

System, and for other purposes; to the Committee on Armed Services.

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-2180. A communication from the General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report under the Freedom of Information Act from March 1, 1996 to February 28, 1997; to the Committee on the Judiciary.

EC-2181. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a notice of a proposed export license; to the Committee on Foreign Relations.

EC-2182. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, certification of a proposed export license; to the Committee on Foreign Relations.

EC-2183. A communication from the Director of Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, a rule entitled "Revitalizing Base Closure Communities and Community Assistance—Community Redevelopment and Homeless Assistance", received on June 10, 1997; to the Committee on Armed Services.

EC-2184. A communication from the Secretary of Defense, transmitting, pursuant to law, the Cooperative Threat Reduction Multi-Year Program Plan; to the Committee on Armed Services.

EC-2185. A communication from the Director, Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, three rules entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; San Diego County Air Pollution Control District; Yolo-Solano Air Quality Management District", received on June 12, 1997; to the Committee on Environment and Public Works.

EC-2186. A communication from the Director, Fish and Wildlife Service, U.S. Department of the Interior, transmitting, pursuant to law, a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Status for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon" (RIN1018-AE28), received on June 13, 1997; to the Committee on Environment and Public Works.

EC-2187. A communication from the Acting Director, Fish and Wildlife Service, U.S. Department of the Interior, transmitting, pursuant to law, a rule entitled "Endangered Status for Four Plants From Vernal Pools and Mesic Areas in California" (RIN1018-AC96), received on June 13, 1997; to the Committee on Environment and Public Works.

EC-2188. A communication from the Acting Director, Fish and Wildlife Service, U.S. Department of the Interior, transmitting, pursuant to law, a rule entitled "Endangered Status for the Plant *Lessingia germanorum*" (RIN1018-AC96), received on June 13, 1997; to the Committee on Environment and Public Works.

EC-2189. A communication from the Director, Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, seven rules entitled "Approval and Promulgation of State Implementation Plan, South

Carolina: Adoption of General Conformity Regulations", received on June 11, 1997; to the Committee on Environment and Public Works.

EC-2190. A communication from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting, pursuant to law, a report relative to a navigation project at Cook Inlet, Alaska; to the Committee on Environment and Public Works.

EC-2191. A communication from the Comptroller of the Currency of the Administrator of National Banks, transmitting, pursuant to law, the annual report for the calendar year 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC-2192. A communication from the Secretary, U.S. Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to the Portfolio Re-engineering Demonstration Program for fiscal years 1996 and 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-2193. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Federal Energy Efficiency and Water Conservation Funding Study"; to the Committee on Energy and Natural Resources.

EC-2194. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Office of the Secretary, U.S. Department of the Interior, transmitting, pursuant to law, a rule entitled "General Provisions, Definitions: Change in Organizational Title from Field Director and Field Area to Regional Director and Region" (RIN1024-AC60), received on June 11, 1997; to the Committee on Energy and Natural Resources.

EC-2195. A communication from the Chair, Federal Energy Regulatory Commission, transmitting, pursuant to law, a rule relative to the Federal Energy Regulatory Commission's program to review its filing and reporting requirements and reduce unnecessary burdens, received on June 9, 1997; to the Committee on Energy and Natural Resources.

EC-2196. A communication from the Director of Regulations Policy Management Staff, Office of Policy Food and Drug Administration, transmitting, pursuant to law, a report of rule entitled "Neurological Devices; Effective Date of Requirement for PreMarket Approval of Cranial Electrotherapy Stimulators, received on June 11, 1997; to the Committee on Labor and Human Resources.

EC-2197. A communication from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, a rule relative to the Corporation's regulation on Allocation of Assets in Single-Employer Plans, received on June 10, 1997; to the Committee on Labor and Human Resources.

EC-2198. A communication from the Secretary of Labor, transmitting, a draft of proposed legislation entitled "Pension Security Act of 1997"; to the Committee on Labor and Human Resources.

EC-2199. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report for fiscal years 1993 through 1994; to the Committee on Labor and Human Resources.

EC-2200. A communication from the Deputy Director, Regulations Policy Management Staff, Office of Policy Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule entitled "Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers", received on June 11, 1997; to the Committee on Labor and Human Resources.

