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No. 6

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 4, 1997, at 12:30 p.m.

## Senate

THURSDAY, JANUARY 23, 1997

The Senate met at 11 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

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

Gracious Lord, thank You for the liberating power of an unreserved commitment to You and to our work in Government. When we commit to You our lives and each of the challenges we face, we are not only released from the tension of living on our own limited resources, but a mysterious movement of Your providence begins. The company of Heaven, plus people and circumstances, begin to rally to our aid. Unexpected resources are released, unexplainable good things start happening. The time to begin is now, and the place is here. We all have personal and professional burdens on our shoulders. Commitment is to roll them off our shoulders onto Your strong shoulders, Almighty God. We commit the challenges of this day to You and press on to our work with freedom and joy. We claim the promise of Proverbs 16:3, "Commit your works to the Lord and your thoughts will be established." We claim that, Lord.

Amen.

### RECOGNITION OF THE MAJORITY LEADER

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

Mr. LOTT. Good morning, Mr. President.

### SCHEDULE

Mr. LOTT. Mr. President, today, we will be in a period for morning business in order for all Senators to introduce legislation and to make statements in connection and support of those pieces of legislation, or to make statements on other issues, if they so desire.

As we announced last night, no rollcall votes will occur during today's session, and when the Senate completes its business today, it will stand in adjournment until Monday, January 27, for a pro forma session only. No business will be conducted during Monday's session, and the Senate will automatically adjourn over until Tuesday, January 28.

As all Members are aware, throughout the past week, and continuing into next week, committees are holding hearings with regard to various nominations for the President's Cabinet. That is one reason why we are trying to not force activity on the floor of the Senate, so that the committees can do their work and so the proper investigations and hearings can be held. It is my hope that next week the Senate will be able to consider additional nominations that may become available to the full Senate. It looks like there may be one or two that would be available next week sometime.

So I remind all Senators that rollcall votes are possible, and hopefully likely, beginning on Tuesday and throughout the week on those nominations or other matters that may become available.

Finally, I thank all of my colleagues for their cooperation in allowing us to finish action on the two nominations

yesterday. It was not planned and it was not easy, because some Senators had made other arrangements. We had some Senators that wanted to go to Massachusetts for the wake of Senator Tsongas, and then we have the funeral proceedings today. But we were able to work through that, and there was a little give and take and I appreciate that.

I will be sending a letter—hopefully joined by the Democratic leader—if not tomorrow, early next week, to also ask Senators at the beginning of the session to be helpful to the leadership by not making unreasonable requests as to when votes will occur. I was shocked last year, when I came in as majority leader, at the requests we got from Senators who said, "Can we not have a vote until 11 o'clock on Tuesday?" "Could we not have any votes between 4 o'clock and 7 o'clock on Thursday?"

If we want to have a family friendly Senate, it begins with individual Senators. We will always try to accommodate all Senators wherever we can, and we work with the staff on both sides of the aisle when there are extenuating circumstances—planes are delayed, or when there are funerals that must be attended—and that's fine. But I really think that the practice that has evolved—and I believe it has evolved over several years—where 1 Senator is willing to ask 99 Senators to inconvenience themselves for their one need, is out of control. It is ridiculous and unfair. We are not going to be able to get our work done and be able to go home at a reasonable hour at night if we can't have votes on Monday, if we can't have any votes until 11 o'clock on Tuesday, and cannot vote on Thursday

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



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afternoon. So, frankly, we are not going to honor those requests when they are ridiculous and of that nature.

Senators should know that beginning at 9 o'clock on Tuesday until 6 or 7 o'clock on Tuesday, they will be expected to be here to vote, unless it is extraordinarily important. We are going to make sure we do it in a non-partisan, bipartisan way. But I think we may have to prove a point here a couple of times. One of the reasons why we always want all Senators present is so they can record their constituents' views through their vote, but also because sometimes absentees lead to defeat on one side or the other. So Senators need to be here during normal working hours on Tuesday, Wednesday, Thursday, and probably some Mondays and Fridays. We will try to give as long a notice as possible. This is not an election year. We need to change our approach as to how we do our work.

I plead with the Senators, don't continue that practice. It will not be our intent to honor it when it borders on the verge of being, as I said twice before, ridiculous. We will send a written letter to every Senator from the leaders on both sides, hopefully, asking that this request be honored.

Seeing no Senator seeking recognition at this point, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the transaction of morning business with Senators permitted to speak therein for not to exceed 10 minutes each.

#### DESIGNATING ALAN SCOTT FRUMIN AS A PARLIAMENTARIAN EMERITUS

Mr. LOTT. Mr. President, I send a resolution to the desk on behalf of myself, Senator DASCHLE, and Senator BYRD and ask for its immediate consideration and the clerk read the resolution in its entirety.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 23) designating Alan Scott Frumin as a Parliamentarian Emeritus.

S. RES. 23

*Resolved*, That Alan Scott Frumin be, and he is hereby, designated as a Parliamentarian Emeritus of the United States Senate.

The PRESIDING OFFICER. Without objection, the resolution is considered and agreed to.

The resolution (S. Res. 23) was agreed to.

Mr. LOTT. Mr. President, I move to reconsider the vote by which the resolution was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, if I could just be recognized momentarily, I am pleased to join with the Democratic leader and Senator BYRD in presenting this resolution for Alan Scott Frumin.

He is a Parliamentarian Emeritus who has already served 20 years. He is in his 21st year in the Senate with all of those years in the Parliamentarian's Office, and he says he has actually started understanding and learning the rules. But it has taken 21 years because it is not an easy thing to do.

But he, obviously, has done outstanding work. He has been nonpartisan, as he should be in that position. He has been the Parliamentarian of the Senate for 8 years.

He is a New York native with a law degree from Georgetown. He certainly has earned this distinction and this recognition. And I express our appreciation on behalf of the grateful Senate.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, let me associate myself with the remarks of the distinguished majority leader. I, too, want to congratulate Alan on his honor. It is certainly well-deserved.

He has made many of us look good as we sat in the chair of the Presiding Officer time and again, late at night and early in the morning. He turns around in his own tactful and subtle way and gives us the instructions to pass on to our colleagues as the Presiding Officer. So it is not only his knowledge but his demeanor that has meant a lot to me.

We respect him. He knows he has a lot of friends as Members who have come to rely upon him because of that respect. And today we call attention to his 21 years contributing to the Senate in the Parliamentarian's Office in such a professional way. We congratulate him, and we thank him for his service.

We thank Senator LOTT, Senator BYRD, and others who have seen fit to offer this resolution today.

Mr. LOTT. I yield the floor, Mr. President, if I still have recognition. I believe the Democratic leader has some remarks at this time.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

#### TRIBUTE TO SENATOR PAUL TSONGAS

Mr. DASCHLE. Mr. President, this morning, several of our colleagues are traveling to Lowell, MA to say goodbye to one of our own, Senator Paul Tsongas. They carry with them the thoughts and prayers of every Senator.

Whether or not we knew him personally, whether we served in this Cham-

ber with him or came after him, we are all indebted to Paul Tsongas for the lessons he taught us in his too brief time here, and his too brief life.

Paul Tsongas taught us important lessons about how to balance compassion and fiscal reality.

He taught us, by example, how to reach beyond party labels to something bigger. He taught us about how to live with purpose. And, in the end, he taught us something about how to die with dignity.

Paul Tsongas was the son of immigrants. His parents owned a dry-cleaning shop in Lowell, MA. Paul Tsongas spent every afternoon and every Saturday working behind the counter in his family's business. It was there, he said, that he learned the dignity of work.

Like many Americans of his generation, Paul Tsongas answered President Kennedy's call to join the Peace Corps. His experience in Ethiopia first sparked his interest in public service.

He was elected to the House in 1974 and to the Senate in 1978. He was a young man when he came here, only 38 years old. His disciplined yet open mind and his capacity for original thought brought him deserved attention quickly.

Paul Tsongas was a man of ideas and vision. He was a man of good humor who wasn't afraid to laugh at himself.

In a town in which decibel levels are too often mistaken for conviction, Paul Tsongas stood out for his low-key, reasoned approach to lawmaking. It was an approach that served him—and our Nation—well. Senator Tsongas accomplished more in one term than many Senators who served here much longer.

Paul Tsongas was 42 years old when he was diagnosed with lymphoma. He decided to step down after only one term in order to spend more time with his family—his wife, Niki, and their young daughters, Ashley, Katina, and Molly.

Having lost his own mother when he was only 6, he knew how important it was that his own children know their father. You have to "pour yourself into your children," he explained, "so that when you're not around, you're still around."

Paul Tsongas won his battle against cancer. He came back to establish the Concord Coalition with another of our former colleagues, Senator Warren Rudman, and even to run for President in 1992.

In a newspaper interview that year, he was asked why he would spend his time on a long-shot bid for the White House. He replied, "I guess my answer is kind of syrupy. I survived, and there is an obligation that goes with that . . . I have an obligation to give something back."

Paul Tsongas was a man of unusual courage. He fought until the end—even through pain and disappointment—to fulfill that obligation, to give something back. And, in the opinion of this Senator, he succeeded.

Senator Tsongas's determination to tell the truth, even when it was not

popular, earned him a nickname. Some called him "St. Paul." Now St. Paul has gone on to meet St. Peter. And I suspect he is still working, trying to arrange some divine intervention to help us balance the budget.

Years ago, when Paul Tsongas still sat in this Chamber, he spoke to a reporter about his hopes for his political career. He admitted that he might like to be President, if the opportunity were given to him.

But, he said, "if it turns out that my job in this business is to help provide direction—if that's what I end up being remembered for while someone else carries the ball—well, I could live with that. With a severe pang every once in a while, but I could live with that."

Paul Tsongas gave us a sense of direction. He lived with purpose and passion. And we will all miss him.

Today, our thoughts and prayers go out to Senator Tsongas immediate family, to his twin sister, Thaleia Schlesinger and stepsister Victoria Peters, and to those who remember him as we remember him today. And we thank him for that.

#### FAREWELL AND THANKS TO SENATE PAGES

Mr. LOTT. Mr. President, I would like to say farewell and thanks to this class of Senate pages. Tomorrow is graduation day, and I know many of their parents are in town today and tomorrow for that special occasion.

Their job is a difficult one, with most days beginning long before the Senate convenes—early in the morning—and continuing until after the Senate adjourns, which quite often is late at night.

I thank them for their service. I wish them well.

Mr. President, I ask unanimous consent that the names of the 1996 fall pages, which was a historic time to be a page, be printed in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

#### 1996 FALL PAGES

##### *Republicans:*

Begin, Mary—Rhode Island  
Diehl, Ryan—Washington  
Haliwanger, James—South Carolina  
Heydt, Zachary—Wyoming  
Lyon, Morgan—Utah  
Poole, Robert—Alabama  
Ruff, Justin—South Carolina  
Sperry, Kelly—Utah  
Ulbrich, Brad—Delaware  
Vongsasonh, Power—Rhode Island  
Wachtel, Sarah—Vermont  
Walden, Michelle—Mississippi  
Weyher, Mercedes—Utah

##### *Democrats:*

Bravman, Rachel—Massachusetts  
Crow, Cameron—South Dakota  
Fitzgerald, Taylor—Montana  
Golden, Lewis—Mississippi  
Kitzmiller, Amy—Vermont  
McMenamin, Amanda—Maryland  
McMillan, Kevin—California  
Schultz, Melissa—New Mexico  
Sheldon, Kathryn—Wisconsin

Sydnor, Nathan—Virginia  
Wright, William—Maryland  
Zukas, Nathan—Wisconsin

#### TRIBUTE TO SENATE PAGES

Mr. DASCHLE. Mr. President, today the Senate must bid farewell to a great group of young people who served as U.S. Senate pages during the fall semester.

These young men and women from across the country witnessed history during their service to the Senate. Among other things, this class of pages saw the inauguration of President Clinton, the first Democrat to be reelected President since Franklin Roosevelt. They also were here for the confirmation of the first woman to become Secretary of State, Madeleine K. Albright.

These pages witnessed the final weeks of Senate service of our colleagues who retired at the end of the 104th Congress, many giants of the Senate among them. In the last few weeks, they also saw the swearing in, the first speeches, and the first votes of our new freshmen Senators, any one of whom may be a Senate giant of the future.

Having seen our debates and deliberations up close, this group of pages will take away from here many memories and valuable learning experiences. But they also should take with them our gratitude for everything they have done for us and recognition for a job well done.

Mr. President, a page's life is not easy. They are up before dawn, at page school at 6:15, then here in the Senate for the rest of the day. While they are here, their duties run the gamut. They help set up the Chamber, deliver messages all over the Capitol complex, help things work here on the Senate floor, and pack up the Chamber at the end of the day. Then, it is back to the dorm for homework, a little down time, and a little sleep before they wake up and do it again the next day.

On behalf of all Democratic Senators, I would like to thank the following Democratic pages for all their hard work and contributions to the Senate: Rachel Bravman of Massachusetts; Cameron Crow of South Dakota; Taylor Fitzgerald of Montana; Lewis Golden of Mississippi; Amy Kitzmiller of Vermont; Amanda McMenamin of Maryland; Kevin McMillan of California; Melissa Schultz of New Mexico; Kathryn Sheldon of Wisconsin; Nathan Sydnor of Virginia; William Wright of Maryland; and Nathan Zukas of Wisconsin.

I hope that each member of this page class takes back to his or her home State a better understanding of how this government works and a better appreciation of the need to work together to achieve a common goal. These young people are our future leaders. Measured by their brief service here in the U.S. Senate, we can all feel confident about our country's future. Perhaps someday, one or more of them

will return as Members of the U.S. Senate.

I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

First of all, let me associate myself with the remarks of the minority leader. I never really had a chance to serve with Senator Tsongas, and I really never had a chance to get to know him, but it is hard not to admire his work. He will be missed by his family and loved ones, and he will also be missed by our country. As a Senator from Minnesota, I certainly want to send my love to Paul Tsongas' family.

