of 1993. Not one Republican supported this tax increase on Social Security benefits.

At the Clinton administration's insistence, the amount of tax relief we will be able to provide will be severely limited. It will be difficult, then, to repeal the Social Security tax increase. This is why I offered an amendment to ensure that we are able to expand tax relief in the future, and why the first tax relief proposal I am introducing will repeal President Clinton's 1993 Social Security tax increase.

By Mr. HARKIN:

S. 860. A bill to protect and improve rural health care, and for other purposes; to the Committee on Finance.

THE RURAL HEALTH CARE PROTECTION AND IMPROVEMENT ACT OF 1997

Mr. HARKIN. Mr. President, I rise today to introduce the Rural Health Care Protection and Improvement Act of 1997. This legislation is critical to the survival of the fragile health care systems and infrastructure in rural areas and small towns across America.

Rural Americans are more often poor, more often uninsured, and more often without access to health care than other Americans. The health care system in many small towns in Iowa is on the critical list—we have too few doctors, nurses, and other health care professionals and many of our rural hospitals are barely making it.

Iowa ranks first in the percentage of citizens over age 85 and third nationally in the percentage of the population over age 65. Because of our demographics our health care providers in Iowa depend heavily on Medicare payments. And many of them are struggling. One reason they are struggling is because of the gross inequities between rural and urban Medicare payment rates. In fact, the House Ways and Means Committee recently published a report estimating that Iowa loses $0.7 billion a year because of current Medicare payment policies. The higher cost of living in areas such as New York City and Miami in no way justifies the huge disparity in payment rates. The current system rewards waste and inefficiency and penalizes States like Iowa whose health care providers practice a conservative, cost-effective approach to health care.

The legislation I am introducing today would correct this wrong-headed system. This bill would make Medicare payments to managed care plans fairer for rural areas by readjusting the AAPCC so that rates are more equitable between rural and urban areas.

But even more importantly, this bill corrects the inequities in the regular fee-for-service Medicare Program. AAPCC rates are unfair because they are tied directly to Medicare fee-for-service payments, and fee-for-service payments are very low in rural areas.

Even with a correction in managed care payments, over two-thirds of Iowa seniors will likely continue to receive care under the standard fee-for-service system. This bill corrects fee-for-service rates, so that seniors in rural areas

will at last be able to receive the quality and access to health care they deserve.

Mr. President, my legislation would also reauthorize and extend the Rural Health Transition Grant Program. This grant program helps small rural hospitals and their communities adapt to the changing health care marketplace. Specifically, the grants help hospitals adjust to reductions in the need for inpatient services and increased demand for outpatient and emergency services and help rural hospitals meet the increasingly difficult task of recruiting staff.

Rural hospitals use these funds for a variety of programs. For example, Marengo Memorial Hospital, Mitchell County Hospital, Franklin General in Hampton, and Kossuth County Hospital as well as other hospitals used funds to help develop rural health care networks. Pochahontas Community Hospital and Community Memorial Hospital in Sumner used funds to recruit health professionals and Holy Family Hospital in Estherville used funds to improve emergency services.

These grants are provided over 3 years. They represent a small but vital source of revenue for hospitals struggling to adjust to a new health care environment. Unfortunately, these grants were not reauthorized last year, and there are many hospitals that were promised transition grant funds but for whom the money is no longer available. This legislation would help ensure that these few hospitals are able to finish out their grants and meet the changing needs of their patients and communities.

Mr. President, the health care system is undergoing tremendous change and our rural hospitals must adjust to this new environment. The Transition Grant Program helps hospitals modify the type and extent of services so they can better serve rural communities.

Mr. President, the legislation I am introducing will help improve access and enhance the quality of health care in rural areas. And it will help shore up the fragile health care infrastructure in our rural communities and small towns.

By Mr. INHOFE:

S. 861. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of Federal law enforcement canines that are no longer needed for official purposes to individuals with experience handling canines in the performance of law enforcement duties; to the Committee on Governmental Affairs.

DONATION OF LAW ENFORCEMENT DOGS TO THEIR HANDLERS

Mr. INHOFE. Mr. President, I rise today to introduce a bill to address the situation encountered when certain members of our Federal law enforcement community are no longer able to perform their assigned duties. These members of the Federal law enforcement community to which I refer are not people, but canines.

The purpose of this legislation is simple. The bill will streamline the regulations that govern the adoption of Federal law enforcement canines by their handlers. Currently, these animals are considered Federal property and when their tenure of service has ended, they are considered surplus Government property. Under current Federal regulations, Government agencies are forced to comply with procedures to ensure maximum return for the Government's investment in the animal at auction.

These animals have received special security training to best equip them for the demands of their duties. Because of the hazards associated with their duties, this specialized training often makes these animals unsuitable as pets for those not trained to handle these animals.

Because of the highly specialized training these animals receive, they should not be simply auctioned to the highest bidder. Currently, if no trained handler comes forward and offers the highest bid for the animal, the possibility exists that it will spend the rest of its life caged, or even worse, destroyed.

Under this legislation, the eligible animals would be donated to their handlers, who would then assume all costs and responsibilities associated to the care of that animal. This practice is commonplace for local law enforcement agencies nationwide.

This is not a drastic departure from previous Government procedure. In 1993, the General Services Administration granted a waiver for Border Patrol canine handlers to purchase their partners for a nominal fee. Unfortunately, this waiver has expired and has not been renewed.

Mr. President, this is a commonsense solution to a very simple problem. I urge my colleagues to support this bill and ease the restrictions concerning the adoption of Federal law enforcement canines.

ADDITIONAL COSPONSORS

S. 261

At the request of Mr. DOMENICI, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 261, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

At the request of Mr. DOMENICI, the name of the Senator from Georgia [Mr. CLELAND] was withdrawn as a cosponsor of S. 261, supra.