EC-2201. A communication from the Chair of the Social Security Advisory Board, transmitting, pursuant to law, the report of the

Supplemental Security Income Program for 1997; to the Committee on Finance.

EC-2202. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, a rule entitled "Archaeological and Ethnological Material from Peru" (RIN1515-AC17) received on June 9, 1997; to the Committee on Finance.

EC-2203. A communication from the Chairman of the Prospective Payment Assessment Commission, transmitting, pursuant to law, the report entitled "Medicare and the American Health Care System"; to the Committee on Finance.

EC-2204. A communication from the Chair of the Physician Payment Review Commission, transmitting, pursuant to law, four reports; to the Committee on Finance.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-140. A resolution adopted by the Mayor and Council of the Borough of Spring Lake Heights, County of Monmouth, New Jersey relative to the Mud Dump Site; to the Committee on Environment and Public Works.

POM-141. A resolution adopted by the New Jersey State Federation of Women's Clubs relative to the Violence Against Women Act; to the Committee on Finance.

POM-142. A resolution adopted by the New Jersey State Federation of Women's Clubs relative to the proposed Child Labor Deterrence Act; to the Committee on Finance.

POM-143. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Armed Services.

RESOLUTION

Whereas the nation's military strategy has shifted from its focus during the Cold War on deterrence and containment to support for the nation's new policies of global leadership in preventive diplomacy and promotion of democratic values; and

Whereas our armed forces, in the face of budget and force reductions and increasingly limited resources, are now called upon to conduct operations ranging from enforcing peace to preventing conflict and providing humanitarian assistance, while at all times remaining fully trained and prepared to accomplish their ultimate mission: to fight our nation's wars and win; and

Whereas the United States Department of Defense is now conducting its quadrennial review to evaluate the roles, missions, force structure, and base structure required to meet the challenges of the changing world situation; and

Whereas Alaska's military bases offer the armed forces an unmatched military value as a global power projection platform, as well as incomparable joint training areas that combine world class airspace and air-to-surface target ranges with state-of-the-art electronic arrays and capabilities and a wide range of terrain that is similar to the terrain of many worldwide contingency operations areas; and

Whereas the State of Alaska and its citizens have always extended a warm welcome to members of the armed forces and their families and supported them with state and local programs and educational opportunities that recognize the contributions that members of the armed forces and their families have made to our nation as well as to our local communities;

Be it resolved, That the Alaska State Legislature invites the United States Department of Defense to make use of Alaska's unique

qualities and capabilities by selecting military areas of operation within the state as the site to base and train the full spectrum force our nation now requires to successfully deploy and conduct both joint and combined operations in environments around the world.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; to the Honorable Al Gore, Vice-President of the United States and President of the U.S. Senate; the Honorable William S. Cohen, Secretary of Defense; the Honorable Togo D. West, Jr., Secretary of the Army; the Honorable John H. Dalton, Secretary of the Navy; the Honorable Sheila E. Widnall, Secretary of the Air Force; the Honorable Strom Thurmond, Chairman of the Committee on Armed Services of the U.S. Senate; the Honorable Floyd D. Spence, Chairman of the National Security Committee of the U.S. House of Representatives; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-144. A concurrent resolution adopted by the General Assembly of the State of Iowa; to the Committee on Finance.

RESOLUTION

Whereas, this nation is dependent upon the consumption of ever-diminishing domestic crude oil reserves with the United States annually importing foreign petroleum which accounts for 54 percent of the nation's petroleum consumption and contributes to the nation's serious trade deficit; and

Whereas, a significant amount of this nation's air pollution is caused by vehicles, emitting a variety of petroleum-based pollutants, including benzene and other aromatics, nitrous oxides, particulate matter in the form of smoke and soot, carbon monoxide, and carbon dioxide; and

Whereas, the state of Iowa ranks as a pre-eminent agricultural state, leading the nation in the production of corn; and

Whereas, the processing of corn into ethanol adds value to this nation's abundant corn crop, increasing net farm income, creating employment opportunities, increasing state and federal tax receipts, reducing this nation's dependence upon foreign nations, and reducing the federal trade deficit; and