#### CAMPAIGN FINANCE REFORM

Mr. WELLSTONE. Mr. President, for just a brief period of time today, I want to talk about reform because I think the whole issue of the mix of money and politics and what we are going to do to change the system is going to become the key issue of this 105th Congress.

People have been reading in the newspapers and they have been hearing on the radio or they have been seeing on TV all sorts of comment about the abuses which took place in this past campaign. My argument is that these abuses are embedded in the very ways in which we finance our campaigns.

What has happened—and I do not think any of us should fool ourselves here, whether we are Republicans or Democrats—is that to most of the people in the country, from Pennsylvania to Minnesota to California, it does not even look like elections; it looks like auctions, and I think all too many people believe that national political leaders are for sale.

I would like to say today on the floor of the Senate that I do not believe that is the case. I do not want to have anything to do with bashing of people in public service. I believe in public service. That is why I am here. That is why we are here.

I also want to say today on the floor of the Senate that as a matter of fact we are talking about a certain kind of corruption, not as in the wrongdoing of individual officeholders, but it is systemic, and it is more serious. It has to do with the ways in which money determines what issues are on the table. It has to do with the ways in which money determines who has the disproportionate amount of access to decisionmaking. It has to do with the relationship between money and political clout. It has to do with the political system where too few people probably have too much wealth, power and say and the vast majority of the people feel locked out, not well represented.

I would argue that the way big money has come to dominate politics has become the ethical issue of our time. I say to all of my colleagues—I make this appeal, and I want to follow

up on this appeal with every bit of leverage I have as a Senator—that all of us in office should hate this system. On the one hand, it is a bit like the play “Fiddler on the Roof”—you can argue that, well, no, people should not hate the system because in a way the current system is wired for incumbents. They can raise more money. But I really think all of us should hate this system, because even if you believe in your heart of hearts, even if you are absolutely convinced that the compelling need to raise money never has affected any position you have taken on any issue, even if you believe that, and hopefully it is the case, it sure does not look that way to people. If we want people to believe in this political process, and we want people to believe in our work, and we want people to believe in the Congress, and we want people to believe in us, then we better get this big money out of politics and we better turn this system not upside down—it is upside down right now—we better turn this system right side up.

It is just crystal clear. The spending continues to skyrocket, and in 1996 spending was up and participation down—more disillusionment, more indignation, more people in the country losing faith in the elections and losing faith in this political process.

There are any number of different approaches that can be taken, and I want to talk about three. I have for the better part of last year, year and a half, worked with Senators FEINGOLD and MCCAIN, Senator Kassebaum was involved in this—she will be sorely missed—Senator THOMPSON, Senator GRAHAM, and this effort, this piece of legislation, which still keeps too many big private dollars in politics, sure represents a very important and positive step forward: getting rid of all the soft money, all of the huge amounts of money that people can contribute in the name of party building, getting the costs of campaigns down, voluntary spending limits, some resources for candidates to help challengers. It goes in the right direction, and I will work hard with Senator MCCAIN and Senator FEINGOLD.

There is a separate issue of soft money and all the ways in which people can contribute huge amounts of money, way beyond any spending limit, again, all in the name of party building. With more time, I will go into all of this in specifics. We ought to abolish that. And that would be a focus of mine. I will have a bill on soft money.

In the best of all worlds, if you want to talk about desirability, I will tell you something. People in the country are in a downright anti-status-quo mood, and I really think we ought to model ourselves after what Maine has done. Maine led the Nation. Maine passed the clean money option. And I will be introducing a bill, I hope with other Senators, as well, that essentially says, look, we are going to get all of the interested money out, and what we are going to essentially say to

people in the country is, look, for around \$5 per person, how about a system where the people own the elections? It is your election. And because it is your capital, it becomes your Government and we move all of this interested, big, private money out. We really do have a level playing field between challengers and incumbents, and we really do have clean money politics.

I think that is the best system of all, and I look forward to introducing that bill with other Senators and pushing that forward as well.

A final point. It may be that none of these approaches in their entirety will pass the Senate. And other people will have other ideas.

But first, to people in the country who might be watching, and I will figure out other ways of having a wider forum: You have to turn up the heat, people. The citizens in this country have to turn up the heat. On February 22, in Minnesota, we are going to have a town meeting, hopefully with the whole congressional delegation. Lots of people are going to be there from Minnesota. They are going to come, and they are going to say: Senators and Representatives, we may not know all the specifics of each bill, but we want reform. We want you to change this system. We are tired of all the big money and we are tired of all the vicious attacks.

People need to turn up the heat. I think we need something like Earth Day. I think we need Reform Day. I think we need to have congressional delegations from every State meeting with people back in the States on the same day within the next couple of months, because this Congress has to take action. And anybody listening, citizens who are listening, it has to happen in the first 100 days, because if it does not happen at the beginning of this Congress, the atmosphere is going to become poisonous. There will be finger pointing and accusations on both sides. Everybody is going to try to figure out their own angle, and it will not get done. But this is the time for the reform. Let us move towards real grassroots citizen action.

Second, President Clinton, it is important for you to be outspoken. Presidential leadership, Presidential power—you need to push for the reform. Both parties have made plenty of mistakes. There have been plenty of transgressions. There is plenty of wrong, and the accusations can go back and forth in perpetuity. Why do we not, once and for all, change the system?

Finally, for myself, at the beginning of this Congress—for a short period of time I had an interesting discussion with both leaders in which I maintained I did not know whether we should even go into recess. I thought between January 7 and January 20 we ought to focus just on reform. Now we have another recess period coming up in mid-February. I think we need to give very serious thought to focusing on reform at the very beginning. I am

going to try to use whatever leverage I have as a Senator to push in that direction.

In the Labor and Human Resources Committee the other day I suggested another possibility. Again, these are just proposals as we try to figure out how we can move this process forward. I suggested that maybe, until we have the reform, what we need to do in every committee is to have people come in and testify, file written testimony as to whether or not they have given contributions or the organizations they represent have given contributions to the members of the committee in the year prior to testimony and the year after testimony. I do not know whether that is something to push forward and have a vote on or not.

But I think, again, all of these approaches are not efforts to point the finger at a Senator or Representative. That is bashing. I want nothing to do with it. Or, for that matter, at anybody who is testifying. But I want to bring into sharp focus what is wrong with this process, the perceptions people have about it around the country, all the ways in which it has undercut democracy. You cannot have all of these huge amounts of money pouring into politics and elections and at the same time have real democracy where each person counts as one and no more than one. This is the compelling issue for this Congress.

Mr. President, we have to take action.

I 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.

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

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

Mrs. MURRAY. I thank the Chair.

(The remarks of Mrs. MURRAY pertaining to the introduction of S. 200 are located in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

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

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

The assistant 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. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I ask that I be allowed to speak for 10 minutes.

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

#### OPPORTUNITIES IN THE NEW CONGRESS

Mr. THOMAS. Mr. President, it is sort of exciting to begin to move into a

new Congress, the 105th Congress. You and I and others came first here to the Senate 2 years ago with some dedication to principles that we still hold. Now, we have a new opportunity to continue to work toward the implementation of those things that we came away from the election 2 years ago thinking that people in our States wanted, and people in this country continue to want those things. So we have a great opportunity now.

I think we had success, particularly in the last few months of the last session, as we moved toward doing something with health care. We did something about a couple of Federal mandates, Federal programs that were in place, such as welfare and farm programs, which have been changed now—and I think are more useful and effective—moving them closer to the States. I think that is a good thing to do.

So I hope that we can continue to follow on our efforts in the 104th Congress, efforts that will lead us to a smaller Federal Government, a Federal Government that is more defined in terms of its role, a Federal Government that is more efficient and effective in delivering services, one that is closer to the people that are governed, closer to the people who receive the services and benefits, more efficient in the delivery of those services, less bureaucratic and more accountable. I think that's what all of us would like to do. These are principles that most of us agree to.

I am pleased that the President has, in the last year, as well as in his inaugural address and other statements, indicated his support for a Government that has a balanced budget, that is financially and fiscally responsible not only to taxpayers now, but, maybe even more important, to our children and grandchildren in the future. The President has spoken of the era of big Government being passed. I think we would find a lot of agreement to that in the country and here in the U.S. Senate. It is very easy to talk about those concepts, and it is something else to do it. It is something else to put it into place. We have seen and will continue to see—and, of course, I understand that this is the place of great debate, and frankly it is a place of differences of view. That is what the system is all about. That is what elections are about—to put out there alternative choices and voters choose what they support. So we will see that here, as we should—and I think we will debate, I hope, more civilly than we have sometimes those differences and come to an agreement. We will not have unanimous agreement, of course. But this place wasn't designed to have unanimous agreement. That is why we vote. That is what the system is all about. But it is very easy to talk about concepts, and, yet, you will see everyone say, "Yes, I am for a balanced budget. I want a balanced budget except for \* \* \*" and then find many reasons why we can't do it.

So it is very difficult sometimes to move beyond the rhetoric, to move beyond the general principles and put it into place. That, I think, will be our challenge, and we are starting now to do that. So the challenge is, if these are the principles, if these are the philosophies, let us just do it. That is what I would like to talk about a little bit today. I would like to talk about doing some things within the Government that we have had as a policy for many years and really have not done, and that is more contracting in the private sector; some privatization of those kinds of functions of the Government that could well be carried on in the private sector.

Last year I introduced a bill called the Freedom From Government Competition Act. We supported that. As a matter of fact, the Senate voted 59 to 39 on an amendment which was offered as part of the Treasury-Postal bill which required, in the instance of activities that were not inherently governmental, that agency to test the alternative of doing it in the private sector and seeing if that would be cost efficient and cost effective.

The bill was not considered last year, but we intend this year to put it back in again. It will be something that I believe will move us toward the broader concepts that we are looking for. We can help save money. We can balance the budget. That is what it is all about. It will help eliminate some of the programs that are now there by the Government and bureaucracy that will help us move toward smaller government. The privatization of the contracting often can be done on a more local level, which moves it more, of course, toward the people who are, indeed, in the private sector. It strengthens the private sector and creates a broader tax base. These are the purposes of this kind of approach.

For some 40 years it has been the policy of government to contract wherever possible in the private sector. Unfortunately, that has not been done. CBO estimated that in 1987 nearly 1½ million Federal employees were engaged in the kinds of functions, the kinds of operations, that are commercial in nature. That is a lot of folks doing some things.

So what we need to do is to get this principle that has been there, this policy that has been in place but not implemented, I think, in some kind of statutory language which would be fairly simple. The bill simply requires that OMB, the Office of Management and Budget, go through all the functions of government and segregate those that are inherently government—and there are some, of course, which are only properly done by the Government and the bureaucracy but many that are not—and separate those and then have a system in place so that the work in those areas where it can be done easily be contracted or at least be offered for contract. And if they can be done more inexpensively and more effi-

ciently by contract, then that would be done.

Let me add that it is a little more difficult than that in that it will take some change of culture of the agency to adjust itself to the idea of putting together specifications of bidding, the bidding process, and overseeing and carrying out of the bidding process, and it will take some changes in the agency to do that. If the agency stays the same and simply takes some of these functions and contracts, there will be nothing gained. There will just be additional things. But it can be done, and in fact is being done. The agency that probably does the most of that and does it the best is the Department of Defense. They do a number of things of that kind.

This is not a new idea. It is an idea that was talked about and suggested in the Reagan Office of Privatization, Citizens Against Waste, Citizens for a Sound Economy, the Defense Science Board, and the Grace Commission. Interestingly enough, all three sessions of the White House Conference on Small Business, 1980, 1986, and 1994, listed unfair Government competition as one of the top issues impacting small business. So it is not new. We have worked during the last 6 months substantially with groups in the private sector who now are involved in this activity of promoting this bill, and we look forward to it.

Lots of things could easily be done. Let me give you some examples: janitorial services, printing, map making, engineering services, surveying, and laboratory. In our Wyoming Legislature a number of years ago when I was a member there, we did this kind of thing, and the focus was sort of on laboratories. We had private laboratories that were very capable of doing these kinds of things that government labs were set up to do, and we were able to do that, and we were able to move those activities from the bureaucratic activity to a private one, which creates more jobs, creates more tax base, and creates less cost. So these are the things that we look forward to doing.

So, Mr. President, we will have an opportunity certainly over the next number of months to look at the Government, to take the philosophy that most of us have and put it in place to decide how we can make some changes. Change is not easy to make, of course. There is great resistance to change. There will be resistance to this kind of change. There will be resistance largely from labor unions that represent some of the workers in the Government agencies. But I think that there is a reasonable and logical explanation and reasonable and logical reason for taking a look at saving money, smaller Government, more in the private sector, and more tax base. These are the kinds of benefits that will accrue to families and to America if we can move forward in this direction.

Mr. President, we look forward to introducing the bill. We look forward to

having the opportunity to implement the things that we have been talking about in general terms for the last several years.

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. FORD. 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 Senator from Kentucky is recognized.

Mr. FORD. I thank the Chair.

Mr. President, I send a bill to the desk and ask it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

(The remarks of Mr. FORD pertaining to the introduction of S. 201 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### BRINGING UTAH'S CENTENNIAL TREE TO THE DISTRICT OF COLUMBIA

Mr. HATCH. Mr. President, I join the millions of Americans whose holidays were made just a little brighter this year by the sight of the magnificent 70-foot Engleman Spruce from Utah's Manti-LaSalle National Forest.

I speak not only of those fortunate enough to see the tree in Washington, but of others who saw this giant tree of the great American west pass through their cities and towns en route to Washington. Like the relay that brought the Olympic flame to Atlanta, the journey for Utah's centennial Christmas tree required no less in the way of planning and cooperation.

Many individuals and organizations contributed to this project. In a true holiday spirit, Mack trucks, which has a subsidiary in Pleasant Grove, UT, generously transported this special tree, along with 40 smaller trees to be displayed at other sites in the Nation's Capital, the 2,000 miles to Washington.

Stops along the way included Salt Lake City, UT; Cheyenne, WY; Spearfish, Rapid City, Pierre, and Sioux Falls, SD; LaCrosse, WI; South Bend, IN; Pittsburgh and Allentown, PA; and Hagerstown, MD. At each stop, people came out to see this great symbol of the season and to spread holiday cheer and good will.