S. 293

At the request of Mr. HATCH, the names of the Senator from Washington [Mrs. MURRAY], and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 293, a bill to amend the Internal Revenue Code of 1986 to make permanent the credit for clinical testing expenses for certain drugs for rare diseases or conditions.

S. 339

At the request of Mr. LEVIN, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 339, a bill to amend title 18, United States Code, to revise the requirements for procurement of products of Federal Prison Industries to meet needs of Federal agencies, and for other purposes.

S. 358

At the request of Mr. DEWINE, the name of the Senator from Georgia [Mr. CLELAND] was added as a cosponsor of S. 358, a bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

S. 360

At the request of Mr. CRAIG, the names of the Senator from Alaska [Mr. MURKOWSKI], and the Senator from Idaho [Mr. KEMPTHORNE] were added as cosponsors of S. 360, a bill to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area, and for other purposes.

S. 364

At the request of Mr. LIEBERMAN, the names of the Senator from Kentucky [Mr. MCCONNELL], and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 364, a bill to provide legal standards and procedures for suppliers of raw materials and component parts for medical devices.

S. 385

At the request of Mr. CONRAD, the names of the Senator from South Dakota [Mr. DASCHLE], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of S. 385, a bill to provide reimbursement under the Medicare Program for telehealth services, and for other purposes.

S. 422

At the request of Mr. DOMENICI, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 422, a bill to define the circumstances under which DNA samples may be collected, stored, and analyzed, and genetic information may be collected, stored, analyzed, and disclosed, to define the rights of individuals and persons with respect to genetic information, to define the responsibilities of persons with respect to genetic information, to protect individuals and families from genetic discrimination, to establish uniform rules that protect individual genetic privacy, and to establish effective mechanisms to enforce the rights and responsibilities established under this Act.

S. 436

At the request of Mr. ROTH, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 436, a bill to amend the Internal Revenue Code of 1986 to provide for the

establishment of an intercity passenger rail trust fund, and for other purposes.

S. 479

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 479, a bill to amend the Internal Revenue Code of 1986 to provide estate tax relief, and for other purposes.

S. 496

At the request of Mr. CHAFEE, the names of the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from New York [Mr. D'AMATO], the Senator from Indiana [Mr. COATS], and the Senator from North Carolina [Mr. HELMS] were added as cosponsors of S. 496, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 498

At the request of Mr. CHAFEE, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 498, a bill to amend the Internal Revenue Code of 1986 to allow an employee to elect to receive taxable cash compensation in lieu of nontaxable parking benefits, and for other purposes.

S. 499

At the request of Mr. CHAFEE, the names of the Senator from Virginia [Mr. WARNER] and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of S. 499, a bill to amend the Internal Revenue Code of 1986 to provide an election to exclude from the gross estate of a decedent the value of certain land subject to a qualified conservation easement, and to make technical changes to alternative valuation rules.

S. 520

At the request of Mr. FEINGOLD, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 520, a bill to terminate the F/A–18 E/F aircraft program.

S. 536

At the request of Mr. GRASSLEY, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 536, a bill to amend the National Narcotics Leadership Act of 1988 to establish a program to support and encourage local communities that first demonstrate a comprehensive, long-term commitment to reduce substance abuse among youth, and for other purposes.

S. 537

At the request of Ms. MIKULSKI, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 537, a bill to amend title III of the Public Health Service Act to revise and extend the mammography quality standards program.

S. 575

At the request of Mr. DURBIN, the names of the Senator from New York [Mr. D'AMATO] and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of S. 575, a bill to amend the Internal Revenue Code of 1986 to increase the deduction for health insurance costs of self-employed individuals.

S. 594

At the request of Mr. MCCONNELL, the names of the Senator from Utah [Mr. HATCH] and the Senator from Indiana [Mr. LUGAR] were added as cosponsors of S. 594, a bill to amend the Internal Revenue Code of 1986 to modify the tax treatment of qualified State tuition programs.

S. 674

At the request of Mr. CHAFEE, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 674, a bill to amend title XIX of the Social Security Act to encourage States to expand health coverage of low-income children and pregnant women and to provide funds to promote outreach efforts to enroll eligible children under health insurance programs.

S. 690

At the request of Mr. BREAUX, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 690, a bill to amend title XVIII of the Social Security Act to improve preventive benefits under the Medicare Program.

S. 713

At the request of Mr. DEWINE, the names of the Senator from Maine [Ms. COLLINS] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 713, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for additional deferred effective dates for approval of applications under the new drugs provisions, and for other purposes.

S. 734

At the request of Mr. BREAUX, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of S. 734, a bill to amend title XVIII of the Social Security Act to make certain changes to hospice care under the Medicare Program.

S. 756

At the request of Mr. KERRY, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 756, a bill to provide for the health, education, and welfare of children under 6 years of age.

S. 779

At the request of Mr. REID, the name of the Senator from Georgia [Mr. CLELAND] was added as a cosponsor of S. 779, a bill to amend title XVIII of the Social Security Act to increase the number of physicians that complete a fellowship in geriatric medicine and geriatric psychiatry, and for other purposes.

S. 780

At the request of Mr. REID, the name of the Senator from Georgia [Mr. CLELAND) was added as a cosponsor of S. 780, a bill to amend title III of the Public Health Service Act to include each year of fellowship training in geriatric medicine or geriatric psychiatry as a year of obligated service under the National Health Corps Loan Repayment Program.

S. 832

At the request of Mr. KOHL, the name of the Senator from Florida [Mr. MACK) was added as a cosponsor of S. 832, a bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal limitations on hours of service.

SENATE CONCURRENT RESOLUTION 21

At the request of Mr. MACK, the names of the Senator from Kentucky [Mr. MCCONNELL] and the Senator from Delaware [Mr. ROTH] were added as cosponsors of Senate Concurrent Resolution 21, a concurrent resolution congratulating the residents of Jerusalem and the people of Israel on the 30th anniversary of the reunification of that historic city, and for other purposes.