Whereas, in 1996 ethanol production contributed \$1.9 billion to Iowa's economy, affected the employment of 13,250 Iowans, and increased the value of Iowa's corn crop by \$335 million; and

Whereas, ethanol provides competition in fuel markets and expands consumers' choice of motor fuels which has resulted in a 45 percent market share in the state of Iowa; and

Whereas, motor fuel that includes only a 10 percent blend of ethanol contains 3.5 percent oxygen, which enhances octane levels and provides more oxygen for fuel combustion resulting in reduced levels of hazardous emissions such as carbon monoxide and which provides Americans with healthier air to breathe; and

Whereas, the United States Congress in supporting the need to reduce this nation's dependence upon foreign petroleum, to provide additional markets for domestic corn, to protect the public health, and to preserve the nation's environment, has traditionally encouraged ethanol production and consumption; and

Whereas, long-standing bipartisan congressional support for the ethanol industry is reflected by the 5.4 cent federal tax exemption applicable to gasoline formulated using clean burning ethanol; and

Whereas, the federal tax exemption, currently scheduled to expire on December 31,

2000, is subject to attack by certain members of the current session of the 105th Congress of the United States, as manifested by H.R. 161 introduced by United States Representative Phil English and H.R. 587 introduced by United States Representative Ken Bentsen, both supported by United States Representative Bill Archer, serving as the Chairman of the House Ways and Means Committee: Now therefore

Be it resolved by the House of Representatives, the Senate concurring. That the general assembly encourage the Congress of the United States to resist all efforts to diminish its traditional support of corn growers and the ethanol industry.

Be it further resolved. That the Congress of the United States renew this nation's commitment to the ethanol industry, including by continuing its support of the federal ethanol tax exemption, increasing its commitment to this environmentally benevolent renewable fuel, and taking other actions to increase this nation's commitment to the production and use of ethanol.

Be it further resolved. That copies of this Resolution be sent by the Chief Clerk of the House of Representatives to the President of the United States.

Be it further resolved. That copies of this Resolution be sent by the Chief Clerk of the House of Representatives to the President of the Senate of the United States; the Speaker of the House of Representatives of the United States; the majority and minority leaders of the United States Senate; and the majority and minority leaders of the United States House of Representatives.

Be it further resolved. That copies of this Resolution be sent by the Chief Clerk of the House of Representatives to the chairmen and ranking members of the United States Senate Committee on Agriculture, Nutrition, and Forestry; the United States Senate Committee on Commerce, Science, and Transportation; the United States Senate Committee on Finance; the United States Senate Committee on Energy and Natural Resources; the United States House of Representatives Committee on Agriculture; the United States House of Representatives Committee on Ways and Means; the United States House of Representatives Committee on Transportation and Infrastructure; and the United States House of Representatives Committee on Resources.

Be it further resolved. That copies of this Resolution be sent by the Chief Clerk of the House of Representatives to the Iowa's congressional delegation.

POM-145. A resolution adopted by the General Assembly of the State of New Jersey; to the Committee on Foreign Relations.

RESOLUTION

Whereas, The number of adoptions by American citizens of children born in other countries is increasing more rapidly than any other type of adoptions in the United States. According to the National Council for Adoption (NCFA), in 1991 there were 9,008 foreign adoptions in the United States. More than 60%, or 5,409, of the children adopted were under one year of age; and

Whereas, In certain countries, war, political turmoil and economic circumstances contribute to a situation in which there are very few prospective individuals interested in adopting in comparison to the vast number of children in need of home. In addition, few countries have designed laws in a way which facilitate the placement of children in permanent homes. Instead, children languish in orphanages or institutions where they suffer the effects of malnutrition, overcrowding, disease, abuse and neglect; and

Whereas, Political forces in countries where international adoptions are on the rise

condemn the practice of "giving their children away" to foreigners, making it more difficult for individuals from outside these countries to adopt children in need of homes. In the United States, Congress has severely limited the scope of foreign adoptions by permitting entry to adoptees that fit the narrowly defined category of "orphan;" and