At its final destination, in Washington, on the west lawn of the U.S. Capitol, the tree was appropriately welcomed with holiday carols sung by the Salt Lake Symphonic Choir and the Congressional Chorus. Speaker GINGRICH's two nieces threw the switch that illuminated this spectacular Christmas tree. The staff of the Architect of the Capitol should be commended for the

wonderful job they did erecting the tree and decorating it with the ornaments made by Utah's children.

Mr. President, Utah takes special pride in having provided the national holiday tree from its soil, particularly during the year commemorating our centennial anniversary as a State. And, we were proud that Utah's history was also a part of this holiday display. Under the tree was a miniature railroad to commemorate another great Utah event: the joining of the Nation's railway system with a golden spike at Promontory, UT, in 1869. Those who conceived and constructed these railroad cars did a fantastic job.

Finally, Mr. President, I want to reiterate a special note of thanks to the organizations and companies that worked diligently to make the tree the great success that it became. They include the many local communities surrounding Orem, UT; Utah's U.S. Forest Service personnel; the Utah Automobile Club; and such corporate sponsors as Mack trucks, D.M. Bowman, Inc.; Poulan weedeater; and the Hale Brake and Wheel Co. Few efforts like this are successful without the support of the community, and these organizations among many others helped to make Utah's centennial tree to the District of Columbia project possible.

#### 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-841. A communication from the Director of the Defense Procurement, Under Secretary of Defense, transmitting, pursuant to law, a rule entitled "Defense Acquisition Regulation Supplement" received on January 21, 1997; to the Committee on Armed Services.

EC-842. A communication from the Secretary of Energy, transmitting, pursuant to law, the report entitled "Linking Legacies: Connecting the Cold War Nuclear Weapons Production Process to Their Environmental Consequences"; to the Committee on Armed Services.

EC-843. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to brucellosis in cattle, received on January 21, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-844. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to grapes, received on January 21, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-845. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to olives, received on January 21, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC-846. A communication from the Administrator of the Agriculture Marketing Service, Department of Agriculture, transmit-

ting, pursuant to law, the report of a rule relative to Florida grapefruit, received on January 21, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

#### 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 Mrs. MURRAY (for herself and Mr. WYDEN):

S. 200. A bill to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FORD:

S. 201. A bill to provide for the establishment of certain limitations on advertisements relating to, and the sale of, tobacco products, and to provide for the increased enforcement of laws relating to underage tobacco use, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LOTT:

S. 202. A bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 203. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local government of certain surplus property for use for law enforcement or public safety purposes; to the Committee on Environment and Public Works.

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. LEVIN, and Ms. MOSELEY-BRAUN):

S.J. Res. 11. A joint resolution commemorating "Juneteenth Independence Day," June 19, 1865, the day on which slavery finally came to an end in the United States; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for himself, Mr. DASCHLE, and Mr. BYRD):

S. Res. 23. A resolution designating Alan Scott Frumin as a Parliamentary Emeritus; considered and agreed to.

By Mr. INOUE:

S. Res. 24. A resolution to express the sense of the Senate reaffirming the cargo preference policy of the United States; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE:

S. Res. 25. A resolution to express the sense of the Senate that the United States Postal Service should issue a series of stamps highlighting achievements of young Americans, including Samantha Smith of Manchester, Maine, and for other purposes; to the Committee on Governmental Affairs.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself and Mr. WYDEN):

S. 200. A bill to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river, and for other purposes;

to the Committee on Energy and Natural Resources.

THE COLUMBIA RIVER HANFORD REACH  
PROTECTION ACT OF 1997

Mrs. MURRAY. Mr. President, I rise today to introduce a bill that, in one act, will do more to protect and restore the threatened salmon runs on the Columbia River than anything else this Government has tried. This bill will designate the last free-flowing stretch of the Columbia River, the Hanford Reach, as a recreational river under the Wild and Scenic Rivers Act.

The bill I introduce today, with Senator RON WYDEN, is identical to S. 1489, my bill from the 104th Congress. That bill was developed with a broad spectrum of local interests who worked for months to create a bill with widespread support. While the 104th Congress did not take action on this bill, I feel confident that my colleagues of the 105th Congress will see the tremendous economic and environmental benefits of designating the reach a wild and scenic river and will help me pass this important legislation.

Much has happened in the year since I introduced S. 1489. Most important, the scientific community has verified what many locals already knew: The Hanford Reach will make an enormous contribution to salmon recovery on this embattled river. The Independent Scientific Group [ISG], an expert panel of fisheries scientists, reviewed the full range of salmon recovery programs now in place on the Columbia River. The ISG concluded that the Hanford Reach will be critical to our efforts to recover salmon throughout the Columbia Basin. It suggested that chinook salmon from the reach may serve as a core population from which adults could stray to upstream and downstream tributaries and, given good conditions, may reestablish lost or declining runs.

In this last year, we have fostered a growing consensus that the reach is too precious to risk harming. The Governors of the three States of Washington, Oregon, and Alaska recommended protection for the reach, citing it as critical to maintaining healthy stocks of salmon vital to sustaining the region's fishing economy. The Northwest Power Planning Council has endorsed designation of the reach as a wild and scenic river. Likewise, a number of tribal governments have supported continuing Federal protection of the Reach. Many other wildlife and conservation groups, including Trout Unlimited, the Nature Conservancy, American Rivers, and the Audubon Society have recognized the importance of this stretch of the Columbia and have joined the effort to save it. Finally, newspapers in Seattle, Portland, Yakima, and elsewhere have endorsed wild and scenic designation.

Let me remind my colleagues of the splendors of this 50-mile section of the river. While most of the Columbia River Basin was being developed for agriculture, hydroelectricity, and other

economic activities, the Hanford Reach and other buffer lands within the Hanford Nuclear Reservation were kept pristine. Ironically, it was the veil of secrecy and security surrounding the Manhattan project that simultaneously protected the now scarce shrub-steppe ecosystem and created tremendous nuclear and chemical contamination. Fortunately, the arid land, the river's tremendous volume, and new cleanup and restoration technology has minimized the harm done to this vital river.

And vital it is. Its free-flowing nature provides superb habitat that produces 80 percent of the Columbia Basin's fall chinook salmon, as well as thriving runs of steelhead trout and sturgeon. It is the only truly healthy segment of the mainstem of the Columbia River. As the Pacific Northwest is struggling to restore declining salmon runs—and spending hundreds of millions of dollars annually to do so—protecting the Hanford Reach is the most cost-effective step we can take since it is already federally owned.

The reach is also rich in other natural and cultural resources. Bald eagles, wintering and migrating waterfowl, deer, elk, and a diversity of other wildlife depend on the reach. It contains dozens of rare, threatened, and endangered plants and animals. Biologists have identified several new plant species that they believe are unique and found only on lands near the reach.

This part of the Columbia Basin is also of great importance to native Americans, who have lived along the shores and islands of the reach for millennia. There are over 150 archaeological sites along the Hanford Reach, some dating back more than 10,000 years. The reach's naturally spawning salmon remain a vital part of the modern culture and religion of native Americans in the area.

Another area of importance within the reach is the White Bluffs. These fragile cliffs offer dramatic scenery, unique habitat, and fascinating geologic history. Unfortunately, a downstream section of the bluffs has been impacted by irrigation water flowing through the unstable Ringold formation sediments causing it to slide into the river, smothering spawning beds, reducing water quality, and deflecting the course of the river. Should these slumps continue or migrate upstream, some scientists fear the river could become contaminated when it is pushed onto the nuclear reactors lining its south shore. Wild and scenic river designation might help prevent such catastrophes.

The reach also provides an abundance of recreational opportunities. It is very close to the tri-cities of Kennewick, Pasco, and Richland, WA, and several hours drive from the major urban centers of Seattle and Portland. It affords residents and visitors opportunities to hunt, boat, fish, hike, kayak, water ski, bird watch, or simply relax and enjoy the solitude. The reach adds tre-

mendously to the quality of life—and economy—of the area.

It is because of the reach's importance to the local residents and economy that I convened a diverse group of area citizens in 1995 to develop this bill that I reintroduce today. This Hanford Reach Advisory Panel had a wide array of interests and concerns that we addressed in this bill. For example, there was a concern about the potential impact a wild and scenic river designation could have on the traditional uses of the water and nearby lands. So, the panel incorporated specific language to protect current economic activities, such as agriculture, power generation and transmission, and water withdrawals. This bill excludes the 3 percent of private property recommended in the National Park Service's Record of Decision in order to honor the request of those private land owners. The legislation also guarantees that local government and interests have a formal role in the management of the river corridor, which will come under the jurisdiction of the U.S. Fish and Wildlife Service.

In addition, this bill includes the advisory panel's recommendation that the Secretary of the Interior and relevant Federal agencies work with local and State sponsors to develop a program of education and interpretation related to the Hanford Reach. The city of Richland and area tribes, among others, have been working with the Department of Energy on a museum and regional visitor center proposal and are eager to make the natural and human history of the reach part of the project.

This legislation includes provisions urged by the advisory panel to improve the habitat value, access, and appearance of the Columbia River shoreline in the tri-cities' area. Much of the rivershore is now lined with high, steep levees that were put in place before the network of dams controlled the flow of the river and reduced the need for such flood control structures. This bill directs the Army Corps of Engineers, which built, owns, and maintains the levees, to coordinate with local sponsors on demonstration projects to restore the rivershore. The bill directs the corps to undertake some small levee modification projects in partnership with Kennewick, Pasco, and the Port of Kennewick in the short-term. For the longer term, the corps is directed to undertake a comprehensive study of the levees and determine if rivershore restoration is feasible and should become a Federal priority.

Mr. President, let me conclude by again thanking my Hanford Reach Advisory Panel and reiterating to my colleagues the importance of protection of the Hanford Reach. The reach is the last free-flowing section of the mighty Columbia and as such produces outstanding salmon habitat, superb recreational opportunities, and vital economic benefits. I urge my colleagues to take speedy action, pass this important bill and permanently protect the Hanford Reach as a wild and scenic river.



By Mr. FORD:

S. 201. A bill to provide for the establishment of certain limitations on advertisements relating to, and the sale of, tobacco products, and to provide for the increased enforcement of laws relating to underage tobacco use, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE TOBACCO PRODUCTS CONTROL ACT OF 1997

Mr. FORD. Mr. President, pertaining to that bill I have just sent to the desk, Mark Twain used to tell the story about a businessman known for his ruthlessness. The man once told him that before he died he wanted to make a pilgrimage to the Holy Land, climb Mount Sinai, and read the Ten Commandments aloud at the top. "I have a better idea," Twain said. "Why don't you stay home and keep them."

As I reintroduce my legislation to combat youth smoking, that is the same message I would like to send to the antitobacco zealots. They are more than happy to shout from the mountaintop their message against youth smoking, but I have a better idea—sit down and make it happen.

The antitobacco advocates talk forcefully about the numbers of teenagers who begin smoking every day. In citing those figures, those advocates are nothing short of negligent if they reject my legislation and allow this issue to be delayed indefinitely by a court fight. They will clearly be choosing delay over compromise, self-promotion over certain progress.

The fact of the matter is that while they are willing to spend millions of dollars on glitzy ad campaigns, they are not willing to spend any energy forging a compromise. They will not even come to the table. That kind of hardheadedness may mean they can enjoy the limelight a little bit longer, but what about the kids they say they want to protect?

Back in August, just a day after receiving word that the administration was set to sign off on FDA's new regulations on youth smoking, I stood before a gathering of the Kentucky State Farm Bureau and told them that this was an issue that would be decided either in the courts or in Congress. I told them that without a doubt, the voice of the Kentucky farmer stood a much better chance of being heard in Congress.

But, what my colleagues and the American people need to understand is that our children also stand a much better chance if we solve it in Congress. That is why I am back to reintroduce legislation to solve the problem of youth smoking.

Why legislation over regulation? Because FDA regulation is tantamount to years of court wrangling, creates an entire new bureaucracy at a time of Government downsizing, and perhaps most disturbing to farmers, goes well beyond what is needed to target youth smoking.

The Federal Register notice accompanying the regulation says, "FDA in-

tends to classify cigarettes and smokeless tobacco at a future time, and will impose any additional requirements that apply as a result of their classification \* \* \*". If farmers look to FDA interpretation of that language, they see a grim future for tobacco. Bringing in the FDA also creates a whole new bureaucracy when tobacco is already regulated by at least seven Federal agencies. Listen to these. They are regulated by USDA, they are regulated by HHS, BATF, IRS, SAMHSA, EPA, and FTC.

If you want to know all those initials, I would be glad to do that. SAMHSA is important. That is the so-called Synar amendment, our departed colleague from Oklahoma, that he passed, as it related to youth smoking and set up criteria for States. My State has passed a law to meet the requirements of the SAMHSA legislation produced for and by our late, departed Congressman. My legislation seeks to reach the same goal, but under the framework already in place, which is the SAMHSA law.

But what should be most disturbing to all Americans about taking the regulatory route is the fact that the regulation will amount to nothing more than rhetoric, because it will inevitably be tied up in court for years and years over constitutional questions. What this problem calls for is reason, not more rhetoric. That is why I introduced legislation last year, and that is why I am introducing legislation this year.

My legislation represents serious, enforceable measures to combat teenage smoking. But it does not interfere with the legal, private decisions of adults, nor does it trample on the first amendment's protection of free speech. The same cannot be said for FDA regulations, which have already sent advertising, tobacco industry and FDA lawyers scrambling to the courts, setting up for lengthy legal challenges, where the fight will go on for years and years.

Even if FDA jurisdiction is upheld in the pending North Carolina lawsuit, litigation is still sure to go for years and years, with the problem of teen smoking continuing unabated.

My legislation is an effort to reach what I believe should be our common goal, reducing youth smoking, but reaching that goal within the limits set down by the Constitution, without creating a new bureaucracy, and most important, reaching it today rather than tomorrow.