SENATE RESOLUTION 80

At the request of Mr. FEINGOLD, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of Senate Resolution 80, a resolution expressing the sense of the Senate regarding Department of Defense plans to carry out three new tactical fighter aircraft programs concurrently.

SENATE RESOLUTION 85

At the request of Mr. GREGG, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of Senate Resolution 85, a resolution expressing the sense of the Senate that individuals affected by breast cancer should not be alone in their fight against the disease.

SENATE RESOLUTION 87

At the request of Mr. THURMOND, his name was added as a cosponsor of Senate Resolution 87, a resolution commemorating the 15th anniversary of the construction and dedication of the Vietnam Veterans Memorial.

SENATE RESOLUTION 97

At the request of Mr. SHELBY, his name was added as a cosponsor of Senate Resolution 97, a resolution expressing the sense of the Senate that the President should designate the month of June 1997, the 50th anniversary of the Marshall Plan, as George C. Marshall month, and for other purposes.

NOTICES OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a Executive Session of the Senate Committee on Labor and Human Resources will be held on Wednesday, June 11, 1997, 9:30 a.m., in SD–430 of the Senate Dirksen Building. The following are on the agenda to be considered: budget reconciliation; S. 830, the Food and Drug Administration Modernization

Act of 1997; and Presidential nominations.

For further information, please call the committee, 202/224–5375.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Thursday, June 12, 1997, 10 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Higher Education Act reauthorization: opportunity programs. For further information, please call the committee, 202/224–5375.

NOTICE OF ADDITION

SUBCOMMITTEE ON WATER POWER OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. KYL. Mr. President, I would like to announce for the information of the Senate and the public that S. 846, to amend the Federal Power Act to remove the jurisdiction of the Federal Energy Regulatory Commission to license projects on fresh waters in the State of Hawaii, has been added to the agenda of the Water and Power Subcommittee hearing scheduled for Tuesday, June 10 at 9:30 a.m.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT

Mr. ALLARD. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts, of the Senate Committee on the Judiciary be authorized to meet during the session of the Senate on Monday, June 9, 1997, at 2 p.m. to hold a hearing on: ''Conserving Judicial Resources: considering the appropriate allocation of judgeships in the United States Court of Appeals for the Fifth and Eleventh Circuits.''

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

ADDITIONAL STATEMENTS

TRIBUTE TO THE MEMORY OF NANCY JEAN COUTU

● Mr. SMITH of New Hampshire. Mr. President, I rise today to honor the memory of the late Peace Corps volunteer Nancy Jean Coutu, as a special memorial site at Elm Brook Park in West Hopkinton will be dedicated to her memory on June 15, 1997 at 1 p.m.

Nancy was an American hero. She was personally involved in educating children and helping people with disabilities help themselves. She brought joy to the lives of everyone she touched during her two summers when she worked for the U.S. Army Corps of Engineers at the park. The Elm Brook Park was special to her, and she helped the many staff members make it much more accessible to persons with disabilities.

Nancy, a 1993 graduate from the University of New Hampshire, was murdered by native tribesmen in Madagascar on April 9, 1996, after serving almost 2 years as a volunteer member working in a parks and wildlife program for the U.S. Peace Corps. She had lived in a mud hut teaching the 300 villagers how to grow vegetables, and building a school, hospital, and roads in the island country off the east coast of Africa.

More than 140,00 Americans have served in the Peace Crops since it was founded in 1961. Tragically 15 have been killed, in all corners of the world while promoting the spirt of voluntarism.

Mr. President, Nancy truly exemplified the spirt of voluntarism. I join with her family and friends, in expressing hope that the dedication of a memorial to honor her will inspire that spirit in others, and bring attention to the remarkable service of all public service volunteers.●

IN MEMORY OF NANCY JEAN COUTU

● Mr. GREGG. Mr. President, I rise today in memory of Nancy Jean Coutu, a Peace Corps volunteer who was murdered by native tribesmen on April 9, 1996, while serving as a Peace Corps volunteer in Madagascar.

Nancy was a young woman whose life was dedicated to helping others. She was born and raised in New Hampshire and attended the University of New Hampshire. She was full of joy and giving and her desire to help others is what brought her to join the Peace Corps in 1994. She spent almost 2 years living in the village of Baraketa where she helped the villagers build a school and rebuild a small hospital. She also pursued her interest in the environment by studying the local ecology. Her tragic death was a shock to everyone who knew and loved her, including the people of Madagascar whose government posthumously awarded her a knighthood for her work in their country.

Nancy's family and friends have chosen to honor her memory by creating a memorial to her on a beautiful maple-shaded knoll in Elm Brook Park in West Hopkinton, NH. During the summers of 1992 and 1993, while a student at the University of New Hampshire, Nancy worked as a park ranger at Elm Brook. There she spent many hours working to expand her knowledge and interest in the environment and to share her love of nature with visitors to the park. On Sunday, June 15, 1997, the memorial, with its large granite stone and plaque, and an oil painting of Nancy done by her mother, will be dedicated. In addition, because she was particularly interested in helping the handicapped to enjoy the many experiences offered by the outdoors, the park's wheelchair accessible elevated wildlife viewing observation deck, fishing platform, and nature trail will also be dedicated to Nancy.

Nancy Coutu set a shining example of what can be accomplished through public service and voluntarism and I would like to join with her family, friends, and all those whose lives she touched with her love, in commending her for her courage and willingness to give of herself in order to make life better for others.●

ON ALAN EMORY'S 50TH ANNIVERSARY WITH THE WATERTOWN DAILY TIMES

● Mr. MOYNIHAN. Mr. President, the Watertown Daily Times' Washington Bureau Chief Alan Emory marked a most felicitous occasion on Saturday. Alan has served the Watertown Daily Times and the people of New York State for a half a century. My colleague Senator D'AMATO and I call him ''the Dean'' of the New York correspondents in our Nation's capital and, indeed, he is one of the Nation's most sagacious and indefatigable journalists.

