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No. 130

Senate

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

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, the Reverend Charles Nestor, Manassas Assembly of God, Manassas, VA. We are pleased to have you with us.

PRAYER

The guest Chaplain, Rev. Charles Nestor, Manassas Assembly of God, Manassas, VA, offered the following prayer:

Let us pray.

Almighty and Holy God, we bow before You, recognizing Your lordship over us and Your loving kindness toward us. Thank You for Your faithfulness in spite of our faults, Your mercy and grace in times of disobedience to You, and Your generous provision always. You have blessed our Nation by bringing together the gifts of a diverse people and the benefits of individuality. We ask that You aid us in our continued quest to become one out of many. Remind us always of our deep dependence upon You and forgive us when in arrogance we forget You. May He who rises with healing in his wings bring healing to us and strengthen our conviction to love each other even as You have loved us. I ask You to grant wisdom to the men and women who labor for all of us in the Senate. May they know power beyond their limitations, as they put their trust in You. Teach us to understand that the greatest among us is servant to all. May this day find the embrace of Your constant presence and the smile of Your approval upon it. In the name that is above every name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the distinguished Senator from North Carolina, is recognized.

Mr. FAIRCLOTH. Thank you, Mr. President.

SCHEDULE

Mr. FAIRCLOTH. Mr. President, today the Senate will resume consideration of S. 1156, the D.C. appropriations bill. Under the previous order, the Senate will debate the Coats amendment No. 1249, regarding school vouchers, from 12 noon until 5 p.m. As a reminder to all Members, a cloture motion was filed last night on the Coats amendment, with the cloture vote scheduled to occur Tuesday, September 30 at 11 a.m. Following the debate on the Coats amendment, it is expected that the Senate will continue debating amendments to the D.C. appropriations bill throughout the evening. As Members are aware, this is the last of 13 appropriations bills that the Senate will consider. Therefore, all Members' cooperation is appreciated in notifying the managers of their intention to offer any amendments. We would like to have those as early as possible. In addition, the Senate may consider any appropriate conference reports as they become available. I thank all Members for their attention.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Oklahoma.

OKLAHOMA CITY NATIONAL MEMORIAL ACT OF 1997

Mr. NICKLES. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on (S. 871) to establish the Oklahoma City National Memorial as a unit of the National Park System; to designate the Oklahoma City Memorial Trust, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 871) entitled "An Act to establish the Okla-

homa City National Memorial as a unit of the National Park System; to designate the Oklahoma City Memorial Trust, and for other purposes.", do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Oklahoma City National Memorial Act of 1997".

SEC. 2. FINDINGS AND PURPOSES.

Congress finds that—

(1) few events in the past quarter-century have rocked Americans' perception of themselves and their institutions, and brought together the people of our Nation with greater intensity than the April 19, 1995, bombing of the Alfred P. Murrah Federal Building in downtown Oklahoma City;

(2) the resulting deaths of 168 people, some of whom were children, immediately touched thousands of family members whose lives will forever bear scars of having those precious to them taken away so brutally;

(3) suffering with such families are countless survivors, including children, who struggle not only with the suffering around them, but their own physical and emotional injuries and with shaping a life beyond April 19;

(4) such losses and struggles are personal and, since they resulted from so public an attack, they are also shared with a community, a Nation, and the world;

(5) the story of the bombing does not stop with the attack itself or with the many losses it caused. The responses of Oklahoma's public servants and private citizens, and those from throughout the Nation, remain as a testament to the sense of unity, compassion, even heroism, that characterized the rescue and recovery following the bombing;

(6) during the days immediately following the Oklahoma City bombing, Americans and people from around the world of all races, political philosophies, religions and walks of life responded with unprecedented solidarity and selflessness; and

(7) given the national and international impact and reaction, the Federal character of the site of the bombing, and the significant percentage of the victims and survivors who were Federal employees the Oklahoma City Memorial will be established, designed, managed and maintained to educate present and future generations, through a public/private partnership, to work together efficiently and respectfully in developing a National Memorial relating to all aspects of the April 19, 1995, bombing in Oklahoma City.

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



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SEC. 3. DEFINITIONS.

In this Act—

(1) **MEMORIAL.**—The term “Memorial” means the Oklahoma City National Memorial designated under section 4(a).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **TRUST.**—The term “Trust” means the Oklahoma City National Memorial Trust designated under section 5(a).

SEC. 4. OKLAHOMA CITY NATIONAL MEMORIAL.