The bill I introduced last year and the bill I am introducing today would ban outdoor advertising of cigarettes and smokeless tobacco products within 500 feet of schools, prevent advertising of cigarettes and smokeless tobacco products in publications with any significant youth subscribership, and prohibit sampling of cigarettes and smokeless tobacco products to young people.

I believe the bill I introduced last year was sufficient to reach our com-

mon goal. However, this year I have broadened that legislation to accommodate many of the other provisions of the FDA regulations, including a ban on advertising at sports and entertainment events attended by youth, and requiring the presentation of photo ID for the purchase of tobacco products. Many of our stores today are requiring photo ID. This will make it a law that they must present a photo ID for the purchase of tobacco products.

In many areas, my legislation actually goes beyond FDA regulations. For example, my bill bans both paid tobacco advertisements or props in movies and cigarettes or smokeless tobacco advertising in videos, video game machines, or family amusement centers.

My legislation this year is different from last year's legislation in one other important way. I believe it can represent a bipartisan effort to solve the problem. In the end, that might be the most important difference because, as my colleagues are well aware, no major tobacco legislation has ever been approved without bipartisan support.

Mr. President, antitobacco advocates—Democrats and Republicans—all share a common goal: reducing the number of youths smoking. If we put our collective efforts together resolving that problem rather than advancing personal agendas, I believe we can solve the problem. I look forward to doing so this year in the spirit of bipartisanship and cooperation.

Mr. President, I know that I am suspect because I am here representing a tobacco-growing State. But let me tell you that the University of Kentucky commissioned a poll, and almost 90 percent of the people in my State oppose youth smoking. I am not here representing just tobacco people, I am here representing my constituents who say that youth should not smoke.

All we are trying to do is make it an adult decision, trying not to create another layer of bureaucracy to stop youth smoking sooner than later. If these people who are antitobacco or antismoking want to really help, come to the table. Let's sit down and work these things out. Put it into law. The President will sign it, I have no question about that. But if we send this to the President, we get it signed, and it goes into force, we can stop it sooner than later. Five years from now it will still be in court. We have had some first-amendment questions before the Court recently—last year—that shook up the whole thrust of the FDA regulations.

So I am here with an honest effort, only armed with the silver tongue of the truth, as I have heard it said, but I would like for everyone to know that this is a serious, honest effort on behalf of my constituents and on behalf of the youth of this country that we get on with the business that we were sent here to do and to make this effort meaningful, and meaningful in the direction I think all of us want to go.



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. 201

*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 "Tobacco Products Control Act of 1997".

#### SEC. 2. AMENDMENT TO FEDERAL CIGARETTE LABELING AND ADVERTISING ACT.

The Federal Cigarette Labeling and Advertising Act is amended by inserting after section 7 (15 U.S.C. 1335) the following:

##### "ADDITIONAL ADVERTISING RESTRICTIONS

##### "SEC. 7A. (a) BILLBOARDS.—

"(1) IN GENERAL.—It shall be unlawful to advertise cigarettes on any outdoor billboard that is located within 500 feet of any public or private elementary or secondary school.

"(2) EXCEPTION.—Paragraph (1) shall not apply to any advertisement that is non-brand name specific if such advertisement is erected or maintained at street level and affixed to business establishments selling tobacco products at retail.

"(b) PERIODICALS.—It shall be unlawful to advertise cigarettes in a newspaper, magazine, periodical or other publication if the subscribers of such publication who are under the age of 18 years constitute more than 15 percent of the total subscribership of such publication as certified by the publisher. The Federal Trade Commission shall annually publish a list of the publications that are subject to this subsection.

##### "(c) STADIA AND ARENAS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful to advertise cigarettes in any arena or stadium where amateur or professional sporting events or activities occur.

"(2) EXCEPTIONS.—Paragraph (1) shall not apply to any advertisement that—

"(A) is contained in a program distributed at a sporting event;

"(B) is displayed at a concession stand that sells cigarettes; or

"(C) is displayed during a sporting event where the sponsor of the event involved has, prior to the event, provided the Federal Trade Commission with a certification that at least 75 percent of the attendees of such event are age 18 or older.

##### "(d) LICENSING PAYMENTS.—

"(1) IN GENERAL.—No payment shall be made for the use of a trade or brand name of a nontobacco product as the trade or brand name for a cigarette.

"(2) EXCEPTION.—Paragraph (1) shall not apply to a cigarette that uses a trade or brand name if such trade or brand name was used both for a cigarette and a nontobacco product sold in the United States on January 1, 1995.

"(e) TRANSPORTATION ADVERTISEMENTS.—It shall be unlawful to advertise cigarettes in or on taxis, buses, trains, or in subway, bus, or train stations, terminals, or platforms unless the advertisement is displayed at a site where cigarettes are sold.

"(f) MOTION PICTURES.—No payment shall be made by any cigarette manufacturer or any agent thereof for the placement of any cigarette, cigarette package, or cigarette advertisement as a prop in any motion picture produced for viewing by the general public.

"(g) VIDEO GAMES.—No cigarette brand name or logo shall be placed in a video or on a video game machine, and no brand name or logo may be placed on or within the premises of family amusement centers.

"(h) DEFINITIONS.—As used in this section—

"(1) AMUSEMENT RIDE OR ATTRACTION.—The term 'amusement ride or attraction' means—

"(A) any mechanized device or combination of devices that carry passengers along, around, or over a fixed or restricted course for the purpose of giving its passengers amusement, pleasure, thrills, or excitement; or

"(B) any building or structure around, over, or through which individuals may walk, climb, slide, jump or move that provides such individuals with amusement, pleasure, thrills, or excitement;

except that such term does not include coin-operated amusement devices that carry no more than 2 individuals, devices regulated by the Federal Aviation Administration, the Federal Railroad Administration (or State railroad administrations), or vessels under the jurisdiction of the Coast Guard (or State division of the water patrol), tractor pulls, auto or motorcycle events, horse shows, rodeos, or other animal shows, games and concessions, nonmechanical playground equipment, or any other devices or structures designated by the Federal Trade Commission.

"(2) FAMILY AMUSEMENT CENTER.—The term 'family amusement center' means an enterprise offering amusement or entertainment to the public through the use of one or more amusement rides or attractions.

"(3) VIDEO GAME.—The term 'video game' means any electronic amusement device that utilizes a computer, microprocessor, or similar electronic circuitry and its own cathode ray tube, or is designed to be used with a television set or a monitor, that interacts with the user of the device."

#### SEC. 3. AMENDMENT TO COMPREHENSIVE SMOKELESS TOBACCO HEALTH EDUCATION ACT OF 1986.

The Comprehensive Smokeless Tobacco Health Education Act of 1986 is amended by inserting after section 3 (15 U.S.C. 4402) the following:

##### "ADVERTISING RESTRICTIONS

##### "SEC. 3A. (a) BILLBOARDS.—

"(1) IN GENERAL.—It shall be unlawful to advertise a smokeless tobacco product on any outdoor billboard that is located within 500 feet of any public or private elementary or secondary school.

"(2) EXCEPTION.—Paragraph (1) shall not apply to any advertisement that is non-brand name specific if such advertisement is erected or maintained at street level and affixed to business establishments selling tobacco products at retail.

"(b) PERIODICALS.—It shall be unlawful to advertise any smokeless tobacco product in a newspaper, magazine, periodical or other publication if the subscribers of such publication who are under the age of 18 years constitute more than 15 percent of the total subscribership of such publication as certified by the publisher. The Federal Trade Commission shall annually publish a list of the publications that are subject to this subsection.

##### "(c) STADIA AND ARENAS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful to advertise smokeless tobacco product in any arena or stadium where amateur or professional sporting events or activities occur.

"(2) EXCEPTIONS.—Paragraph (1) shall not apply to any advertisement that—

"(A) is contained in a program distributed at a sporting event;

"(B) is displayed at a concession stand that sells smokeless tobacco product; or

"(C) is displayed during a sporting event where the sponsor of the event involved has, prior to the event, provided the Federal Trade Commission with a certification that

at least 75 percent of the attendees of such event are age 18 or older.

##### "(d) LICENSING PAYMENTS.—

"(1) IN GENERAL.—No payment shall be made for the use of a trade or brand name of a nontobacco product as the trade or brand name for a smokeless tobacco product.

"(2) EXCEPTION.—Paragraph (1) shall not apply to a smokeless tobacco product that uses a trade or brand name if such trade or brand name was used both for a smokeless tobacco product and a nontobacco product sold in the United States on January 1, 1995.

"(e) TRANSPORTATION ADVERTISEMENTS.—It shall be unlawful to advertise smokeless tobacco product in or on taxis, buses, trains, or in subway, bus, or train stations, terminals, or platforms unless the advertisement is displayed at a site where smokeless tobacco products are sold.

"(f) MOTION PICTURES.—No payment shall be made by any smokeless tobacco manufacturer or any agent thereof for the placement of any smokeless tobacco product, smokeless tobacco package, or smokeless tobacco advertisement as a prop in any motion picture produced for viewing by the general public.

"(g) VIDEO GAMES.—No smokeless tobacco product brand name or logo shall be placed in a video or on a video game machine, and no brand name or logo may be placed on or within the premises of a family amusement center.

##### "(h) DEFINITIONS.—As used in this section:

"(1) AMUSEMENT RIDE OR ATTRACTION.—The term 'amusement ride or attraction' means—

"(A) any mechanized device or combination of devices that carry passengers along, around, or over a fixed or restricted course for the purpose of giving its passengers amusement, pleasure, thrills, or excitement; or

"(B) any building or structure around, over, or through which individuals may walk, climb, slide, jump or move that provides such individuals with amusement, pleasure, thrills, or excitement;

except that such term does not include coin-operated amusement devices that carry no more than 2 individuals, devices regulated by the Federal Aviation Administration, the Federal Railroad Administration (or State railroad administrations), or vessels under the jurisdiction of the Coast Guard (or State division of the water patrol), tractor pulls, auto or motorcycle events, horse shows, rodeos, or other animal shows, games and concessions, nonmechanical playground equipment, or any other devices or structures designated by the Federal Trade Commission.

"(2) FAMILY AMUSEMENT CENTER.—The term 'family amusement center' means an enterprise offering amusement or entertainment to the public through the use of one or more amusement rides or attractions.

"(3) VIDEO GAME.—The term 'video game' means any electronic amusement device that utilizes a computer, microprocessor, or similar electronic circuitry and its own cathode ray tube, or is designed to be used with a television set or a monitor, that interacts with the user of the device."

#### SEC. 4. AMENDMENT TO PUBLIC HEALTH SERVICE ACT.

Section 126 of the Public Health Service Act (42 U.S.C. sec. 300x-26) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—Subject to paragraph (2), for fiscal year 1998 and subsequent fiscal years, the Secretary may make a grant under section 1921 only if the State involved has in effect a law providing that—

"(A) it is unlawful for any manufacturer, retailer, or distributor of cigarettes or smokeless tobacco products to sell or distribute any such product to any individual

under the age of 18, and such manufacturer, retailer, or distributor shall, in all face to face transactions involving an individual who appears to be under the age of 26, verify such age by means of an official (issued by the Federal or State government) photographic identification containing the date of birth of the bearer;

"(B) no person, firm, partnership, company, or corporation shall operate a vending machine which dispenses cigarettes or smokeless tobacco products unless such vending machine is in a location that is in plain view and under the direct supervision and control of the individual in charge of the location or his or her designated agent or employee;

"(C) the restrictions described in subparagraph (B) shall not apply in the case of a vending machine that is located—

"(i) at a private club;

"(ii) at a bar or bar area of a food service establishment;

"(iii) at a factory, warehouse, tobacco business, or any other place of employment which has an insignificant portion of its regular workforce comprised of individuals under the age of 18 years and only if such machines are located in an area that is not accessible to the general public; or

"(iv) in such other location or made available in another manner that is expressly permitted under applicable State law;

"(D) it is unlawful for any person engaged in the selling or distribution of cigarettes or smokeless tobacco products for commercial purposes to distribute without charge any cigarettes or smokeless tobacco products, or to distribute coupons which are redeemable for cigarettes or smokeless tobacco products, except that this subparagraph shall not apply in the case of distribution—

"(i) through coupons contained in publications for which advertising is not restricted under section 7A of the Federal Cigarette Labeling and Advertising Act or section 3A of the Comprehensive Smokeless Tobacco Health Education Act of 1986, coupons obtained through the purchase of cigarettes or smokeless tobacco products, or coupons sent through the mail;

"(ii) where individuals can demonstrate, through a photographic identification card, that the individual is at least 18 years of age;

"(iii) in locations that are separately segregated to deny access to individuals under the age of 18; or

"(iv) through such other manners or at other locations that are expressly permitted under applicable State law;

"(E) it is unlawful to for any manufacturer, retailer, or distributor of cigarettes or smokeless tobacco products to sell or distribute non-tobacco merchandise related to such cigarettes or smokeless tobacco products unless—

"(i) with respect to a face-to-face transactions, the individual is 18 years of age or older as verified, in the case of an individual who appears to be under the age of 26, by means of an official (issued by the Federal or State government) photographic identification containing the date of birth of the bearer;

"(ii) with respect to other transactions, the individual involved provides a signed certification together with a copy of an official (issued by the Federal or State government) photographic identification containing the date of birth of the individual that such individual is 18 years of age or older; and

"(iii) with respect to items of clothing or hats, such clothing or hat is made available in only adult sizes;

"(F) it is unlawful for any manufacturer, retailer, or distributor of cigarettes or smokeless tobacco products to display those products in a manner that causes those prod-

ucts to be accessible to anyone other than an employee of the manufacturer, retailer, or distributor, except that such prohibition shall not apply to a display—

"(i) if the display is located within the physical reach of an employee of the manufacturer, retailer, or distributor working at the normal work station of the employee; or

"(ii) if an employee of the manufacturer, retailer, or distributor is able to monitor the display through the use of in-store mirrors, video cameras, or by other means;

"(G) it is unlawful for any retailer to break or otherwise open any cigarette package to sell or distribute individual cigarettes or a number of unpackaged cigarettes that is smaller than the quantity in the minimum cigarette package size of 20 cigarettes, or any quantity of cigarette tobacco that is smaller than the smallest package distributed by the manufacturer for individual consumer use; and

"(H) it is unlawful for any retailer to break or otherwise open any smokeless tobacco package to sell or distribute any quantity of smokeless tobacco that is smaller than the smallest package distributed by the manufacturer for individual consumer use.";

(2) in subsection (a)(2)—

(A) by striking "1993" and inserting "1997";

(B) by striking "1994" and inserting "1998"; and

(C) by striking "1995" and inserting "1999";

(3) in subsection (c)—

(A) in paragraph (1), by striking "10 percent" and inserting "20 percent";

(B) in paragraph (2), by striking "20 percent" and inserting "40 percent";

(C) in paragraph (3), by striking "30 percent" and inserting "60 percent"; and

(D) in paragraph (4), by striking "40 percent" and inserting "80 percent";

(4) in subsection (d)—

(A) in paragraph (1), by striking "1995" and inserting "1999"; and

(B) in paragraph (2), by striking "1994" and inserting "1998"; and

(5) by adding at the end the following:

"(e) ENFORCEMENT.—Any amounts made available to a State through a grant under section 1921 may be used to enforce the laws described in subsection (a).