Whereas, Many individuals, such as single men and women and couples over the age of 40, find it difficult to adopt in this country and foreign adoptions afford them the only opportunity to create a permanent family. Certain countries have developed bilateral treaties or other agreements designed to govern adoptions between countries, but most of the cooperations which exists between the United States and other countries when dealing with international adoption issues is found on the adoption agency level; and

Whereas, In order to help individuals who are interested in adopting children from other countries, unimpeded access to orphaned and abandoned children should be guaranteed. To accomplish this goal, a legal framework should be established, through treaties or other agreements, in the United States and around the world that would maximize the potential for cooperation among the countries who have children to adopt and the countries whose citizens are interested in adopting those children and remove the barriers which hinder international adoptions: Now, therefore

Be it resolved by the General Assembly by the State of New Jersey:

1. The United States Department of State is memorialized to adopt a guarantee of unimpeded access to orphaned and abandoned children by Americans as a tenet of foreign policy when negotiating treaties.

2. Duly authenticated copies of this resolution signed by the Speaker of the General Assembly and attested by the Clerk of the General Assembly shall be transmitted to the presiding officers of the United States Senate and House of Representatives, the members of the New Jersey Congressional delegation and the Governor of the State of New Jersey.

STATEMENT

This resolution memorializes the United States Department of State to adopt a guarantee of unimpeded access to orphaned and abandoned children by Americans as a tenet of foreign policy when negotiating treaties. The purpose of the resolution is to urge the federal government to help remove the legal barriers that make it so difficult for Americans to adopt children from other countries.

Memorializes the U.S. Department of State to adopt a guarantee of unimpeded access to orphaned and abandoned children by Americans as a tenet of foreign policy when negotiating treaties.

POM-146. A resolution adopted by the General Court of the Commonwealth of Massachusetts; to the Committee on Veterans' Affairs.

RESOLUTION

Whereas, the citizens of the Commonwealth recognize the sacrifice and honorable service of thousands of local veterans; and

Whereas, the citizens of the Commonwealth support programs and services which provide needed and deserved assistance to those veterans, especially quality health care; and

Whereas, certain Members of the United States Congress have proposed the consolidation and closure of many veterans hospitals across the Nation, including hospitals in the Commonwealth, which would result in a devastating loss of medical services to the nations veterans: Now, therefore be it

Resolved. That the Massachusetts General Court respectfully requests that veterans

hospitals across the Commonwealth and across the country be protected and preserved so that continued health care will be available to veterans seeking the unique services they provide; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

REPORT OF COMMITTEE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of June 12, 1997, the following reports of committee as submitted on June 13, 1997.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment:

S. 903. An original bill to consolidate the foreign affairs agencies of the United States, to authorize appropriations for the Department of State for fiscal years 1998 and 1999, and to provide for reform of the United Nations, and for other purposes (Rept. No. 105-28).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bill was introduced, read the first and second time by unanimous consent, and referred as indicated on June 12, 1997:

By Mrs. BOXER:

S. 902. A bill to require physicians to provide certain men with information concerning prostate specific antigen tests and to provide for programs of research on prostate cancer; to the Committee on Labor and Human Resources.

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated on June 13, 1997:

By Mr. HELMS:

S. 903. An original bill to consolidate the foreign affairs agencies of the United States, to authorize appropriations for the Department of State for fiscal years 1998 and 1999, and to provide for reform of the United Nations, and for other purposes; from the Committee on Foreign Relations; placed on the calendar.

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

By Mr. BREAUX (for himself, Mr. MACK, and Mr. KERREY):

S. 904. A bill to amend title XVIII of the Social Security Act to provide medicare beneficiaries with choices, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN (for himself and Mr. HOLLINGS):

S. 905. A bill to establish a National Physical Fitness and Sports Foundation to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. D'AMATO (for himself, Mr. MOYNIHAN, Mr. CHAFEE, Mr. BREAUX, Mr. HATCH, and Mr. GRAHAM):

S. 906. A bill to amend the Internal Revenue Code of 1986 to extend the economic activity credit for Puerto Rico, and for other purposes; to the Committee on Finance.