(a) In order to preserve for the benefit and inspiration of the people of the United States and the world, as a National Memorial certain lands located in Oklahoma City, Oklahoma, there is established as a unit of the National Park System the Oklahoma City National Memorial. The Memorial shall be administered by the Trust in cooperation with the Secretary and in accordance with the provisions of this Act, the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

(b) The Memorial area shall be comprised of the lands, facilities and structures generally depicted on the map entitled “Oklahoma City National Memorial”, numbered OCNM 001, and dated May 1997 (hereafter referred to in this Act as the “map”):

(1) Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Trust.

(2) After advising the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives, in writing, the Trust, as established by section 5 of this Act, in consultation with the Secretary, may make minor revisions of the boundaries of the Memorial when necessary by publication of a revised drawing or other boundary description in the Federal Register.

SEC. 5. OKLAHOMA CITY NATIONAL MEMORIAL TRUST.

(a) **ESTABLISHMENT.**—There is established a wholly owned Government corporation to be known as the Oklahoma City National Memorial Trust.

(b) **BOARD OF DIRECTORS.**—

(1) **IN GENERAL.**—The powers and management of the Trust shall be vested in a board of Directors (hereinafter referred to as the “Board”) consisting of the following 9 members:

(A) The Secretary or the Secretary’s designee.

(B) Eight individuals, appointed by the President, from a list of recommendations submitted by the Governor of the State of Oklahoma; and a list of recommendations submitted by the Mayor of Oklahoma City, Oklahoma; and a list of recommendations submitted by the United States Senators from Oklahoma; and a list of recommendations submitted by United States Representatives from Oklahoma. The President shall make the appointments referred to in this subparagraph within 90 days after the enactment of this Act.

(2) **TERMS.**—Members of the Board appointed under paragraph (1)(B) shall each serve for a term of 4 years, except that of the members first appointed, 2 shall serve for a term of 3 years; and 2 shall serve a term of 2 years. Any vacancy in the Board shall be filled in the same manner in which the original appointment was made, and any member appointed to fill a vacancy shall serve for the remainder of that term for which his or her predecessor was appointed. No appointed member may serve more than 8 years in consecutive terms.

(3) **QUORUM.**—Five members of the Board shall constitute a quorum for the conduct of business by the Board.

(4) **ORGANIZATION AND COMPENSATION.**—The Board shall organize itself in such a manner as it deems most appropriate to effectively carry out the authorized activities of the Trust. Board members shall serve without pay, but may be reimbursed for the actual and necessary travel and subsistence expenses incurred by them in the performance of the duties of the Trust.

(5) **LIABILITY OF DIRECTORS.**—Members of the Board of Directors shall not be considered Federal employees by virtue of their membership on the Board, except for purposes of the Federal Tort Claims Act and the Ethics in Government Act, and the provisions of chapter 11 of title 18, United States Code.

(6) **MEETINGS.**—The Board shall meet at least three times per year in Oklahoma City, Oklahoma and at least two of those meetings shall be opened to the public. Upon a majority vote, the Board may close any other meetings to the public. The Board shall establish procedures for providing public information and opportunities for public comment regarding operations maintenance and management of the Memorial; as well as, policy, planning and design issues.

(7) **STAFF.**—

(A) **NON-NATIONAL PARK SERVICE STAFF.**—The Trust is authorized to appoint and fix the compensation and duties of an executive director and such other officers and employees as it deems necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may pay them without regard to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code, relating to classification and General Schedule pay rates.

(B) **INTERIM PARK SERVICE STAFF.**—At the request of the Trust, the Secretary shall provide for a period not to exceed 2 years, such personnel and technical expertise, as necessary, to provide assistance in the implementation of the provisions of this Act.

(C) **PARK SERVICE STAFF.**—At the request of the Trust, the Secretary shall provide such uniformed personnel, on a reimbursable basis, to carry out day-to-day visitor service programs.

(D) **OTHER FEDERAL EMPLOYEES.**—At the request of the Trust, the Director of any other Federal agency may provide such personnel, on a reimbursable basis, to carry out day-to-day visitor service programs.

(8) **NECESSARY POWERS.**—The Trust shall have all necessary and proper powers for the exercise of the authorities vested in it.

(9) **TAXES.**—The Trust and all properties administered by the Trust shall be exempt from all taxes and special assessments of every kind by the State of Oklahoma, and its political subdivisions including the county of Oklahoma and the city of Oklahoma City.