"(f) DEFINITIONS.—As used in subsection (a)(1), the term 'private club' means an organization with no more than an insignificant portion of its membership comprised of individuals under the age of 18 years that regularly receives dues or payments from its members for the use of space, facilities and services."

#### SEC. 5. AMENDMENT TO FEDERAL FOOD, DRUG, AND COSMETIC ACT.

Chapter IX of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 391 et seq.) is amended by adding at the end the following:

#### "SEC. 906. PROHIBITION ON REGULATION OF TOBACCO PRODUCTS.

"Nothing in this Act or any other Act shall provide the Food and Drug Administration with any authority to regulate in any manner tobacco or tobacco products (as such terms are defined for purposes of section 5702(c) of the Internal Revenue Code of 1986."

Mr. HELMS. Mr. President, Senator FORD's introduction of the Tobacco Products Control Act of 1997 is a good first step toward addressing the problem of youth access to tobacco products. I shall work with Senator FORD and other colleagues in solving it.

Mr. President, the tobacco industry has made it absolutely clear that the choice to smoke must be for adults only to make. There is not one tobacco farmer in North Carolina who approves of children and teenagers smoking.

However, the transparent vendetta waged by overzealous bureaucrats in the Food and Drug Administration against the tobacco family has been outrageous. It is a misguided attempt to expand the jurisdiction of FDA at a time when the agency is clearly failing in its stipulated mission, and is an obvious attempt to usurp congressional authority. Congress has considered—and rejected—numerous FDA attempts to regulate tobacco.

Mr. President, I thank my able colleague, Senator FORD, who has worked so faithfully on behalf of America's tobacco farmers. Once again, I am honored to stand with him.

Mr. FAIRCLOTH. Mr. President, I want to thank Senator FORD for introducing legislation regarding the regulation of tobacco.

With respect to this very controversial issue, let us set one thing straight—no one supports teen smoking. We need to do more to discourage youths from smoking. No one is opposed to reasonable legislation that would curb young people from smoking. That much is clear and everyone agrees on it.

Also, the tobacco companies have pledged that they will do more to curb teen smoking.

What is questionable is the notion of the FDA regulating tobacco as if it were a drug. This is a stretch by anyone's standards. President Clinton has said that the era of big government is over, and yet he has allowed the FDA to vastly increase its regulatory authority. Ask yourselves this question, should the Food and Drug Administration be regulating the color of race cars at NASCAR events? This is no—absolutely no.

What we need is a bill to address the problems of teen smoking, and one that protects small North Carolina farmers. I was not elected to the Senate to see small farmers slide into bankruptcy because of the Clinton administration.

The Ford bill is a good start. I continue to work with Senator HELMS, Senator MCCONNELL, and other Senators to develop a consensus document that can actually pass this Congress.

Our goal here is to get something passed so that we don't set the dangerous precedent of the FDA deciding that some product is suddenly decreed a drug—and that it will now be regulated.

Thank you Mr. President, and thank you Senator FORD for your leadership on this issue.

By Mr. LOTT:

S. 202. A bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age; to the Committee on Finance.

THE OLDER AMERICANS FREEDOM TO WORK ACT  
OF 1997

Mr. LOTT. Mr. President, I am re-introducing the Older Americans Freedom To Work Act and request my colleagues' support. This legislation

would remove the limitation on the amount of outside income which Social Security beneficiaries, who have reached retirement age, may earn without incurring a reduction in benefits. It would abolish the onerous earnings test and allow senior citizens to work without being penalized.

As you know, the Social Security retirement earnings test reduces benefits to persons between ages 65 and 69 who earn more than \$13,500. These reductions amount to \$1 in reduced benefits for every \$3 in earnings above the limit.

This limitation is unfair and poses a serious threat to the labor work force. Demographers tell us, that between the years 2000 and 2010, the baby boom generation will be in their retirement years. With fewer babies being born, this Nation is looking at a severe labor shortage. We need the skills, wisdom, and experience of our older workers, and this measure will encourage them to remain in the labor force.

Elimination of the retirement earnings test begins the process of providing employment opportunities for older Americans without punishing them for their efforts. In the 1930's when the earned income limit was devised, encouraging senior citizens to leave the workplace was seen as a positive act, designed to increase job opportunities for younger workers. Today, with our shrinking labor force, such a policy is senseless.

It is a pleasure to again sponsor legislation in the Senate to abolish the onerous retirement earnings test. I urge my colleagues to join me in supporting this vitally important 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. 202

*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 "Older Americans' Freedom to Work Act of 1997".

#### SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c)(1), by striking "the age of seventy" and inserting "retirement age (as defined in section 216(l))";

(2) in paragraphs (1)(A) and (2) of subsection (d), by striking "the age of seventy" each place it appears and inserting "retirement age (as defined in section 216(l))";

(3) in subsection (f)(1)(B), by striking "was age seventy or over" and inserting "was at or above retirement age (as defined in section 216(l))";

(4) in subsection (f)(3)—

(A) by striking "33½ percent" and all that follows through "any other individual," and inserting "50 percent of such individual's earnings for such year in excess of the product of the exempt amount as determined under paragraph (8)."; and

(B) by striking "age 70" and inserting "retirement age (as defined in section 216(l))";

(5) in subsection (h)(1)(A), by striking "age 70" each place it appears and inserting "retirement age (as defined in section 216(l))"; and

(6) in subsection (j)—

(A) in the heading, by striking "Age Seventy" and inserting "Retirement Age"; and

(B) by striking "seventy years of age" and inserting "having attained retirement age (as defined in section 216(l))".

#### SEC. 3. CONFORMING AMENDMENTS ELIMINATING THE SPECIAL EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

(a) UNIFORM EXEMPT AMOUNT.—Section 203(f)(8)(A) of the Social Security Act (42 U.S.C. 403(f)(8)(A)) is amended by striking "the new exempt amounts (separately stated for individuals described in subparagraph (D) and for other individuals) which are to be applicable" and inserting "a new exempt amount which shall be applicable".

(b) CONFORMING AMENDMENTS.—Section 203(f)(8)(B) of the Social Security Act (42 U.S.C. 403(f)(8)(B)) is amended—

(1) in the matter preceding clause (i), by striking "Except" and all that follows through "whichever" and inserting "The exempt amount which is applicable for each month of a particular taxable year shall be whichever";

(2) in clauses (i) and (ii), by striking "corresponding" each place it appears; and

(3) in the last sentence, by striking "an exempt amount" and inserting "the exempt amount".

(c) REPEAL OF BASIS FOR COMPUTATION OF SPECIAL EXEMPT AMOUNT.—Section 203(f)(8)(D) of the Social Security Act (42 U.S.C. (f)(8)(D)) is repealed.

#### SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.

(a) ELIMINATION OF REDUNDANT REFERENCES TO RETIREMENT AGE.—Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c), in the last sentence, by striking "nor shall any deduction" and all that follows and inserting "nor shall any deduction be made under this subsection from any widow's or widower's insurance benefit if the widow, surviving divorced wife, widower, or surviving divorced husband involved became entitled to such benefit prior to attaining age 60."; and

(2) in subsection (f)(1), by striking clause (D) and inserting the following: "(D) for which such individual is entitled to widow's or widower's insurance benefits if such individual became so entitled prior to attaining age 60.".

(b) CONFORMING AMENDMENT TO PROVISIONS FOR DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF DELAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended—

(1) by striking "either"; and

(2) by striking "or suffered deductions under section 203(b) or 203(c) in amounts equal to the amount of such benefit".

(c) APPLICATION TO BLIND BENEFICIARIES.—Section 223(d)(4)(A) of the Social Security Act (42 U.S.C. 423(d)(4)(A)) is amended by striking the second sentence.

#### SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall apply only with respect to taxable years ending after December 31, 1996.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 203. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local government of certain surplus property for use for law enforcement or public safety purposes; to

the Committee on Environment and Public Works.

#### FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT AMENDMENTS

Mrs. FEINSTEIN. Mr. President, I rise, for Senator BOXER and myself, to introduce legislation that amends the Federal Property and Administrative Services Act of 1949 to allow the Federal Government to transfer to State and local governments surplus Federal property for use for law enforcement or public safety purposes. This bill expands current authority which restricts this type of property transfer to State and local governments for use only as correctional facilities.

Our law enforcement and public safety officials need the flexibility that this legislation provides. While continuing to allow prisons to be built, this legislation provides communities with the options they need to establish or expand needed law enforcement training facilities, fire fighting academies, and the like given an area's particular need.

The one thing communities need after a military base closure is the flexibility to reuse bases to fulfill their greatest local needs. This bill will continue to facilitate the successful reuse of base realignment and closure sites, like March Air Force Base in California, for civilian and public safety purposes. Fighting crime continues to be a top priority for communities throughout the Nation. It makes sense to allow communities to put former military bases to use in that fight.

I urge my colleagues to cosponsor this legislation. Our communities affected by base closures deserve all options to facilitate successful reuse.

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. 203

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

#### SECTION 1. AUTHORITY TO TRANSFER SURPLUS PROPERTY FOR USE FOR LAW ENFORCEMENT OR PUBLIC SAFETY PURPOSES.

(a) IN GENERAL.—Section 203(p)(1) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(p)(1)) is amended by striking "required" and all that follows through "offenders as" and inserting "needed for use by the transferee or grantee for a law enforcement or public safety purpose".

(b) APPLICATION OF LAW TO PRIOR TRANSFERS AND CONVEYANCES.—Section 203(p) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(p)) is amended by adding at the end the following:

"(4) Any real or related personal property transferred or conveyed under this subsection before the date of the enactment of this paragraph may, with the approval of the Attorney General, be used for a law enforcement or public safety purpose."

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. LEVIN, and Ms. MOSELEY-BRAUN):

S.J. Res. 11. A joint resolution commemorating Juneteenth Independence Day, June 19, 1865, the day on which slavery finally came to an end in the United States; to the Committee on the Judiciary.

THE JUNETEENTH INDEPENDENCE DAY  
COMMEMORATION JOINT RESOLUTION

Mr. LOTT. Mr. President, I am pleased to introduce today, on behalf of myself and Senator DASCHLE, the distinguished minority leader, a joint resolution concerning what has long been known as Juneteenth Independence Day.

Joining us as original sponsors of this resolution are Senators LEVIN and MOSELEY-BRAUN, who offered similar legislation in the 104th Congress.

The observance of Juneteenth has long been a tradition among black Americans. It commemorates the days in mid-June, 1865, when news of the end of slavery finally reached frontier areas of the country, especially in the American Southwest.

The African-Americans who then moved into freedom, and began new lives as citizens of the Republic, kept alive the memory of that occasion for their descendants.

Generation by generation, the experiences of the past have been preserved and shared. They have given us lessons in faith, in courage, and in perseverance.

Today, the National Association of Juneteenth Lineage fosters the observance of Juneteenth Independence Day, not only among those families whose ancestors were directly affected by it, but also among the general public. The association will be meeting this year in Dallas from January 23 to January 25.

The introduction of this joint resolution by the two Senate leaders is a timely expression of the Senate's regard and appreciation for the association's efforts.

I should mention that this joint resolution is especially appropriate as we prepare to observe February as Black History Month, which, to borrow the words of the resolution, "provides an opportunity for all Americans to learn more about our common past and to better understand the experiences that have shaped our nation."

With that in mind, I know Senator DASCHLE joins me in inviting our colleagues, from all regions of the country, to cosponsor this legislation.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

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

S.J. RES. 11

Whereas news of the end of slavery came late to frontier areas of the country, especially in the American Southwest,

Whereas the African-Americans who had been slaves in the Southwest thereafter celebrated June 19 as the anniversary of their emancipation,

Whereas their descendants handed down that tradition from generation to generation as an inspiration and encouragement for future generations,

Whereas Juneteenth celebrations have thus been held for 130 years to honor the memory of all those who endured slavery and especially those who moved from slavery to freedom,

Whereas their example of faith and strength of character remains a lesson for all Americans today, regardless of background or region or race, now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the annual observance of June 19 as Juneteenth Independence Day is an important and enriching part of our country's history and heritage, and

That the celebration of Juneteenth provides an opportunity for all Americans to learn more about our common past and to better understand the experiences that have shaped our nation, and

That a copy of this Resolution be transmitted to the National Association of Juneteenth Lineage as an expression of appreciation for its role in promoting the observance of Juneteenth Independence Day.

Mr. DASCHLE. Mr. President, today we recognize the date upon which slavery finally came to an end in the United States, June 19, 1865, also known as Juneteenth Independence Day. It was only on this day that slaves in the Southwest finally learned of the end of slavery. Since that time, for over 130 years, the descendants of slaves have celebrated this day in honor of the many unfortunate people who lived and suffered under slavery. Their suffering can never be repaired, but their memory can serve to ensure that no such inhumanity is ever perpetrated again on American soil. We commemorate Juneteenth Independence Day to honor the struggles of these slaves and former slaves, to acknowledge their suffering and so that we may never forget even the worst aspects of our Nation's history.

