

joint oversight hearing on the problem of youth gang activity in Indian country.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Friday, September 12, at 9 a.m. for a hearing on regulatory reform.

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

##### SUBCOMMITTEE ON IMMIGRATION

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Immigration, of the Senate Committee on the Judiciary, be authorized to meet during the session of the Senate on Friday, September 12, 1997, at 10 a.m. to hold a hearing in room 226, Senate Dirksen Building, on: "Religious Workers."

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

#### ADDITIONAL STATEMENTS

##### REPEAL OF THE TOBACCO TAX CREDIT

• Mr. MCCAIN. Mr. President, I supported the amendment offered this week by my colleagues, Senators DURBIN and COLLINS, to eliminate the tax credit for tobacco companies contained in the Balanced Budget Act of 1997.

I am amazed at the inventiveness of the process that resulted in this little known provision becoming law. The tax credit was not included in either the balanced budget or taxpayer relief bills that were first considered in the House and Senate. It was not included in the final, conference version of the 1,056-page Balanced Budget Act that the Senate approved on July 31. Instead, it was added to the Balanced Budget Act by means of an amendment quietly slipped into the final, conference version of the 809-page Taxpayer Relief Act, that the Senate passed just hours later on the same day.

This \$50 billion giveaway was never discussed or reviewed in an open, public forum, but was added at the eleventh hour, in a conference meeting behind closed doors. This is not the way the Congress should conduct the people's business.

Not only did this unnecessary and undeserved multi-billion-dollar tax credit bypass the normal and appropriate procedures of both Houses of Congress, it also ignored the good intentions of both the Senate and House to provide health care to our Nation's children. This tax break would give the tobacco industry a share of the \$50 bil-

lion raised from increased tobacco excise taxes, instead of protecting those funds to fund new children's health care initiatives. This tax break would benefit the tobacco industry by short-changing an important and widely supported public health initiative.

The overwhelming vote to repeal this unwarranted tax credit demonstrates clearly that the majority in the Senate did not intend to give a \$50 billion tax break to tobacco companies, instead of providing funds to meet the health care needs of approximately 10 million uninsured children in our country. Congress intended to, and did, gradually raise the tax on tobacco products by 15 cents, to provide much-needed funds for health insurance for uninsured children.

I am very concerned that the tobacco tax credit provision that was inserted into the Balanced Budget Act was an attempt by some to begin drafting tobacco liability settlement legislation before Congress has had an opportunity to carefully review the proposed settlement. The provision the Senate voted to repeal would have credited a portion of the increased tobacco excise taxes toward liability payments the tobacco companies could be required to make under legislation implementing the settlement. Clearly, this is inappropriate since Congress is still conducting a thorough examination of the settlement and has not reached a consensus on this matter.

While Congress continues to examine the multibillion-dollar litigation settlement between the tobacco industry and several States, we need to remain mindful that the most important aspect of these discussions is public health, particularly the welfare of our children. By approving the Durbin-Collins amendment and repealing the tax break to tobacco companies, Congress sent a clear message to the American public that their health and well-being is the priority in the complex tobacco settlement discussions. Supporting the Durbin amendment returns \$50 billion to the general Treasury while protecting the \$24 billion necessary for funding the children's health care initiative.

We need to carefully examine utilizing the funds returned to the treasury as financial support for various public health initiatives. Particularly, we need to discuss using these funds for developing initiatives which would provide our children with the appropriate guidance and information regarding the potential health dangers associated with tobacco products. It is imperative that we create educational campaigns which utilize a variety of tools including advertisement, special events, and public service campaigns. By disseminating the appropriate information to the public, specifically children, we could significantly raise awareness on the perils associated with smoking.

History demonstrates that anti-smoking campaigns, particularly on television and the radio can serve as

strong disincentives for smoking. During the late 1960's, the Federal Communications Commission mandated televised antismoking messages to counter the tobacco advertising which was filling the television airwaves. Anti-smoking advertisements and public service announcements caused a decline in the number of smokers in the country. However, in 1971, the FCC implemented a ban on radio and television advertisement. Since implementation of that ban, antismoking campaigns have also declined.