(10) **GOVERNMENT CORPORATION.**—

(A) The Trust shall be treated as a wholly owned Government corporation subject to chapter 91 of title 31, United States Code (commonly referred to as the Government Corporation Control Act). Financial statements of the Trust shall be audited annually in accordance with section 9105 of title 31 of the United States Code.

(B) At the end of each calendar year, the Trust shall submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the House of Representatives a comprehensive and detailed report of its operations, activities, and accomplishments for the prior fiscal year. The report also shall include a section that describes in general terms the Trust’s goals for the current fiscal year.

SEC. 6. DUTIES AND AUTHORITIES OF THE TRUST.

(a) **OVERALL REQUIREMENTS OF THE TRUST.**—The Trust shall administer the operation, maintenance, management and interpretation of the Memorial including, but not limited to, leasing, rehabilitation, repair and improvement of property within the Memorial under its administrative jurisdiction using the authorities provided in this section, which shall be exercised in accordance with—

(1) the provisions of law generally applicable to units of the National Park Service, including: “An Act to establish a National Park Service, and for other purposes” approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4);

(2) the Act of August 21, 1935 (49 Stat. 666; U.S.C. 461–467);

(3) the general objectives of the “Memorial Mission Statement”, adopted March 26, 1996, by the Oklahoma City Memorial Foundation;

(4) the “Oklahoma City Memorial Foundation Intergovernmental Letter of Understanding”, dated October 28, 1996; and

(5) the Cooperative Agreement to be entered into between the Trust and the Secretary pursuant to this Act.

(b) **AUTHORITIES.**—

(1) The Trust may participate in the development of programs and activities at the properties designated by the map, and the Trust shall have the authority to negotiate and enter into such agreements, leases, contracts and other arrangements with any person, firm, association, organization, corporation or governmental entity, including, without limitation, entities of Federal, State and local governments as are necessary and appropriate to carry out its authorized activities. Any such agreements may be entered into without regard to section 321 of the Act of June 30, 1932 (40 U.S.C. 303b).

(2) The Trust shall establish procedures for lease agreements and other agreements for use and occupancy of Memorial facilities, including a requirement that in entering into such agreements the Trust shall obtain reasonable competition.

(3) The Trust may not dispose of or convey fee title to any real property transferred to it under this Act.

(4) Federal laws and regulations governing procurement by Federal agencies shall not apply to the Trust, with the exception of laws and regulations related to Federal Government contracts governing working conditions, and any civil rights provisions otherwise applicable thereto.

(5) The Trust, in consultation with the Administrator of Federal Procurement Policy, shall establish and promulgate procedures applicable to the Trust’s procurement of goods and services including, but not limited to, the award of contracts on the basis of contractor qualifications, price, commercially reasonable buying practices, and reasonable competition.

(c) **MANAGEMENT PROGRAM.**—Within one year after the enactment of this Act, the Trust, in consultation with the Secretary, shall develop a cooperative agreement for management of those lands, operations and facilities within the Memorial established by this Act. In furtherance of the general purposes of this Act, the Secretary and the Trust shall enter into a Cooperative Agreement pursuant to which the Secretary shall provide technical assistance for the planning, preservation, maintenance, management, and interpretation of the Memorial. The Secretary also shall provide such maintenance, interpretation, curatorial management, and general management as mutually agreed to by the Secretary and the Trust.

(d) **DONATIONS.**—The Trust may solicit and accept donations of funds, property, supplies, or services from individuals, foundations, corporations, and other private or public entities for the purposes of carrying out its duties.

(e) **PROCEEDS.**—Notwithstanding section 1341 of title 31 of the United States Code, all proceeds received by the Trust shall be retained by the Trust, and such proceeds shall be available, without further appropriation, for the administration, operation, preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Memorial properties under its administrative jurisdiction. The Secretary of the Treasury, at the option of the Trust shall invest excess monies of the Trust in public debt securities which shall bear interest at rates determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturity.

(f) **SUITS.**—The Trust may sue and be sued in its own name to the same extent as the Federal

Government. Litigation arising out of the activities of the Trust shall be conducted by the Attorney General; except that the Trust may retain private attorneys to provide advice and counsel. The District Court for the Western District of Oklahoma shall have exclusive jurisdiction over any suit filed against the Trust.