His capacity for balanced reporting was grounded in his upbringing. His father was a Democratic New York State Supreme Court judge, his mother a labor arbitrator for the Republican mayor of New York, Fiorello LaGuardia. After Emory's childhood in New York City and Long Island and a fine education at Exeter, Harvard, and the Columbia School of Journalism, the young man headed north to seek his fortune. He landed a job at the Watertown Times in 1947 as its correspondent in Massena, a small city along the St. Lawrence Seaway. He steadily rose up the ranks to State editor, legislative correspondent, and editorial writer.

In 1951, the newspaper opened a Washington bureau. He eagerly accepted the Johnson family's offer to become the bureau chief and has served the people of New York State in Washington ever since—46 years, a term almost twice as long as that of our State's longest serving Senator, Jacob Javits, who served for 24 years.

Mr. Emory is one of the most prolific daily journalists in Washington. He writes up to six stories per day and two columns per week for the Sunday Commentary section. He also is the Washington columnist for the monthly magazine, The Empire State Report. He does all this with a standard of accuracy and insight that few can match. While the Washington Post in 1977 described Mr. Emory as being one of a vanishing breed of Washington correspondents for regional newspapers, he remains an example of journalistic excellence to young reporters.

Mr. Emory has written more than just news stories. He also is one of the most gelastic lyricists ever to grace the Gridiron Club's talent pool. He has written music for Washington's most prestigious journalists' club ever since he joined it 21 years ago, and he produced many of its most amusing skits. He has also served the Gridiron Club in

more serious ways—as its vice president for 1994, president for 1995, and current treasurer.

Legislators and journalists are supposed to keep a healthy distance between them but I confess to a great personal affection for my old friend, Alan Emory. I congratulate him and his beloved wife, Nancy, as he celebrates 50 fine years with the Watertown Daily Times.●

NEW MEXICO SMALL BUSINESS AWARD WINNERS

● Mr. DOMENICI. Mr. President, I rise to honor New Mexico's small business-owners and advocates which were recently selected by the U.S. Small Business Administration to receive recognition for their efforts to improve business opportunities in New Mexico.

I not only want to recognize these individuals for their fine work but also to take a moment and highlight how important small businesses are to the State of New Mexico. Comprising over 96 percent of all businesses in my home State, small businesses are responsible for employing over 115,000 people and creating billions of dollars in revenue for our economy. Not only do small businesses serve as the backbone to New Mexico's economy, but they also serve as the foundation to our local communities. Small businessowners not only create thousands of good paying jobs in my State but also serve as an excellent example for young entrepreneurs who are chasing the American dream of owning their own business.

Mr. President, there could have been no better choice for the SBA's top award than the family-owned business of Elite Laundry Co. in Gallup, NM. Mary Jean and Andrew Christiansen have worked with their children to build their business for the past 30 years and I cannot tell you how proud I am they are being recognized as the SBA's New Mexico Small Business Persons of the Year.

The Christiansens have been an asset to me as I work to better serve New Mexico small businesses in the U.S. Senate. The Christiansens have built up Elite Laundry Company to employ 70 employees in a region of New Mexico which has one of this Nation's highest poverty rates. They have actively participated in my Small Business Advocacy Council and have testified on behalf of New Mexico businesses to the Senate Small Business Committee. The Christiansen family can be proud of their efforts in small business and I congratulate them for receiving this award.

Mr. President, small businessowners and entrepreneurs in New Mexico can also count on receiving the most up-to-date and insightful business information from Michael G. Murphy, the assistant business editor for the Albuquerque Journal. The SBA has chosen this former editor of the New Mexico Business Times as this year's New Mexico and Region VI Advocate of the Year. Mr. Murphy understands the importance of keeping small business-owners informed of the issues, and has worked tirelessly to provide the tools they need to survive. I know I speak on behalf of all of New Mexico's small businesses when I congratulate Mr. Murphy on receiving this award.

The New Mexico Women in Business Advocate of the Year is Jennifer A. Craig, regional manager of the Women's Economic Self Sufficiency Team Office in Las Cruces. I have worked very closely with WESST Corp. to build a better environment for New Mexico's women business-owners and entrepreneurs. I believe it is only fitting that the SBA highlights the tremendous success story being played out in Las Cruces. This city has one of the highest unemployment rates in the State, yet over the last 2 years, WESST Corp has provided technical and business assistance to over 250 women entrepreneurs and has helped create 50 new women-owned businesses. I congratulate not only Jennifer CRAIG for being recognized for her hard work, but also WESST Corp. for attracting a person of her caliber to manage the southern regional office.

Mr. President, I would also like to honor Teresa O. Molina, winner of the 1997 Financial Services Advocate Award for New Mexico. Mrs. Molina is a New Mexico native who attended Deming High School and graduated from New Mexico State University. She has worked with small business for over 14 years helping obtain loans at the First New Mexico Bank in Deming. Currently serving as the bank's vice president, Mrs. Molina has been involved with SBA lending programs since she issued the first ever SBA 504 loan in New Mexico's history. Mrs. Molina works hard to meet the banking needs of her community and I congratulate her for her success.

Mr. President, as you are aware, this Nation is a melting pot of people with diverse ethic and social backgrounds. In New Mexico, we have hundreds of small and large minority owned and operated businesses. One person that I have always turned to for advice not only on minority business issues but general economic and business issues is Anna Muller, the proprietor of NEDA Business Consultants in Albuquerque.

Anna is a member of my Minority Small Business Advocacy Council and has gained the respect and admiration of her peers when it comes to minority business issues. She has been chosen as the SBA's Minority Small Business Advocate for New Mexico, and I am hard pressed to think of anyone who better deserves recognition for her services to minority small businesses. Anna Muller is a true leader on minority business issues not only in the State of New Mexico, but the entire nation and I congratulate her on this award.