But this day and this joint resolution in honor of the end of slavery should also make us feel proud, proud that we as a nation have come so far toward advancing the goals of freedom and justice for all of our citizens. While we must continue ever forward in the search for justice, we should be thankful that the tireless efforts of vigilant Americans have enabled us to achieve a society built on democratic principles and the recognition that all men and women are created equal.

ADDITIONAL COSPONSORS

S. 99

At the request of Mrs. BOXER, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 99, a bill to amend the Internal Revenue Code of 1986 to allow companies to donate scientific equipment to elementary and secondary schools for use in their educational programs, and for other purposes.

SENATE JOINT RESOLUTION 9

At the request of Mr. KYL, the name of the Senator from Florida [Mr. MACK]

was added as a cosponsor of Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the United States to require two-thirds majorities for increasing taxes.

SENATE RESOLUTION 23—DESIGNATING ALAN SCOTT FRUMIN AS A PARLIAMENTARIAN EMERITUS

Mr. LOTT (for himself, Mr. DASCHLE, and Mr. BYRD) submitted the following resolution; which was considered and agreed to:

S. RES. 23

*Resolved*, That Alan Scott Frumin be, and he is hereby, designated as a Parliamentarian Emeritus of the United States Senate.

SENATE RESOLUTION 24—RELATIVE TO THE CARGO PREFERENCE POLICY OF THE UNITED STATES

Mr. INOUE submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 24

Whereas the maritime policy of the United States expressly provides that the United States have a Merchant Marine sufficient to carry a substantial portion of the international waterborne commerce of the United States;

Whereas the maritime policy of the United States expressly provides that the United States have a Merchant Marine sufficient to serve as a fourth arm of defense in time of war and national emergency;

Whereas the Federal Government has expressly recognized the vital role of the United States Merchant Marine during Operation Desert Shield and Operation Desert Storm;

Whereas cargo reservation programs of Federal agencies are intended to support the privately owned and operated United States-flag Merchant Marine by requiring a certain percentage of government-impelled cargo to be carried on United States-flag vessels;

Whereas when Congress enacted Federal cargo reservation laws Congress contemplated that Federal agencies would incur higher program costs to use the United States-flag vessels required under such laws;

Whereas section 2631 of title 10, United States Code, requires that all United States military cargo be carried on United States-flag vessels; Whereas Federal law requires that cargo purchased with loan funds and guarantees from the Export-Import Bank of the United States established under section 635 of title 12, United States Code, be carried on United States-flag vessels;

Whereas section 901b of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241f) requires that 75 percent of the gross tonnage of certain agricultural exports that are the subject of an export activity of the Commodity Credit Corporation or the Secretary of Agriculture be carried on United States-flag vessels;

Whereas section 901(b) of such Act (46 U.S.C. App. 1241(b)) requires that at least 50 percent of the gross tonnage of other ocean borne cargo generated directly or indirectly by the Federal Government be carried on United States-flag vessels;

Whereas cargo reservation programs are very important for the shipowners of the United States who require compensation for maintaining a United States-flag fleet;

Whereas the United States-flag vessels that carry reserved cargo provide quality jobs for seafarers of the United States; Whereas, according to the most recent statistics from the Maritime Administration, in 1990, cargo reservation programs generated \$2,400,000,000 in revenue to the United States fleet and accounted for one-third of all revenue from United States-flag foreign trade cargo;

Whereas the Maritime Administration has indicated that the total volume of cargoes moving under the programs subject to Federal cargo reservation laws is declining and will continue to decline;

Whereas, in 1970, Congress found that the degree of compliance by Federal agencies with the requirements of the cargo reservation laws was chaotic, uneven, and varied from agency to agency;

Whereas, to ensure maximum compliance by all agencies with Federal cargo reservation laws, Congress enacted the Merchant Marine Act of 1970 (Public Law 91-469) to centralize monitoring and compliance authority for all cargo reservation programs in the Maritime Administration;

Whereas, notwithstanding section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b)), and the purpose and policy of the Federal cargo reservation programs, compliance by Federal agencies with Federal cargo reservation laws continues to be uneven;

Whereas the Maritime Administrator cited the limited enforcement powers of the Maritime Administration with respect to Federal agencies that fail to comply with section 901(b) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b)) and other Federal cargo reservation laws; and

Whereas the Maritime Administrator recommended that Congress grant the maritime Administration the authority to settle any cargo reservation disputes that may arise between a ship operator and a Federal agency; Now, therefore be it

*Resolved*, That it is the sense of the Senate that—

(1) each Federal agency should administer programs of the Federal agency that are subject to Federal cargo reservation laws (including regulations of the Maritime Administration) to ensure that such programs are, to the maximum extent practicable, in compliance with the intent and purpose of such cargo reservation laws; and

(2) the Maritime Administration should closely and strictly monitor any cargo that is subject to such cargo reservation laws.

Mr. INOUE. Mr. President, the law of the land, specifically section (1) of the Merchant Marine Act of 1936, declares that the United States shall have a merchant marine sufficient, among other things, to:

Carry a substantial portion of our international waterborne Commerce; and to serve as a fourth arm of defense in time of war and national emergency.

The importance of these requirements has been dramatically illustrated by the vital role of our merchant marine in World War II, Korea, Vietnam, during operations Desert Shield and Desert Storm, and most recently in Haiti, Somalia, and Bosnia.

While the privately owned and operated U.S. flag merchant marine has performed so magnificently and effectively in times of crisis, it has also made extraordinary efforts to ensure that a substantial portion of commercial cargo bound to and from the United

States moves on U.S. bottoms. Given the chronic overtonnaging in international shipping, cut-throat competition, and the competitive edge our trading partners give their national flags, this has not been easy. In addition to competition with subsidized foreign carriers, U.S.-flag carriers are forced to compete with flag of convenience carriers. Over two-thirds of the international vessels operating in commerce are operating under flags of convenience. Flag of convenience registries include such major maritime powers as Panama, Liberia, the Marshall Islands, and Vanuatu. These registries only require their vessel owners to pay registration fees, and ship-owners are not required to pay tax on revenues earned, nor do employees have to pay income tax, and the ship-owner has little or no obligation to comply with the nation's law.

Nevertheless, if our commercial fleet is to continue to be an effective auxiliary in times of war or national emergency, it must first be commercially viable in times of peace. Otherwise, there will be no merchant fleet when the need arises.

I think we all would agree that there is a substantial national interest in promoting our merchant fleet. I think, also, that we would all agree that U.S. national security and economic security interests should not be held hostage for lack of U.S.-controlled sealift assets. Given the increasing diminution of the flag fleets of our NATO allies it will be more important in the future to sustain a viable U.S.-flag presence. Indeed, several laws of our land recognize that national interest and spell out specifically how the U.S. Government is to go about promoting it. Federal laws require that all U.S. military cargo, cargo purchased with all loan funds and guarantees from the Eximbank, 75 percent of concessionary agricultural, and at least 50 percent of all other international ocean borne cargo generated directly or indirectly by the Federal Government, be carried on U.S. flag vessels. The alarming news is that according to Maritime Administration [MarAd] the total volume of cargo moving under these programs is declining and will continue to do so.

According to a report by Nathan Associates, Inc., the 1992 economic impact of cargo preference for the United States is 40,000 direct, indirect, and induced jobs, \$2.2 billion in direct, indirect, and induced household earnings, \$354 million in direct, indirect, and induced Federal personal and business income tax revenues—\$1.20 for every dollar of Government outlay on cargo preference, and \$1.2 billion in foreign exchange.

It is, therefore, imperative that U.S. flag vessels carry every ton of cargo which these programs and the law intend them to carry. This brings me to the reason for the resolution I am introducing today. There are two substantial problems which threaten the viability of these programs and, there-

fore, the viability of our merchant fleet.

Several agencies administering cargo reservation programs continue to do their almighty best to evade the spirit and letter of the reservation laws, that is, find the law inapplicable to a particular program, or employ other loopholes.

Because of this problem of evasion and uneven confidence, the Congress amended the Merchant Marine Act of 1970 to centralize monitoring and compliance authority for all cargo reservation programs in MarAd. Nevertheless, the problem remains. Critics of MarAd maintain the agency is too timid, and does not discharge its obligation aggressively. MarAd, on the other hand, says it has limited enforcement powers over those Government agencies which are not in compliance.

In light of recent proposals to consolidate the Department of Transportation's operating divisions, I believe it is more important than ever for the Congress to reiterate its support for our cargo reservation laws, so that their administration and enforcement will not suffer from any departmental reorganization.

Mr. President, the resolution I am submitting today merely expresses the sense of the Senate that all of these Federal agencies do what they are supposed to be doing now, under existing law.

#### SENATE RESOLUTION 25—RELATIVE TO THE U.S. POSTAL SERVICE

Ms. SNOWE submitted the following resolution; which was referred to the Committee on Governmental Affairs:

S. RES. 25

Whereas the youth of America face more difficult challenges than ever before, with the lure of gangs, drugs, alcohol, and sex increasing the potential for irresponsible behavior and violence at ever earlier ages;

Whereas all too often the media focuses on negative stories about America's youth;

Whereas many young Americans have made extraordinary contributions to their communities and to their country;

Whereas 10-year old Samantha Smith of Manchester, Maine, wrote to Chairman Yuri Andropov of the Soviet Union in 1982 urging peace at the height of the Cold War;

Whereas Samantha was invited by Chairman Andropov to visit the Soviet Union the following year and became widely recognized as a spokesperson for the cause of peace until her death in a plane crash in 1985; and

Whereas America's young people need positive role models from among their peers: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United States Postal Service should issue a series of postage stamps highlighting the extraordinary achievements of young Americans and that a stamp honoring Samantha Smith of Manchester, Maine, should be the first in this series.

Ms. SNOWE. Mr. President, I am very pleased today to submit a resolution expressing the sense of the Senate that the U.S. Postal Service should issue a series of postage stamps honoring

young Americans for their extraordinary achievements.

It is an unfortunate reality today that America's young people face more difficult challenges than ever before. The lure of gangs, drugs, alcohol, and sex increases the potential for irresponsible behavior and violence at ever earlier ages. On a daily basis, young people are exposed to a confusing array of messages and sometimes dubious role models. And even the best-intentioned working parents find it hard to spend the kind of quality time with their children that would help them sort through these pervasive influences. All too often, the media focuses on negative stories about America's young people.

Yet, there are many examples of exceptional young Americans who have risen above these challenges to accomplish extraordinary things for their community and for their country. Samantha Smith, who lived in Manchester, ME, is a prime example. In 1982, at the age of 10, Samantha wrote a letter to Chairman Yuri Andropov of the Soviet Union urging peace at the height of the cold war. As a result, she was invited by the Soviet leader to visit his country the following year. Samantha's trip received worldwide attention, and the schoolgirl became widely recognized as a spokesperson for peace and international understanding. Tragically, Samantha's life was cut short in 1985 in a fatal plane crash when she was only 13.

Other young Americans have demonstrated the same kind of initiative and vision which Samantha embodied. The youth of our country need to be aware of these positive role models from among their own age group. I am, therefore, introducing a sense-of-the-Senate resolution today calling upon the U.S. Postal Service to issue a series of stamps recognizing young Americans, starting with Samantha Smith, for the extraordinary contributions they have made.

#### ADDITIONAL STATEMENTS

##### FAMILY FRIENDLY WORKPLACE ACT

• Mr. ENZI. Mr. President, I rise today in support of S. 4, the Family Friendly Workplace Act. I am proud to be an original cosponsor of this important measure. By amending the Fair Labor Standards Act of 1938, this act would provide employees with flexible work schedules, and increase their choices and options for their time at work and quality time with their families. Ensuring that such opportunities are provided to our workers, better known as mothers and fathers, can only serve to strengthening our American families.

According to the Bureau of Labor Statistics, 63 percent of mother and father households now see both parents working outside of the home. Moreover, 76 percent of mothers with

school-age children now work. That is why we must take action now to help employees balance the demands of work and family lives. I believe the Family Friendly Workplace Act is an important first step in helping our Nation's working parents do just that.

In 1993, the President signed the Family and Medical Leave Act into law. While well intended, the Federal Government took a 13-page law and transformed it into 300 pages of regulations. It then became a true administrative nightmare. Instead of targeting employees with choices and options for their work schedules, the President decided instead to target employers with a mandated mound of paperwork. To make matters worse, the President announced during the 1996 campaign his intention to expand the Family and Medical Leave Act by forcing employers to provide school activity and community leave for their employees. Such misguided mandates resurrect the words of Abraham Lincoln who said, "You cannot lift the wage earner by pulling down the wage payer." As lawmakers, we have the ability to prevent this Nation from traveling further down the road of federally mandated workplace conditions. By passing the Family Friendly Workplace Act, we will avoid the creation of an environment littered with friction and litigation and embrace mutual cooperation and respect.

Wage payers are not heartless and cruel reincarnations of Ebenezer Scrooge. Having played the wage payer role for over 26 years, I take great offense when employers are characterized as being the bad guys. The majority of employers cherish their most valuable assets—their employees. It is truly misleading and deceptive for anyone to say otherwise. For without the employee, management will ultimately have no staff, no profits—and no business. Watching out for employees is just good business.

As an alternative to employer mandates, this legislation would provide compensatory time off that would allow employers to offer and employees to choose to use compensatory time for school and family activities and a whole range of other personal reasons—without getting the Government involved in certifying and documenting these events. The President's expansion of the Family and Medical Leave Act would require employees to get certification for taking time off to attend a child's soccer match, piano recital, or even a meeting with a school teacher. Under this bill, employees have the right to choose compensatory time instead of cash wages at a rate not less than 1½ hours of each hour of overtime worked. Employees would be able to accrue up to 240 hours annually and have the opportunity to cash-out their accrued hours at least once a year. That's a lot of time we should be spending with our children—an investment in our future.

Federal employees have enjoyed flexible work schedules, chock full of

choices and options, since 1978. Legislation that amends the Fair Labor Standards Act of 1938 is long overdue. We appear to have no confidence in private sector employees' ability to make rational decisions on how to spend their time.