(g) **BYLAWS, RULES AND REGULATIONS.**—The Trust may adopt, amend, repeal, and enforce bylaws, rules and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised. The Trust is authorized, in consultation with the Secretary, to adopt and to enforce those rules and regulations that are applicable to the operation of the National Park System and that may be necessary and appropriate to carry out its duties and responsibilities under this Act. The Trust shall give notice of the adoption of such rules and regulations by publication in the Federal Register.

(h) **INSURANCE.**—The Trust shall require that all leaseholders and contractors procure proper insurance against any loss in connection with properties under lease or contract, or the authorized activities granted in such lease or contract, as is reasonable and customary.

SEC. 7. LIMITATIONS ON FUNDING.

Authorization of Appropriations—

(1) **IN GENERAL.**—In furtherance of the purposes of this Act, there is hereby authorized the sum of \$5,000,000, to remain available until expended.

(2) **MATCHING REQUIREMENT.**—Amounts appropriated in any fiscal year to carry out the provisions of this Act may only be expended on a matching basis in a ratio of at least one non-Federal dollar to every Federal dollar. For the purposes of this provision, each non-Federal dollar donated to the Trust or to the Oklahoma City Memorial Foundation for the creation, maintenance, or operation of the Memorial shall satisfy the matching dollar requirement without regard to the fiscal year in which such donation is made.

SEC. 8. ALFRED P. MURRAH FEDERAL BUILDING.

Prior to the construction of the Memorial the Administrator of General Services shall, among other actions, exchange, sell, lease, donate, or otherwise dispose of the site of the Alfred P. Murrah Federal Building, or a portion thereof, to the Trust. Any such disposal shall not be subject to—

(1) the Public Buildings Act of 1959 (40 U.S.C. 601 et seq.);

(2) the Federal Property and Administrative Services Act of 1949 (40 U.S.C. et seq.); or

(3) any other Federal law establishing requirements or procedures for the disposal of Federal property.

SEC. 9. GENERAL ACCOUNTING OFFICE STUDY.

Six years after the first meeting of the Board of Directors of the Trust, the General Accounting Office shall conduct an interim study of the activities of the Trust and shall report the results of the study to the Committee on Energy and Natural Resources and the Committee on Appropriations of the United States Senate, and the Committee on Resources and Committee on Appropriations of the House of Representatives. The study shall include, but shall not be limited to, details of how the Trust is meeting its obligations under this Act.

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate concur in the amendment of the House.

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

Mr. NICKLES. Mr. President, on behalf of myself and the cosponsor of this legislation, Senator INHOFE, the legislation we passed today, S. 871, the Oklahoma City National Memorial Act of 1997, will create a permanent Memorial to commemorate the national

tragedy ingrained in all of our minds that occurred in downtown Oklahoma City at 9:02 a.m. on April 19, 1995, in which 168 Americans lost their lives and countless thousands more lost family members and friends.

The Oklahoma City memorial, established as a unit of the National Park Service, will serve as a monument to those whose lives were taken and those who will bear the physical and mental scars for the rest of their days. The memorial will stand as a symbol to the hope, generosity, and courage shown by Oklahomans and fellow Americans across the country following the Oklahoma City bombing. This will be a place of remembrance, peace, spirituality, comfort and learning.

The National Park Service memorial site will encompass the footprint of the Alfred P. Murrah Federal Building, 5th Street between Robinson and Harvey, the site of the Water Resources Building and the Journal Record Building. An international competition was held to determine the design of the Oklahoma City National Memorial, and I commend the Oklahoma City Memorial Foundation for an excellent selection of the winning design.

In addition to designating the memorial site as a unit of the National Park Service, this bill also establishes a wholly owned Government corporation to be known as the Oklahoma City National Memorial Trust. The trust, in cooperation with the National Park Service, will be charged with administering the operation, maintenance, management and interpretation of the memorial site.

Further, the legislation authorizes a one-time \$5 million Federal donation for construction and maintenance of the memorial. I commend the hard work of my colleagues, Senator GORTON and Senator BYRD, for their help in securing a \$5 million Federal appropriation in this year's appropriations bill. The \$5 million Federal commitment will be matched by \$5 million from the Oklahoma State Legislature and \$14 million in private donations.

While the thousands of family members and friends of those killed in the bombing will forever bear scars of having their loved ones taken away, the Oklahoma City National Memorial will revere the memory of the survivors and those lost and venerate the bonds that drew us all closer together as a result.