I would also like to congratulate the SBA 1997 Prime Contractor of the Year for Region VI, Armando De La Paz, president and CEO of Vista Technologies, Inc., of Albuquerque. Mr. De La Paz founded his company on the notion that hard work and determination are the foundation for developing a successful business. Mr. De La Paz's company has provided high-technology solutions to the Federal Government for the last 8 years and has been recognized as one of the fastest growing Hispanic business firms in the Nation for the period of 1993 to 1996.

I would like to recognize Mr. Dennis A. Reasner, president of Darco Products, Inc., for being selected as the SBA Region VI Subcontractor of the Year for 1997. I recently had the opportunity to meet Mr. and Mrs. Reasner here in Washington and can tell you that they are truly one of the best examples of American entrepreneurship in action. Starting out of their garage, Dennis and Enid Reasner have worked for the past 25 years to develop a company worth millions of dollars which currently employs over 30 employees in Albuquerque, NM. Darco Products is a company we can all be proud of in New Mexico, for not only has a Darco product been used in the space shuttle, but the firm also produced a component part for the first ever American space station.

Mr. President, New Mexico is witnessing an explosion in the growth of our exports and I believe it is important to recognize those who have helped bring about this change. One woman active in this area for New Mexico is Kimberly de Castro, owner of Wildflower International Ltd., a Santa Fe based export company. De Castro's business provides essential services to foreign buyers by researching various foreign markets and providing her clients with options they need to survive in a foreign marketplace. Wildflower International Ltd. exports to China, Egypt, Israel, and Italy, and is currently negotiating with sales in Taiwan and other Asian countries. Kimberly de Castro is clearly one of the people responsible for New Mexico's phenomenal growth in foreign trade, and I congratulate her for receiving the 1997 Exporter of the Year Award from the SBA.

In closing, I would like to point out that these people deserve praise and recognition for striving to build a better New Mexico for our future generations. I personally extend my gratitude to these winners, and to others involved with small businesses in New Mexico. I am proud to stand here and recognize these hard-working individuals for creating new jobs and economic opportunities for the people of New Mexico.●

TRIBUTE TO ANDREW R. RUDMAN ON BEING NAMED THE GRANITE STATE'S REPRESENTATIVE AT YMCA YOUTH GOVERNOR CONFERENCE

● Mr. SMITH of New Hampshire. Mr. President, I rise today to congratulate

Andrew R. Rudman, the New Hampshire Youth Governor for the 1997 National YMCA Youth Governor's Conference. Andrew was elected by fellow high school students from across the Granite State's various youth and government programs as the State's Youth Governor. Andrew will attend a conference in Washington, DC, on June 18, 1997.

Every year since 1964, Members of the Senate have hosted these remarkable student leaders. The youth governors who will be visiting our Nation's capitol collectively represent over 25,000 of their peers. This select group of students will experience government service first-hand during the conference.

Andrew is from Londonderry, NH, and in addition to an excellent academic record he finds time to participate in many different extracurricular activities. He is a member of the track and field team, loves music, and is teaching himself how to play the guitar. Andrew will attend Columbia University in the fall of 1997.

As a former high school teacher myself, I commend Andrew for his hard work and outstanding achievements, and wish him success in his academic career. Congratulations to Andrew on this distinguished honor. It is an honor to represent this outstanding young leader in the U.S. Senate.●

IN HONOR OF ROGER G. KENNEDY

● Mr. MOYNIHAN. I wish to pay tribute to Roger G. Kennedy upon his retirement as director of the National Park Service and for a distinguished public service career as director of the Smithsonian National Museum of American History, vice president of the Ford Foundation, and special assistant, variously, to the U.S. Attorney General, the Secretary of Health, Education, and Welfare, and the Secretary of Labor. Mr. Kennedy will be honored at a grand celebration in New York's historic Battery Park tonight and I deeply regret that the press of Senate business prevents me from attending.

Roger Kennedy is a man of enlightenment tastes. He has been a lawyer, a scholar, a writer, a public servant of the first rank, but his avocation has always been architectural history. In Orders From France, his masterpiece on architecture, Kennedy wrote brilliantly about the career of Joseph Jacques Ramée, the French architect who was trained at the court of Louis XVI and designed buildings all over Europe, but helped pave the way for American neoclassicism.

In 1815, Ramée designed the magnificent campus of Union College in Schenectady, N.Y., one of the Nation's first liberal-arts colleges west of the Hudson River. Ramée's campus plan embodied a vision of education that entwined rationalism with the laws of nature—an ordered court opening to a romantically landscaped garden and the endless view to the west. Kennedy wrote that Ramée ''placed his buildings in the context of nature, but nature tamed, organized, made orderly, like the energies of students.'' A decade later the Union College campus, the first in the Nation to have a rotunda at its center, become the model for Thomas Jefferson and Benjamin Latrobe to design the glorious University of Virginia in Charlottesville.

Given Roger Kennedy's interest in Ramée, a man with both an architectural and educational vision, it is most fitting that we should honor him at Battery Park, the site of the Castle Clinton National Monument, one of the National Park Service's most important historical, cultural, and educational sites. The park is visited by over 3 million people a year who come to marvel at its spectacular views of New York's harbor, the Statue of Liberty, and Ellis Island, and drink of its rich history.

For Battery Park's history fascinates. Fort Amsterdam was built by the Dutch on the site in 1626 and surrendered to the British in 1664, and subsequently renamed Fort George. In 1783, the British colors at Fort George were hauled down, marking the beginning of American rule. Fort George was subsequently demolished, its rubble added to the Manhattan shoreline. By 1811, a sturdy red sandstone fort—later named Castle Clinton—was erected.