I have been blessed with a wife and three wonderful children. Like many who place value in time shared with family, I believe that such moments are a priceless commodity that can never be replaced—or regained—once lost. At a time when our society clings to every fiber of family life, I can see no better way for Congress and the President to express our support for the American family than by passing and then urging the President to sign into law, S. 4, the Family Friendly Workplace Act.

I urge my colleagues to join me in giving employees the opportunity to balance their work and family obligations.

I yield the floor. •

#### THE FLOOD OF 1996

• Mr. MOYNIHAN. Mr. President, while people in Washington and around the country celebrated the Presidential inauguration this past weekend, people in New York State observed the 1-year anniversary of an event of a very different kind—one of the worst natural disasters we have ever faced. In New York, especially upstate New York, January 19, 1996, will forever be known as the day the waters came.

A combination of severe thunderstorms and melting snow led to one of the worst floods in our State's history. Forty-one of the State's 62 counties were declared disaster areas. According to the Federal Emergency Management Agency, damages were greater than \$100 million. My home county, Delaware, was the hardest hit; bridges were washed away, homes were ruined, roads were destroyed, fields were inundated, and entire villages were left under water. Six of the eleven fatalities caused by the flood were in Delaware County.

Over the past year, the people of New York have tried to rebuild their homes and their lives. Our towns, villages, and counties have tried to rebuild their roads and municipal facilities. FEMA and the State Emergency Management Office, or SEMO, have been there to help, but it has not been easy. The flood of January 19 was not the only one of the year. It came just 2 weeks after the great blizzard of 1996. Then in October, the New York City area was hit by a severe flood, and only a month later, large parts of upstate New York were flooded again. Although not as severe as the January floods, heavy rains again caused damages in several areas of the State, especially Clinton and Essex Counties in the northeast corner, and once again, Delaware County was hit.

Ask any local official in upstate New York what they will remember most



about 1996 and invariably he or she will say the floods. We have spent the last year trying to recover and rebuild, and I thank FEMA Director James Lee Witt and Regional Director Lynn Canton and SEMO Director Ed Jacoby for all their help. We have made a lot of progress but, as Delaware County Board of Supervisor's Chairman Ray Christensen will often tell you, "We have to realize things will never be the same."•

#### DEFENDING AMERICA ACT OF 1997

• Mr. ABRAHAM. Mr. President, I rise today to join the distinguished majority leader, and my colleagues, in cosponsoring Senate bill S. 7, the Defending America Act of 1997. This legislation builds on the significant, but still insufficient, progress we accomplished in the 104th Congress. During the last session of Congress, we were able to secure the funding necessary for the eventual deployment of a missile defense system capable of protecting the United States. But we were not able to explicitly direct that we deploy the missile defense system as soon as possible. This leaves us with no assurance that the funding we have secured will be used, efficiently and expeditiously, for its intended purpose.

Therefore, Mr. President, the majority leader, in close cooperation with Congress' national defense leadership, has crafted a proposal that would secure our Nation's missile defense through prudent development of policies and force structures. To begin with, we would produce the system necessary to protect the United States from limited, unauthorized, or accidental ballistic missile attacks. We then would augment that capability to defend our Nation against larger and more sophisticated ballistic missile threats. I am especially heartened that the most promising antiballistic missile technologies, including sea-based systems such as Navy Upper Tier, are fast approaching the point at which we will be able to make them operational.

We need this technology, in my view, because the post-cold-war world remains a dangerous place. Ballistic missile proliferation to rogue regimes continues apace. The security of nuclear armed ballistic missiles in the former Soviet Union has declined sharply. Given these facts, old strategies and treaties can no longer meet our national security needs. We must develop and deploy a ballistic missile defense system capable of protecting our cities and citizens from disastrous attack.

I mentioned old treaties, Mr. President. I would like in particular to discuss the Anti-Ballistic-Missile Treaty and its relationship to missile defense. Congress has repeatedly stated that the ABM Treaty does not, in any way, hinder the development of theater ballistic missile defenses. It has also called for a renegotiation of the ABM Treaty so as to allow the development of more robust national missile defense systems.

Mr. President, the times have changed since the ratification of the ABM Treaty. Our primary threats no longer come from a general nuclear attack by thousands of Soviet weapons—an attack that would probably overwhelm a ballistic missile defense system. Today our immediate threats come from rogue, unintentional, or unauthorized attacks of limited size and duration. I believe we are quickly approaching the point of our last, best hope in properly modifying the ABM Treaty, and protecting America from ballistic missile attack.

The majority leader has displayed the foresight and perceptiveness critical for developing effective national security strategies. There can be no doubt that a fully operational and technologically capable ballistic missile defense system is crucial to that strategy. Nor can there be any doubt that antiquated treaties which fail to adapt to vastly different national security threats must be either changed or discarded.

The majority leader's bill constitutes a reasonable and moderate attempt to bridge the philosophical gap that exists between Congress and the administration. We should not let this opportunity be lost. •

#### THE 50TH ANNIVERSARY OF THE U.S. PACIFIC COMMAND

• Mr. INOUE. Mr. President, I rise today to recognize and commemorate, with very deep patriotic pride, the 50th anniversary of the U.S. Pacific Command.

On January 1, 1947, the U.S. Pacific Command was established to unify with the Alaskan and Far East commands.

As the largest of nine unified commands within the Department of Defense today, the U.S. Pacific Command interacts daily with foreign military and civilian leaders, serving as a key link for the United States in the most dynamic region of the world—a region that contains 44 countries, two-thirds of the world's population, and 7 of the world's largest armed forces.

During the past 50 years, the Asia-Pacific theater has grown from a war-torn region recovering from the devastation of World War II to the most dynamic economic region in the world. The importance of the United States' interest in the Asia-Pacific theater is best illustrated by the pivotal role of East Asia's economies in the world's economic order. The Asia-Pacific gross national product surpassed the European Union in 1990, and today, our trans-Pacific trade now exceeds \$503 billion per year.

Fostering peace, providing security, and meeting the challenges within an area totaling more than half of the Earth's surface, the U.S. Pacific Command is represented by more than 300,000 trained and highly dedicated soldiers, sailors, airmen, and marines.

Mr. President, after World War II, our Nation's military leaders recog-

nized the importance of unity of forces worldwide. On December 14, 1946, President Truman approved the first unified command plan, and on January 1, 1947, the U.S. Pacific Command was established.

During the past 50 years, the U.S. Pacific Command's responsibilities have expanded to include the west coast of the United States, the eastern shores of Africa, all points in Asia, and the Arctic to the Antarctic.

Mr. President, during the past 50 years, U.S. Pacific Command Forces have been engaged in three major conflicts and numerous military actions. During the Korean conflict, Vietnam conflict, and the Gulf war, the United States Pacific Command Forces have fought bravely.

The United States Pacific Command provided forces to support the United States, Far East and U.N. Commands during the Korean conflict. These support forces were primarily in the form of naval assets which conducted patrolling missions and aided amphibious operations by providing naval gunfire, sealift and airstrikes from carrier task forces. The naval airstrikes were an integral part of the overall air campaign.

The United States Pacific Command oversaw our involvement through all phases of the Vietnam conflict—from the build-up and military actions to the withdrawal of United States combat forces. However, Mr. President, as many will sadly agree, memories of the Vietnam conflict were not over for the United States Pacific Command. The command became deeply involved in the emotional repatriation of American prisoners of war during Operation Homecoming. Additionally, the United States Pacific Command assisted with the movement of Vietnamese nationals to the United States and the airlift of Vietnamese children during Operation New Life and Operation Babylift, respectively.

During Desert Shield and Desert Storm, the United States Pacific Command Forces provided vital ground, sea, and air assets in support of U.S. Central Command Operations conducted in Saudi Arabia, Kuwait, Iraq, and off-shore in the Arabian Sea.

The United States Pacific Command deployed forces to Haiti during Operation Uphold Democracy and continues to deploy forces in support of the United States' interests in the European and Middle Eastern theaters.

Today Mr. President, the U.S. Pacific Command's mission is to foster peace, deter aggression, and rapidly respond to crisis. If necessary, they will fight to maintain security and stability throughout the Asia-Pacific region.

In order to maintain security in the vast Asia-Pacific region, the U.S. Pacific Command has the U.S. Army Pacific, the Pacific Fleet, the Pacific Air Forces, and the Marine Forces Pacific as its service components. Additionally, its sub-unified command includes United States Forces Korea, United



States Forces Japan, the Alaskan Command, and the Special Operations Command, Pacific.

The U.S. Pacific Command leads two task forces. The Joint Task Force Full Accounting was established to achieve the fullest accounting of Americans still missing in Southeast Asia as a result of the Vietnam conflict. Through the task force's efforts, more than 2,000 investigations have been completed and 350 sets of remains repatriated. The Joint Interagency Task Force West, the second standing task force, brings DOD resources to bear in support of law enforcement agencies to disrupt international drug traffickers from Southeast and Southwest Asia.

Mr. President, most recently and at my urging, the Asia-Pacific Center for Security Studies was established to strengthen existing bilateral relationships through the multilateral study of security, economic, social, and political issues in the Asia-Pacific region.

This further compliments the U.S. Pacific Command's mission of building bilateral and multilateral bonds within the Asia-Pacific region. Annually, the command conducts more than 400 exercises, and other bilateral and multilateral training events. The command assists 29 different nations with humanitarian and civic assistance funds and provide more than \$12 million in equipment to developing and emerging nations. The U.S. Pacific Command also responds to natural disasters. The command has provided needed assistance in the wake of devastation caused by the earthquake in Kobe, Japan, the destructive winds of Hurricane Omar on Guam, and the earthquake and flooding in China, and helped their neighbors on the Island of Kauai following Hurricane Iniki. The U.S. Pacific Command actively engages our friends and allies through training exercise participation, military contacts, humanitarian aid, and disaster relief.

Mr. President, since its establishment, the U.S. Pacific Command has remained a beacon of democracy and freedom in the region. Today, it is an active living embodiment of U.S. security to the Asia-Pacific area. It is a commitment which has been maintained during the past 50 years—and a commitment I am confident they will fulfill well into the 21st century.

It is indeed a pleasure for me to salute the soldiers, sailors, airmen, marines, and civilian employees, both past and present, of the U.S. Pacific Command on its 50th anniversary. Thank you for your many contributions—lives saved, lives improved and enhanced for a better tomorrow. This was achieved, on occasion, at the cost of U.S. lives and U.S. blood spilt. We honor the memory of those brave men and women who made the supreme sacrifice for the sake of peace and stability in the region.

Adm. Joseph W. Prueher has the distinct honor of leading the U.S. Pacific Command on its 50th anniversary. I have no doubt that he will lead the

command forward with the same valor and distinction as those who have come before him. Congratulations and best wishes to all.

#### NATIONAL RESEARCH INVESTMENT ACT OF 1997

• Mr. GRAMM. Mr. President, yesterday I joined with Senator MACK and Senator HUTCHISON in introducing S. 124, the National Research Investment Act of 1997. I ask that the text of the bill be printed in the RECORD.

The text of the bill follows:

S. 124

*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 Research Investment Act of 1997".

#### SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) for fiscal year 1965, 5.7 percent of the Federal budget was expended for non-defense research and development activities;

(2) for fiscal year 1997, the percentage of the Federal budget allocated for nondefense research and development activities is 1.9 percent, which is 67 percent less than the percentage in fiscal year 1965;

(3) for the first time in 25 years during the period beginning with fiscal year 1992 and ending with fiscal year 1995, the amount of funds expended by the Federal Government on research (expressed in real dollars) declined each year;

(4) during the period beginning with fiscal year 1970, and ending with fiscal year 1995, the United States had not, during any fiscal year, expended an amount for nondefense research and development activities, that, expressed as a percentage of the Gross Domestic Product, was greater than or equal to the percentage expended by Japan or Germany for that fiscal year; and

(5) an increased level of investment in basic science and medical research by the Federal Government is essential to maintaining the position of the United States as the technological leader of the world.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To double the annual authorized amount of Federal funding for basic science and medical research over the 10-year period following the date of enactment of this Act, so that the amount of Federal funding for fiscal year 2007 is equal to \$65,000,000,000.

(2) To restore the high priority that science and technology had previously been afforded in the Federal budget.

(3) To invest in the future of the United States and the people of the United States by expanding the research activities referred to in paragraph (1).

(4) To enhance the quality of life for all the people of the United States.

(5) To guarantee the leadership of the United States in science and medicine.

#### SEC. 3. AUTHORIZATIONS OF APPROPRIATIONS.

(a) FUNDS FOR COVERED RESEARCH AND DEVELOPMENT DEFINED.—For purposes of this section, the term "funds for covered research and development" means—

(1) any funds made available by appropriations for—

(A) the National Science Foundation;

(B) the National Aeronautics and Space Administration;

(C) the National Oceanic and Atmospheric Administration of the Department of Commerce;

(D) the National Institute for Standards and Technology of the Department of Commerce; and

(E) the National Institutes of Health of the Department of Health and Human Services;

(2) any funds made available by appropriations for use for research and development activities (as that term is used in the most recent applicable appropriations Act with respect to a Federal Agency) for basic science or medical research—

(A) by the Centers for Disease Control of the Department of Health and Human Services;

(B) by the Department of Energy, (to the extent that the activities are not defense-related activities);

(C) by the Department of Agriculture;

(D) by the Department of Veterans Affairs;

(E) by the Smithsonian Institution; and

(F) by the Department of Education; and

(3) any funds made available by appropriations to the Environmental Protection Agency for science and technology activities for basic science or medical research.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to the limitations under paragraph (2), there are authorized to be appropriated as funds for covered research and development—

(A) for fiscal year 1998, \$35,750,000,000, of which \$14,025,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services;

(B) for fiscal year 1999, \$39,000,000,000, of which \$15,300,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services;

(C) for fiscal year 2000, \$42,250,000,000, of which \$16,575,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services;

(D) for fiscal year 2001, \$45,500,000,000, of which \$17,850,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services;

(E) for fiscal year 2002, \$48,750,000,000, of which \$19,125,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services;

(F) for fiscal year 2003, \$52,000,000,000, of which \$20,400,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services;

(G) for fiscal year 2004, \$55,250,000,000, of which \$21,675,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services;

(H) for fiscal year 2005, \$58,500,000,000, of which \$22,950,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services;

(I) for fiscal year 2006, \$61,750,000,000, of which \$24,225,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services; and

(J) for fiscal year 2007, \$65,000,000,000, of which \$25,500,000,000 shall be used by the National Institutes of Health of the Department of Health and Human Services.