Mr. President, while it is impossible to recognize everyone whose hard work and effort made this memorial possible, I submit for the RECORD a list of individuals who formed the core of the Memorial Design Foundation. In addition, I would commend and extend particular appreciation to Gov. Frank Keating; his wife, Kathy Keating; Oklahoma City mayor Ron Norick; Mr. Bob Johnson, director of the Oklahoma City Memorial Foundation, charged with selecting the design for the memorial; vice chairman Karen Luke; Mr. Tom McDaniel; Mr. Zach Taylor; Mr. Bud Welch; Oklahoma City Fire Chief

Gary Marrs; Mrs. Polly Nichols; Mr. Don Ferrell; Mr. Don Rogers; Mr. Richard Williams; and all others who worked hard to make this memorial possible. Our country is, indeed, proud of you, and I am very confident that our country will be proud of the Oklahoma City National Memorial.

I also compliment and thank my colleague, Representative FRANK LUCAS, for his leadership in passing this in the House of Representatives, as well as my colleague, JIM INHOFE, who worked with me in putting this legislation together.

Mr. President, I ask unanimous consent that a list of the Oklahoma City Memorial Board of Directors be printed in the RECORD.

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

OKLAHOMA CITY MEMORIAL BOARD OF DIRECTORS

Ann Alspaugh, Anita Arnold, Clark Bailey, Dr. Edward Brandt, Ron Bradshaw, Terry Childers, John Cole, Richard Denman, Tiana Douglas, Jeanette Gamba, Gerald L. Gamble.

Dr. Kay Goebel, Kathi Goebel, Kevin Gotshall, Jean Gumerson, Frank D. Hill, LeAnn Jenkins, Kirk Jewell, Robert M. Johnson, Doris Jones, Kim Jones-Shelton.

Jackie L. Jones, Barbara Kerrick, Linda Lambert, Sam Armstrong-Lopez, Karen Luke, Deborah Ferrell-Lynn, Thomas J. McDaniel, Sunni Mercer, Leslie Nance, Polly Nichols.

Tim O'Connor, Dr. Betty Pfefferbaum, H.E. (Gene) Rainbolt, John Rex, Florence Rogers, Chris Salyer, Lee Allan Smith, Phyllis Stough, Zach D. Taylor, Phillip Thompson.

Toby Thompson, Beth Tolbert, Tom Toperzer, III, Kathleen Treanor, Be V Tu, Cheryl Vaught, Bud Welch, G. Rainey Williams, Richard Williams, Kathy Wyche, Sydney W. Dobson.

Mr. INHOFE. Mr. President, I am pleased that the Senate has seen fit to pass the Oklahoma City National Memorial Act of 1997 (S. 871). I believe this was an important piece of legislation and one deserving immediate enactment. Once again, I would like to thank my colleague, Senator NICKLES, for being the originating and driving force behind this piece of legislation in the Senate and Representative LUCAS for shepherding through similar legislation in the House.

Earlier, when we considered this bill, we were given the opportunity and the responsibility of remembering a unique group of American heroes. To most, these individuals are nameless, faceless victims of a savage terrorist attack. However, to friends and family of the victims they are remembered as far more. They are remembered as husbands, wives, and children. It was important for the rest of us to recognize the lives of these men, women, and children in their proper context.

The 168 individuals who were killed during this cowardly attack, as well as those who were fortunate to survive, deserve our honor and utmost respect. It is fitting that the memorial was designed to honor them both in an appropriate and visible way. The victims of the bombing represent the true backbone of America. Their lives serve as a

testament to what this country is, what it can be, and what will be. As heroes, they will be honored. As individuals, they will be missed, mourned, and remembered as the true embodiment of our great American spirit.

In addition to the immediate victims of the bombing, we have also recognized the law enforcement officials, the emergency rescue personnel, and the countless volunteers who rushed to our aid in our moment of crisis. The proposed memorial's acknowledgment of not only the victims, but the others involved in the rescue process, was artfully done to remind all of us that we are part of a nation that cares and responds to those in need.

The establishment of the memorial is not only appropriate but an important tool for teaching future generations of Americans what we are all about—coming together. It is also a reminder to us that the price of our freedom is eternal vigilance against those who would rob us of our sense of security through acts of terrorism.

Throughout the entire legislative process, I was pleased to note the extent of involvement by the survivors and the families of those who tragically lost their lives, as well as the larger community. This type of cooperation is not only indicative of how Oklahomans get things done, but will result in a Memorial that is aesthetically designed and truly meaningful to all those who will visit the site for generations to come.

In closing, I would like to thank my colleagues for recognizing the importance of this legislation and giving it their immediate attention. We can all be proud we will now have a suitable memorial to honor the lives of the men, women, and children killed in the bombing.