Castle Clinton served as everything but a military facility. It was first an entertainment center for concerts and theater. P.T. Barnum staged the American debut of Jenny Lind—the ''Swedish Nightingale''—there in 1850. It then served as an immigration processing center, welcoming over 8 million immigrants from 1855 to 1889, prior to the opening of Ellis Island. In 1896, Castle Clinton reopened again as the first American aquarium, designed by the distinguished architectural firm of McKim, Mead & White. Castle Clinton and its aquarium were then partially dismantled in the 1940's, costing New York one of its most treasured venues for cultural and educational enrichment.

In 1946, Congress established the Castle Clinton National Monument to be administered by the National Park Service. In 1991, I incorporated into the Intermodal Surface Transportation Efficiency Act an authorization of $2 million for the reconstruction of the Battery's seawall and promenade. I hoped those funds would serve as a catalyst to begin redeveloping Battery Park and implementing a master plan to address the Battery's needs for the 21st century. With his commitment to history and ''teaching the public through place,'' Roger Kennedy has helped spur that plan, working closely with the Conservancy for Historic Battery Park and its energetic and dedicated president, Warrie Price.

I know that through his books, documentaries, and dedication to projects such as Battery Park, my friend Roger Kennedy shall continue to educate, inspire, and delight future students of American history, culture, and architecture. I wish him well at his gala tonight and for all the many years to come.●

TRIBUTE TO THE TOWN OF CHARLESTOWN, NH, AS THEY CELEBRATE THE 250TH ANNIVERSARY OF THE 3-DAY SIEGE ON FORT NO. 4

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to the town of Charlestown, NH, as they celebrate the 250th anniversary of the 3-day siege on the fort at township No. 4. The residents of this Connecticut River community will begin celebrating this historic occasion July 25 and continue with a number of festivities including a battle reenactment, blueberry festival, parade, and several church suppers.

Two hundred fifty years ago, the Connecticut River Valley had only a few settlers scattered along the banks of the river. Township No. 4 would eventually become Charlestown, NH, the northwestern-most English-speaking village in New England. The settlers of this agricultural community were isolated, but still a vital link with towns to the south as they strove to build a strong community on the river banks. To the west and north of the settlement lay only lush mountains and forests, inhabited by moose, bears, native Americans, and a few French trappers.

The people of Township No. 4 were trapped in a hostile environment when King George's war began. The pioneers decided to defend themselves by connecting the five existing houses together, and later added a sixth. The inhabitants of the fort at No. 4, which included a small militia of 30 volunteers, fought day and night to protect their homes and refused to surrender to an enemy force claiming to be 700 strong. During the 3-day siege their defenses were never breached.

Two hundred fifty years later, an authentic reconstruction of the original 1744 fortified settlement sits on the site of the Siege of '47. The fort at No. 4 is one of the only living history museums in New England dedicated to preserving the 1740's and 1750's. The museum captures the spirit of those pioneers who cleared the rough landscape and made way for homes and farms in northern New England. The residents of Charlestown have kept a piece of history for all of the children of New Hampshire and the Nation to see, capturing the rich significance of the settlements along the Connecticut River Valley.

Charlestown's residents today serve to better their community in the true New Hampshire spirit. They serve in professional, semiprofessional, and service occupations and are still willing to dedicate their time and talents on behalf of their neighbors.

I congratulate all of the residents of Charlestown, NH, on this historic event as they continue in the tradition of

their ancestors to make the lives of their community a better place to live. I am honored to represent all of them in the U.S. Senate.●

TRIBUTE TO DR. DAVID ABSHIRE

● Mr. THOMPSON. Mr. President, it is with great pleasure that I recognize today a fellow Tennessean, Dr. David Abshire, who last month received the Distinguished Graduate Award before the Corps of 4,000 Cadets at the U.S. Military Academy at West Point.

Dr. Abshire has a long and distinguished record of service to America. Not only has he served as an Army officer, an Assistant Secretary of State, our Ambassador to NATO, and as a special counselor to the President, but he also played an integral role in founding and building the Center for Strategic and International Studies [CSIS].

Mr. President, in addition to recognizing Dr. Abshire's impressive list of past accomplishments, I am particularly appreciative of the work he and the staff at CSIS are doing. Recently, Dr. Abshire and the CSIS staff have developed an innovative approach to working with individual States, counties, and cities in order to maximize the benefits of job creation, investment, exports, and economic growth stemming from a more global economy. I am gratified that Dr. Abshire has chosen Tennessee as the State in which to begin this effort. His work with Governor Sundquist and my office is greatly appreciated.

I applaud Dr. Abshire for his dedicated service to America and Tennessee, and on his recent recognition at West Point. I ask to have printed in the RECORD the full West Point citation on this outstanding soldier, scholar, diplomat, and institution builder.

The citation follows:

DAVID M. ABSHIRE

Throughout his forth-six years of national service, institution building, and extraordinary scholarship. David M. Abshire has exemplified outstanding devotion to the principles expressed in the motto of the United States Military Academy: Duty, Honor Country.

Dr. Abshire began a lifetime of public service upon his graduation from West Point in 1951. After infantry branch training, he was assigned to Korea, where serving in combat as a front line infantry platoon leader and company commander, he was cited for valor.

In 1955, he left the Army to enroll in the graduate program at Georgetown University from which he received a Ph.D., with honors, in History in 1959.

He then joined the staff of the House Minority Leader and subsequently became Director for Special Projects at the American Enterprise Institute in 1961. While there, he conceived the idea and, together with Admiral Arleigh Burke, organized the founding of the Center for Strategic and International Studies. Since its inception, Dr. Abshire has been the principal architect and institution builder of what has become widely recognized as a world leading public policy institution. Over the years, he was has recruited world statesmen and strategists to the Center's ranks, and has involved a wide range of Members of Congress and corporate leaders, in working groups to solve national and international problems.