As chairman of the Commerce Committee, which has jurisdiction over many aspects of the tobacco settlement, I have already held one hearing on the settlement and fully intend on holding more hearings in the near future. Specifically, I intend to hold a hearing regarding the impact of television and radio messages in the antismoking campaign. I believe it is important to hold a hearing which examines the role of various media in the campaign to raise public awareness regarding the dangers associated with tobacco products, especially for the Nation's children.

Mr. President, it is important that we continue to give all aspects of the proposed tobacco settlement careful and coordinated consideration. At the same time, we need to remain mindful that a very important goal of any settlement ought to be the protection of the health and welfare of our children and the general public. •

##### RECOGNITION OF SEAN P. ALLERTON, BOY SCOUTS OF AMERICA, TROOP 189

• Mr. BREAUX. Mr. President, I would like to take this opportunity to recognize Sean P. Allerton, a member of the Boy Scouts of America's Troop 189 in New Orleans, LA. In 1992, the 102d Congress amended the Constitution of the United States of America by ratifying the 27th amendment. In doing so, thousands of Government textbooks and educational tools throughout the country became outdated. American government students around the world were retrieving information in libraries, in classrooms and in textbooks that reported the Constitution as only having 26 amendments.

Sean Allerton recognized this lack of current information, and as his Eagle Scout project, decided to rectify the problem. He called upon numerous organizations and individuals in the New Orleans area to sponsor his goal of getting 6,600 copies of the new Constitution distributed to every American government and civics student in New Orleans. On August 21 of this year, he received a letter and a check from State District Court Judge Lloyd J. Medley, Jr., who believed in the importance of Sean's project and donated the financial backing to carry it forth.

On September 17, mayor of New Orleans Marc Morial will hold a press conference to congratulate and thank

Sean on his endeavor, and to distribute the new copies of the Constitution to the students of New Orleans. I, too, would like to send words of support and thanks from the 105th Congress to Sean P. Allerton, for reminding us of the value of service and the patriotism that strengthens this country's heart. Thank you, Sean.●

#### CONTINUING THE FOOD ANIMAL RESIDUE AVOIDANCE DATABANK PROGRAM

● Mr. BURNS. Mr. President, I wish to speak in support of S. 1153, introduced by my colleague Senator BAUCUS, which will continue the Food Animal Residue Avoidance Databank [FARAD] Program.

Although the recent E. coli scares are unfortunate, they present a good opportunity for the Senate to act on the issue of food safety. Public interest in the safety of our food supply is high, and the call for consumer awareness has never been greater. The FARAD Program stores and disseminates information on drug, pesticide, and environmental contaminant residue. This information allows veterinarians and producers to avoid problems with contaminated meat and helps ensure the integrity of our Nation's food supply. Producers and veterinarians can access FARAD information over the telephone, through e-mail, or even through two sites on the Internet, putting valuable data at everyone's fingertips. Information is also available in print material, such as FARAD's compendium on available drugs and the FARAD Digest column in the Journal of the American Veterinary Medical Association. Unfortunately, a lack of funding has prevented FARAD's directors and employees from updating the databank. FARAD must contain complete and current data in order to continue protecting American consumers. And that's the bottom line. The public must be confident that the food on their plate is safe. I hope that my colleagues will support consumer awareness and support the FARAD Program.●

#### BRAILLE LITERACY

● Mr. BINGAMAN. Mr. President, Helen Keller, the moving spirit for the American Foundation for the Blind and many in the visually handicapped community, once said, ". . . when I hold a beloved [braille] book in my hand my limitations fall from me, my spirit is free."

During the recent reauthorization of the Individuals With Disabilities Education Act it was my pleasure to work with the American Foundation for the Blind, the National Federation of the Blind, the American Council of the Blind, and other groups to include a provision for the teaching of braille for all blind or visually impaired students for whom it is appropriate as part of the IEP process. Because of this change

which is now in law, every blind or visually impaired child will soon have the chance to experience the same freedom enjoyed by Helen Keller.