Mr. FAIRCLOTH addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

Mr. NICKLES. Will the Senator withhold for a moment?

Mr. FAIRCLOTH. Excuse me.

The PRESIDING OFFICER. If the Senator will withhold. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I would like to make sure we have taken final action on S. 871.

The PRESIDING OFFICER. We have taken final action.

Mr. NICKLES. I thank my colleague from North Carolina for his patience, as well as my colleague from Indiana for setting aside some time to pass this legislation. This is very important legislation to the people of Oklahoma and I think to our country as well.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. FAIRCLOTH. I thank the Senator from Oklahoma, and I thank the Chair.

(The remarks of Mr. FAIRCLOTH pertaining to the introduction of S. 1219

are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SMITH of Oregon. Mr. President, with the permission of the Senator from Indiana, I ask unanimous consent to speak as in morning business. I will take a couple minutes.

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

Mr. SMITH of Oregon. I thank the Chair and the Senator from Indiana, Senator COATS.

FREEDOM OF RELIGION IN RUSSIA

Mr. SMITH of Oregon. Mr. President, I wanted to come to the Senate floor this morning and talk about a development in Russia that is of concern to this body because of the action we took earlier this summer.

Earlier in the year the Russian Duma passed a law which would reintegrate a Stalinist system when it comes to freedom of conscience, freedom of religion. Four religions: Judaism, Buddhism, the Russian Orthodox Church, and Islam were identified as sanctioned by the Russian Federation, but left out all Protestant religions, the Catholic religion, and any other minority faith that is currently operating there according to international treaty and according to Russian law, previous Russian law and the Russian Constitution.

These new groups would be treated in minority fashion, in that they could not own property, they could not operate schools, have missionaries there, publish Bibles or distribute them or employ people. They would be required to get rid of bank accounts and to register with the state. What I am describing is a huge setback for Russia, back into Stalinist times. And so, this body took very courageous action. It voted 95 to 4 to withhold foreign aid to Russia, should this be enacted. I was delighted after we did that, that President Boris Yeltsin was good to his word and vetoed that legislation. After that, however, he participated in a compromise bill, which an honest reading would tell a person is of no difference.

The upper house of the Duma, yesterday, passed compromise legislation. The President is expected to sign it, and unfortunately, the worst things that could happen to religion in Russia could still happen. There is reason to believe that the Russian Government will implement this law differently than it is actually written. It is for this reason that I have worked with Senator MITCH MCCONNELL, and other members of the Foreign Operations Subcommittee, to modify our bill in a small, but significant way. The word "enact" will be changed in conference to "implement" in order to give the Russian leaders some latitude in interpreting this legislation. The foreign operations bill language will now allow the Russian Government 6 months to enact the new legislation in a manner that will not discriminate against minority religions before a decision is made to withhold foreign aid.

I come to the floor today to plead with my colleagues to support this language. I would tell you that the people we represent would not be amused by our inaction or our unwillingness to do something. This isn't about trade, this isn't about freedom of contract, this is about taking tax dollars from the American people and giving them to a government that is reimposing Stalinist restrictions. Imagine going to a townhall in your State, or mine in Oregon, and talking to Catholics who are watching the spectacle of their church being removed from Russia—and then trying to explain why Russia should get American tax dollars as foreign aid.

I thank the Chair for this time. I thank my colleague again from Indiana. I yield back the balance of my time.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1156, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1156) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Coats amendment No. 1249, to provide scholarship assistance for District of Columbia elementary and secondary school students.

Wyden amendment No. 1250, to establish that it is the standing order of the Senate that a Senator who objects to a motion or matter shall disclose the objection in the CONGRESSIONAL RECORD.

AMENDMENT NO. 1249

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of amendment No. 1249 with the time until 5 p.m. equally divided and controlled in the usual form.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, we will now for about the next 5 hours be discussing an issue that I believe is important to every Member of the U.S. Senate and important to this country and important to the future of education.

The amendment is titled the "District of Columbia Student Opportunity Scholarship" amendment. It is being offered by myself and Senator LIEBERMAN from Connecticut. We will be presenting the case for this amendment to our colleagues who we trust they will be listening carefully to what is said, and I think the important debate that will ensue as a result of our offering this amendment.

The amendment is fairly basic. It provides opportunity scholarships for children in grades K through 12 for District of Columbia residents whose family incomes are below 185 percent of the