By Mr. D'AMATO (for himself and Mr. BAUCUS):

S. 907. A bill to amend the Revenue Act of 1987 to provide a permanent extension of the transition rule for certain publicly traded partnerships; to the Committee on Finance.

By Mr. SMITH of Oregon (for himself and Mr. WYDEN):

S. 908. A bill to authorize the Secretary of the Interior to participate in a water conservation project with the Tumalo Irrigation District, Oregon; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself, Mr. KERREY, and Mr. HOLLINGS):

S. 909. A bill to encourage and facilitate the creation of secure public networks for communication, commerce, education, medicine, and government; to the Committee on Commerce, Science, and Transportation.

By Mr. FRIST:

S. 910. A bill to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TORRICELLI:

S. 911. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to individuals who are active participants in neighborhood crime watch organizations which actively involve the community in the reduction of local crime; to the Committee on Finance.

By Mr. BOND:

S. 912. A bill to provide for certain military retirees and dependents a special medicare part B enrollment period during which the late enrollment penalty is waived and a special medigap open period during which no under-writing is permitted; to the Committee on Finance.

By Mr. HATCH:

S. 913. A bill to amend title XVIII of the Social Security Act to provide for a prospective payment system for home health services, and for other purposes; to the Committee on Finance.

S. 914. A bill to establish a prospective payment system under the medicare program for skilled nursing facility services; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BREAUX (for himself, Mr. MACK and Mr. KERREY):

S. 904. A bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries with choices, and for other purposes; to the Committee on Finance.

THE COMPREHENSIVE MEDICARE REFORM AND IMPROVEMENT ACT OF 1997

Mr. BREAUX. Mr. President, I rise for a moment or two to speak to a bill which Senator MACK and I are introducing today on the entire question of Medicare. So many people around the country have heard Congress and elected officials for a long period of time talk about how we need to reform the Medicare Program. The Medicare Program has been a wonderful program since 1965. It has assured our senior citizens they will have adequate health care in a period in their lives when health care is vitally important.

We have all seen the studies and the reports which clearly point out that unless Congress fundamentally reforms this program, it is not going to be

around for much longer. We clearly see a program that will be bankrupt, which is running out of money, and that has to be a tremendous concern not only to our Nation's seniors but also to their children and their grandchildren and to society at large. Unfortunately, every time Congress moves toward trying to reform Medicare, we do not do it. We have taken the same approach year in and year out with the thought of fixing Medicare with a Band-Aid type of approach instead of addressing the fundamental defects in the program. We have every year said we are going to fix it this year by reducing the reimbursement fees that doctors and hospitals get for treating Medicare patients.

I said the other day, and others have made this comment, that before too long doctors and hospitals will refuse to take Medicare patients because their reimbursement rate from the Government will be less than it costs them to do business, that they will simply refuse to take Medicare patients any longer.

That is already happening in my own family. My mother-in-law just a week ago informed us that after being diagnosed with an ailment of diabetes, in trying to go to a local physician in our State of Louisiana, they promptly informed her they do not take Medicare patients. I think that is something we all need to be very concerned about. We cannot continue to try to fix Medicare with a proposal that truly does not fix it.

What we introduce today is a proposal to make an option available to Medicare recipients which is patterned on the Federal Employees Health Benefit Plan that every Member of the Senate and every Member of the House and all 9 million Federal employees have.

It is a program which is fundamentally different than Medicare because, unlike Medicare, it is based on competition in the marketplace as opposed to arbitrary price fixing of Medicare services, which is the current system under Medicare based here in Washington.

There was an interesting story in the Washington Post this morning which talked about how House and Senate committees are looking at bringing about reform to Medicare and Medicaid and basing that reform on the Federal health plan available to Members of Congress and other Federal employees. Unfortunately, while the Medicare proposals which are now pending in the House and the Senate will increase the range of options available to seniors, they lack the most important feature of the Federal Employees Health Benefit Plan. That is competition. Medicare is the only program that fails to deliver health care based on competition but does it based on arbitrary price fixing, which is no longer working. The proposals currently in both the House and the Senate plan would continue to base what we pay managed care programs on what we spend on the so-called fee-for-service, currently available under Medicare. And that is the