Throughout his tenure as President, the Center produced incisive studies that have been instrumental in formulating national public policy. An early study was pivotal in the drafting and passage of the Goldwater Nichols Act. In 1992, the Center produced the report of the 58-person Nunn/Domenici Commission on Strengthening of America. In March of 1997, the Center published a definitive study of Professional Military Education, providing much needed scholarly rationale supporting the military educational system and, in particular, validating the roles of West Point and the other Service Academies as the linchpins of that system.

As a public policy practitioner, Dr. Abshire has held a series of high-level Presidential appointments.

He served as Assistant Secretary of State for Congressional Relations from 1970 to 1973 and played a pivotal role in maintaining bipartisan Congressional coalitions that sustained the U.S. military effort in Vietnam. He negotiated the compromise to the Cooper-Church Amendment that otherwise would have seriously restricted military operations in Southeast Asia. He also developed the Congressional compromise that insured the survival of Radio Liberty and Radio-Free Europe under a public board, in the face of an attempt to cut off CIA funding and let the Radios die. These stations thus continued to play a key role in the Cold War battle to open East European and Russian society

President Ford, in 1974, appointed him as the first chairman of the U.S. Board for international Broadcasting. As President Carter later wrote:

''You have rendered a distinguished service in getting the Board solidly established as sponsor of Radio Free Europe and Radio Liberty and in representing these important institutions to the Congress and the American public. . . .''

In 1974, President Gerald Ford also appointed Dr. Abshire to the Congressional Commission on the Organization of the Government for the Conduct of Foreign Policy.

In 1980, Dr. Abshire was asked by President-elect Ronald Reagan to chair the transition of administrations in the CIA, State and Defense Departments. Subsequently, he was asked to serve on the President's Foreign Intelligence Advisory Board. In 1983, he was appointed U.S. Ambassador to NATO. As Ambassador, Dr. Abshire was the point man all NATO for building allied support for the deployment of the U.S. Pershing II missiles in Europe to counter the threat of Soviet nuclear blackmail

In awarding Ambassador Abshire the Department of Defense Medal for Distinguished Public Service, Secretary Weinberger said:

''Throughout a period of great flux in inter-allied and East-West relations, he was the source of an astonishing flow of imaginative and resourceful ideas geared to the resolution of difficult alliance issues.

''Ambassador Abshire's cogent and innovative proposals for enhancing NATO arms cooperation have already transformed that crucial area of alliance activities. Ever mindful of the central importance of parliamentary and public opinion, he worked tirelessly to build an effective and lasting partnership with Congress. . . .''

In 1987, Dr. Abshire was personally asked by President Reagan to serve as Special Counselor to the President with Cabinet rank for the purpose of organizing White House and departmental responses to the Iran Contra investigations to insure that there was no cover up. After much previous criticism, the integrity of his effort earned Dr. Abshire bipartisan credit for restoring the credibility in the Administration at a difficult time for the Presidency.

As a private citizen, he has served as a member of the Board of Directors of Procter & Gamble and the Ogden Corporation, and on the Advisory Board of BP America.

In the realm of scholarship, he has written five books and edited three others on a wide range of domestic and international issues. He has been a strong promoter in his writings and at CSIS of the study of strategy and history.

Dr. Abshire is a Trustee of Baylor School (Chattanoga, Tennessee). He is also co-founder of the Trinity National Leadership Roundtable in Washington, a former Vice-Chairman of Youth for Understanding, and a board member of the Army War College Foundation.

He has been decorated by the chiefs of state of Belgium, Italy, Finland, Korea, and the United States.

Soldier, institution builder, public servant, author, scholar, diplomat and counselor to Presidents, Dr. Abshire was rendered a lifetime of extraordinary service to his country and to the international community of freedom loving nations.

Accordingly, the Association of Graduates takes great pride in presenting the 1997 Distinguished Graduate Award to David M. Abshire, Class of 1951.●

THE MANDATES INFORMATION ACT

● Mr. ABRAHAM. Mr. President, I ask to have printed in the RECORD an editorial by C. Wayne Crews of the Competitive Enterprise Institute. The editorial, which appeared in the Journal of Commerce, explains how the Mandates Information Act will improve the quality of Congress's deliberation on proposed unfunded mandates on the private sector.

The editorial follows:

[From the Journal of Commerce, June 2, 1997]

PASSING THE BUDGET BUCK

(By Clyde Wayne Crews, Jr.)

Weary of the federal government's habit of enacting popular environmental and other reforms but imposing all their costs on state and localities, governors and local officials revolted in 1995.

They rightly charged that for every dollar spent on federal priorities, they lost the ability to control and allocate their own budgets. That outcry resulted in the 104th Congress's Unfunded Mandates Act.

The legislation didn't halt unfunded public-sector mandates but it did increase Congress's accountability by requiring both disclosure of costs of significant mandates and explicit votes on the intent to impose those costs.

There remains a gap in the quest for accountability and disclosure. Congress is still free to ignore costs when enacting legislation that will impose mandates on the private sector.

Recognizing that government-imposed costs can have profound economic consequences, Sen. Spencer Abraham, R-Mich., is leading a new campaign to force Congress to disclose and assume responsibility for private mandates through the same procedure that exists for public ones.

In an era of budget balancing, Sen. Abraham's campaign assumes new importance. Costs of off-budget mandates on the public now exceed $600 billion a year. That's more than one-third the size of the entire federal budget, greater than personal income taxes, and several times the annual deficit.

The danger is that, as the federal budget is cut to eliminate the deficit by 2002, pressure to shift the costs of favored government programs off-budget to the private sector will mount.

For example, advocates of a new federal job training program could propose funding it through a Department of Labor appropriation, or alternatively, through a new mandate that all Fortune 500 firms provide such training. The first appears on the budget, the second does not.

With the ''Mandates Information Act of 1997,'' Sen. Abraham and Rep. Gary Condit, D-Calif., hope to remedy today's absence of disclosure and regulatory bias. They hope to ensure that mandates imposing higher wages, increasing unemployment, or increasing consumer prices shall no longer slip through Congress unacknowledged.