Most children who are blind or visually impaired benefit from specialized instruction in braille to enable them to participate equally with their sighted peers in school and ultimately to compete in the workplace. Additionally, for those who cannot use print, braille provides an excellent means for reading confidential information, making notes at meetings and giving presentations, recordkeeping, labeling information files, performing household management functions, and ease of studying and reviewing critical information.

Over 57,000 students, as of 1996, were registered with the American Printing House for the Blind and over 500 students from New Mexico are registered. Mr. President, I am pleased to report that in my State, 2,500 braille books were circulated by the New Mexico State Library for the Blind and Physically Handicapped, the Regional Library for the Blind in Santa Fe, in fiscal year 1996.

The mission of the American Foundation for the Blind is to enable persons who are blind or visually impaired to achieve equality of access and opportunity that will ensure freedom of choice in their lives. I am delighted that the braille provisions of the recently reauthorized Individuals With Disabilities Education Act will help all children who are blind or visually impaired to achieve this goal.●

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

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

#### ORDERS FOR MONDAY, SEPTEMBER 15, 1997

Mr. SESSIONS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday, September 15; in addition, on Monday, following the prayer, the Senate immediately resume consideration of H.R. 2107, the Interior appropriations bill.

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

#### ORDER FOR RECORD TO REMAIN OPEN

Mr. SESSIONS. Mr. President, I also ask unanimous consent that the RECORD remain open until 3 p.m. for the introduction of legislation and statements.

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

#### PROGRAM

Mr. SESSIONS. As under the previous order, on Monday, the Senate will resume consideration of H.R. 2107, the Interior appropriations bill, as announced. No rollcall votes will occur during Monday's session. Any votes ordered on amendments to H.R. 2107 will be set aside, to occur at a time to be determined by the majority leader. It is our hope that the Senate will conclude debate on the Interior bill by Tuesday. Therefore, Members are encouraged to contact the managers of the bill to schedule floor action on any possible amendments. As Members are aware, this is the next-to-last appropriations bill remaining for Senate consideration; the last being the District of Columbia appropriations. Therefore, Members' cooperation is appreciated in the scheduling of floor action as we attempt to conclude action on both the Interior appropriations bill and the District of Columbia appropriations bill next week.

As a reminder to all Members, there will be no rollcall votes on Monday, and the next rollcall vote will be a cloture vote on the substitute amendment to S. 830, the FDA reform bill, which will occur on Tuesday at 10 a.m., under rule XXII. All first-degree amendments to S. 830 must be filed by 1 p.m. on Monday.

I thank my colleagues for their attention.

#### ADJOURNMENT UNTIL MONDAY, SEPTEMBER 15, 1997

Mr. SESSIONS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 1:24 p.m., adjourned until Monday, September 15, 1997, at 12 noon.

#### NOMINATIONS

Executive nominations received by the Senate September 12, 1997:

##### DEPARTMENT OF COMMERCE

DAVID L. AARON, OF NEW YORK, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE, VICE STUART E. EIZENSTAT, RESIGNED.

##### DEPARTMENT OF STATE

BETTY EILEEN KING, OF MARYLAND, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

DAVID SATCHER, OF TENNESSEE, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE PHILIP R. LEE, RESIGNED.

DAVID SATCHER, OF TENNESSEE, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE SURGEON GENERAL OF THE PUBLIC HEALTH SERVICE FOR A TERM OF 4 YEARS, VICE M. JOCELYN ELDERS.

##### DEPARTMENT OF JUSTICE

MARK REID TUCKER, OF NORTH CAROLINA, TO BE THE U.S. MARSHAL FOR THE EASTERN DISTRICT OF NORTH CAROLINA, FOR THE TERM OF 4 YEARS, VICE WILLIAM I. BERRYHILL.

##### PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR COMPONENT OF THE PUBLIC HEALTH SERVICE COMMISSIONED CORPS SUBJECT TO