Their proposal would work by extending certain provisions of the 104th Congress' popular Unfunded Mandates Act to remove the arbitrary distinction between public and private sector mandates.

The Mandates Information Act would allow a single Senator or House member to raise a point of order against any private sector mandate costing over $100 million annually. The point of order would halt further floor action until members vote specifically to waive it.

Making Congress explicitly vote on its intent to impose a burden in this fashion wouldn't necessarily stop any mandate. But it would allow constituents to determine where their representative stood on a particular mandate.

Cost estimates would be prepared by the Congressional Budget Office prior to floor consideration for any bill reported out of committee, and disclosed in a document, called a ''Consumer Worker, and Small Business Impact Statement.''

The statement would include mandate impact estimates on consumer prices and actual supply of goods and service in consumer markets; wages, benefits and employment opportunities; the hiring practices, expansion, and profitability of businesses with 100 or fewer employees.

Knowing such impacts is worthwhile. Sen. Abraham points out that mandates not only result in workers losing jobs, they can prevent job formation in the first place. Mandates mount as a small firm grows; for example, at 15 employees, mandatory compliance with the Americans with Disabilities Act kicks in; at 25, the Health Maintenance Organization Act does; at 50, the Family and Medical Leave Act applies.

Sen. Abraham cites the case of Hasselbring-Clark, an office equipment supply firm in Lansing, Mich. Its treasurer Noelle Clark says, given the additional mandates that would otherwise apply, ''we have hired a few temps to stay under 49 (employees).''

Since the Abraham-Condit bill merely calls for disclosure, it should stand above criticism from advocates of government-regulation; if the majority believes it worthwhile to pass a mandate in the first place, enough votes to override the simply majority point of order ought to be there as well.

The point of order enforcement mechanism for high-dollar rules and the impact statement together could help make Congress far more answerable for excessive mandates. That could be the lasting innovation of the Mandates Information Act.

While most regulatory reforms attempt merely to require agencies to police themselves better through cost-benefit analysis, Sen. Abraham and Rep. Condit are bringing the focus back to the real source of excessive lawmaking: Congress.●

TRIBUTE TO MATTHEW ELMER TREAMER AND CHRIS DEMERS FOR RECEIVING THE 1996 PRESIDENTIAL AWARD IN MATHEMATICS AND SCIENCE TRAINING

● Mr. SMITH of New Hampshire. Mr. President, I rise today to congratulate Matthew Elmer Treamer, a teacher at Lancaster School in Lancaster NH and Chris Demers, a teacher at Dr. H.O. Smith School in Hudson NH, on receiving the 1996 Presidential Award in Mathematics and Science Training. Matthew and Chris will spend the week of June 10–14 in Washington, DC, for a series of events to commemorate their distinguished selection.

As a former teacher myself, I commend their outstanding accomplishment and well-deserved honor.

The Presidential Awards for Excellence in Mathematics and Science Training Program, administered by the National Science Foundation (NSF), is designed to recognize and reward outstanding teachers who serve as models for their colleagues. Matthew and Chris have been leaders in the areas of increased visibility and rewards. This award recognizes their distinguished leadership, and encourages high quality teachers to enter and remain in the teaching field.

New Hampshire has always been fortunate to have many talented teachers, but Matthew and Chris are certainly role models among the teachers of the Granite State. I am proud of their dedication to the education of New Hampshire children and congratulate them on this magnificent achievement. It is an honor to represent them in the U.S. Senate.●

MEASURE READ FOR THE FIRST TIME—H.R. 1000

Mr. ASHCROFT. Mr. President, I understand that H.R. 1000 has arrived from the House, and I would ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 1000) to require States to establish a system to prevent prisoners from being considered part of any household for purposes of determining eligibility of the household for food stamp benefits and the amount of food stamp benefits to be provided to the household under the Food Stamp Act of 1977.

Mr. ASHCROFT. Mr. President, I now ask for its second reading, and object to my own request on behalf of the other side of the aisle.

The PRESIDING OFFICER. The bill will remain at the desk and will receive its next reading on the next legislative day.

MEASURE READ FOR THE FIRST TIME—H.R. 908

Mr. ASHCROFT. Mr. President, I understand that H.R. 908 has arrived from the House, and I ask for its first reading on behalf of the other side of the aisle.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows.

A bill (H.R. 908) to establish a Commission on Structural Alternatives for the Federal Courts of Appeals.

Mr. ASHCROFT. I would now ask for its second reading and object to my own request.

The PRESIDING OFFICER. The bill will remain at the desk and will receive its second reading on the next legislative day.

ORDERS FOR TUESDAY, JUNE 10, 1997

Mr. ASHCROFT. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 11 a.m. on Tuesday, June 10. I further ask unanimous consent that on Tuesday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then be in a period of morning business until the hour of 12:30 p.m. with Senators permitted to speak for up to 5 minutes with the following exceptions: Senator MURKOWSKI, 20 minutes; Senator HARKIN, 30 minutes; Senator BIDEN, 30 minutes.

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

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the Senate recess from the hours of 12:30 until 2:15 on Tuesday for the weekly policy conferences to meet.

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

PROGRAM

Mr. ASHCROFT. Mr. President, for the information of all Senators, tomorrow from 11 a.m. to 12:30 p.m. the Senate will be in a period of morning business to accommodate a number of Senators who have requested time to speak. By previous consent, from 12:30 p.m. to 2:15 p.m., the Senate will be in recess to allow the weekly policy luncheons to meet. Following the luncheons, the Senate may begin consideration of S. 419, the Birth Defects Prevention Act. Therefore, Senators can expect rollcall votes throughout tomorrow's session of the Senate. As always, Members will be notified accordingly as any votes are ordered with respect to any legislation cleared for action.

I thank Members for their attention.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. ASHCROFT. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:15 p.m., adjourned until Tuesday, June 10, 1997, at 11 a.m.