(2) LIMITATIONS.—

(A) DEVELOPMENT OF PUBLIC INFORMATION.—In using funds made available under this section, the appropriate officials shall take such action as may be necessary to ensure that priority is given to basic scientific research that has the purpose of developing general information to be available to the general public.

(B) USE OF FUNDS.—No funds made available pursuant to the authorization under this subsection may be used for commercial purposes, except that such funds may only be used for precompetitive research and development for technology.

(C) PEER REVIEW.—In allocating funds made available under this section, the appropriate officials shall take such action as may

be necessary to ensure that a peer review system is used.

#### SEC. 4. COMPLIANCE WITH DISCRETIONARY CAPS.

Notwithstanding any other provision of law, no funds may be made available under this Act in a manner that does not conform with the discretionary spending caps provided in the most recently adopted concurrent resolution on the budget.●

#### AN ISSUE OF LIFE-OR-DEATH IMPORTANCE

● Mr. MOYNIHAN. Mr. President, on Tuesday, January 22, 1997, I introduced S. 112, the Law Enforcement Officers Protection Act of 1997. One day after its introduction, the Law Enforcement Steering Committee—a committee of 10 police associations, representing 500,000 law enforcement officers nationwide—wrote me to endorse this bill in the strongest terms.

This legislation will require the Treasury Department to work with the Justice Department in order to develop uniform ballistics standards for testing the capability of ammunition to pierce police body armor. This bill will, I hope, mark my final step in a 15-year journey to ban all cop-killer bullets in America. In 1986 and 1994, Congress recognized the importance of this issue, and we passed bills that established a content-based ban on this type of ammunition. But, until we ban these bullets based on performance, rather than on their physical characteristics, policemen everywhere will remain in extreme peril.

As the Law Enforcement Steering Committee wrote in their letter to me, "This is an issue of life-or-death importance to every law enforcement officer in America." I have faith that my colleagues will once again recognize the crucial nature of this issue and enact S. 112 early in the 105th Congress.

I ask that the full text of the Law Enforcement Steering Committee's letter be printed in the RECORD.

The letter follows:

LAW ENFORCEMENT STEERING  
COMMITTEE,

Washington, DC, January 22, 1997.

Hon. DANIEL PATRICK MOYNIHAN,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR MOYNIHAN: On behalf of the Law Enforcement Steering Committee, an organization representing approximately 500,000 law enforcement officers nationwide, we write in strong support of the Law Enforcement Officers Protection Act of 1997, your legislation to require uniform ballistics standards for testing the capability of ammunition to pierce police body armor. This is an issue of life-or-death importance to every law enforcement officer in America.

The existing statutory ban on armor-piercing bullets, which you wrote and successfully shepherded through Congress in 1986, and updated in 1993, has worked flawlessly for more than a decade. As you have pointed out, however, new styles of armor-piercing bullets continue to appear, making it impossible for the current content-based ban on "cop-killer" bullets to remain effective indefinitely. This is why we applaud your efforts to revise the law to ban any new bullets that are determined by a standardized ballistics test to have armor-piercing capability.

These "cop-killer" rounds have no legitimate sporting use, and it is imperative to ensure that criminals do not gain access to them. Now that the Commerce Department's National Institute of Standards and Technology (NIST) has demonstrated that it is possible to develop a ban based on performance standards, we agree with you that immediate action should be taken to enact such a ban.

Our members appreciate your continued attention to this issue since 1982, when you first introduced legislation to ban armor-piercing ammunition, and we hope that the Law Enforcement Officers Protection Act of 1997 will be enacted early in the 105th Congress.

Sincerely,

JAMES A. RHINEBARGER,  
Chairman, National Troopers Coalition,  
Chairman, LESC.

#### MEMBERS OF THE LAW ENFORCEMENT STEERING COMMITTEE

Federal Law Enforcement Officers Association, Fraternal Order of Police, International Brotherhood of Police Officers, Major Cities Chiefs, National Association of Police Organizations, National Organization of Black Law Enforcement Executives, National Sheriffs' Association, National Troopers Coalition, Police Executive Research Forum, Police Foundation.●

#### H. ROUSE CAFFEY DAY IN LOUISIANA

● Mr. BREAUX. Mr. President, on January 24, 1997, after 36 years of service, Dr. H. Rouse Caffey will retire from Louisiana State University, completing a career of notable accomplishments and a tenure of extraordinary leadership and service.

It is most appropriate, therefore, on the occasion of his retirement that the State will proclaim, January 24, 1997, as H. Rouse Caffey Day in Louisiana, a tribute of which he is most deserving.

For about 30 of those 36 years, I've known Dr. Caffey personally. I've worked closely with him on many occasions. I will miss him, as will many others who've had the privilege to work with him.

Distinguished leadership and service have been the hallmarks of Dr. Caffey's career, including his most recent role as chancellor of the LSU Agricultural Center, a position which he has held for 13 years.

His genuine devotion to the LSU Agricultural Center and the people of Louisiana has kept farmers, families, and youth knowledgeable about the most recent information available to help improve their lives.

Dr. Caffey's service to this country as national cochair of the International Science and Education Council from 1986 to 1991 and as national cochair of the Joint Council for Food and Agricultural Sciences from 1989 to 1995, earned him the respect and admiration of the U.S. Department of Agriculture and land grant institutions across the Nation.

In addition, Dr. Caffey's international agricultural activities in 30 foreign countries have earned for him, for LSU, for Louisiana, and for the Nation the respect and admiration of

leaders abroad and have led to improved and lasting relationships with them.

His other LSU appointments have included superintendent of the LSU Rice Research Station at Crowley, LA; associate director of the Louisiana Agricultural Experiment Station in Baton Rouge; vice chancellor for administration of the Center for Agricultural Sciences and Rural Development; director of International Programs; and chancellor of LSU at Alexandria.

Throughout Dr. Caffey's career, he has received numerous awards and honors, including the 1993 LSU Alumni Association Alumnus of the year; 1994 Alumnus of the Year for the College of Agriculture and Home Economics at Mississippi State University; and Progressive Farmer magazine's 1986 Man of the Year for Louisiana Agriculture.

Dr. Caffey's personality, dedication, knowledge, service, and leadership have left a unique and lasting impression on LSU, its agricultural center, and the agricultural community nationally and internationally.

Dr. Caffey will always have my respect and admiration, sentiments which are shared, I know, by the many individuals and organizations led and served so well by him over the years.

In closing, Mr. President, I take this occasion to commend Dr. Caffey personally for his lifetime of distinguished leadership and service and to wish him every continued success in the future.●

#### RETIREMENT OF CLARENCE TABA

● Mr. INOUE. Mr. President, I rise today to commemorate the retirement of Mr. Clarence Taba of Hawaii after 22 years of service as executive director of the Hawaii Bankers Association.

During World War II, Mr. Taba was one of the young men who enlisted and became a member of the 442d Regimental Combat Team—an infantry unit composed of Americans of Japanese ancestry. Mr. Taba's courage was prominently displayed during the rescue of the Texas "Lost Battalion"—141st Infantry of the 36th Division—in France, for which he earned a Silver Star and two Bronze Star Medals for leadership and gallantry in combat, and three Distinguished Unit Citations with 5 battle stars, for his participation in pivotal battles in Italy and France.

As a veteran, Mr. Taba served as the first State commander of the Hawaii Disabled American Veterans.

Mr. Taba is well known and well respected within Hawaii's financial community. His financial career commenced shortly after the end of World War II, when he organized a Federal credit union for his 442d Regimental Combat Team comrades. Mr. Taba became the first American to qualify as a certified credit union executive, and was also the first American to be awarded the Edward Filene Award for Volunteer Achievement. He also served the Hawaii financial community as the mortgage operations officer for Bank

of Hawaii, cashier for City Bank of Honolulu during its organizing years, Senior vice president and operations officer for the State of Hawaii's largest savings and loan at that time, and senior bank examiner for the State of Hawaii.

Mr. Taba was appointed as the first executive director of the Hawaii Bankers Association in September 1975. Throughout the years, he has diligently worked to bring the local banks together, especially on significant issues such as the recodification of Hawaii banking laws, and the passage of such bills as the Credit Sales Contract Act and the Industrial Loan Act. He also spearheaded the many projects traditionally undertaken by the Hawaii Bankers Association throughout the calendar year, including the annual convention, installation luncheon, and various seminars. The Hawaii congressional delegation is extremely grateful for the assistance and guidance Mr. Taba has provided throughout his tenure at the HBA to ensure that Hawaii's interests were addressed.

The Hawaii Bankers Association continues to be a key player in the State of Hawaii's economy. Despite stiff competition, the different banks always work together in the spirit of aloha and harmony. Mr. Taba, in his own special way, has ensured all of that.

I wish to join the banking industry and the people of Hawaii in thanking Clarence Taba for his dedicated efforts over the years on behalf of the State of Hawaii and our Nation, and to wish him a happy and fulfilling retirement. ●

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

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

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

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

#### WINTER STORMS IN THE DAKOTAS

Mr. DORGAN. Mr. President, today the agricultural statistical folks who have been doing surveys in the Dakotas have told us that the winter storms—successive, bitter, awful winter storms that have hit one after another—in our State have killed somewhere around 13,000 cattle in North Dakota. It has been a rugged difficult time for North Dakotans and for livestock producers in our State.

I spoke the other day about the kind of bitter storms that we face, almost unlike any that most of us in North Dakota can remember. And again, within the last 24 hours, another storm has hit. Both interstate highways, the

east-west highway in North Dakota and the north-south highway, were closed down completely. Snow, 50-mile-an-hour winds, and bitterly cold temperatures make this an awfully difficult time for North Dakotans.

Thousands and thousands of volunteers in North Dakota have responded to the crisis. And the Federal Government has too. President Clinton has declared that our entire State is suffering from a major disaster. The Federal Emergency Management Agency is in North Dakota. They are rounding up heavy equipment from around the country to come and help us open roads to help protect the lives of people and the livestock herds.

The Department of Agriculture has provided some feed assistance and some other aid to try to help producers get to their cattle and feed them. So we have had some help. But we need more. And today we are going to be visiting with the Department of Agriculture once again because the assistance they have offered so far—feed assistance for livestock—is simply too narrowly drawn to be of very much help to anybody. It is of help to some but it is just too narrow.

It is interesting. In the last Congress when the freedom to farm bill was passed these emergency feed programs were abolished. I thought it was the wrong thing to do. And it was. But they were abolished. Now we have gotten the Department of Agriculture to try to jury-rig an emergency approach to try to give us some help. But they need to broaden that substantially so the livestock producers—farmers and ranchers out there, many of whom have been operating on very thin margins anyway—have the capability of getting their roads open, getting the feed in, and feeding their herds.

We really do need some help not just in North Dakota but in our whole region of the country.

So we are going to be visiting with the Department of Agriculture again this afternoon to try to broaden this approach to see if we can't get some help in there. Mr. President, 13,000 cattle have died in North Dakota. Many more are at great risk because they have survived five or six blizzards now and are hit with another at the moment. We expect other storms. So this is a very difficult problem.

I spoke the other day about the heroes in our part of the country during this difficult winter, and talked about going out on a snowplow with a crew in conditions in which you couldn't see 2 feet in front of you; nearly whiteout conditions with 50-mile-an-hour winds, bitterly cold; going up by a trailer court where you could not see any trailer houses because even their roofs were not to be seen; snow was over the roof line. Conditions were about as difficult as they could get, and yet people made an emergency run to help get a 2-year-old boy, about whom I talked the other day, to a hospital who would have died had he not gotten there, a 20-

mile trip that took 6 hours with four people driving two ambulances, two snowplows and two trucks plowing through roads that were impassable, in zero visibility conditions, with 40- and 50-mile-an-hour winds. The people who do that are public servants out there to whom we owe a great debt of gratitude and who are really truly heroes.

I also wanted to mention another fellow in North Dakota who I think deserves mention because when we have these tough times it is not just the program that is put in place to help people; it is the people who help people, neighbors coming together and doing things to help each other.

On Tuesday night this week, at 10 o'clock in the evening, Jan Novak was driving home, having just finished her work, in Grafton, ND. As Jan Novak was driving home—and that was a point when the blizzard was hitting and the interstates were being closed and giant winds were coming up—she lost her way and could not see much in front of her. She had to pull off the road and became stuck in a snowbank.

And there she was in the middle of this raging blizzard. This was just Tuesday evening of this week.

She did say she had blankets and she had some gas. She was not feeling that she maybe would not be found. She felt that she would be able to hold out, and she started her car intermittently in the terribly cold weather, but then she worried about whether her car was going to start just based on the sounds from her engine.

Her husband called the Walsh County Sheriff, Lauren Wild, about 1 o'clock in the morning, and the sheriff tried to get some people out to take a look to see where she was. They tried to search the road she might have taken to go home out in the country from Grafton, ND, and they searched for several hours, and in conditions of almost no visibility and could not find Jan Novak, who was then out there stuck in the car.

And they also called people along the route. They called a fellow named Halvorson, Don Halvorson, at 3:30 in the morning—he is a farmer—got him out of bed, woke him up and told him that there was a woman lost along this route and they could not seem to find her. Of course, Don Halvorson had not seen her, nor had anyone else passing along the way, and because nobody could see the roads they eventually had to call off the search.

Don Halvorson could not sleep, he said. So at 3:30 in the morning, after having gone back to bed and not being able sleep, he got up, put his clothes on and went out in the yard and started his tractor, which had a cab on it, and went out to look. And with the tractor, in conditions of almost zero visibility, for 3 hours he searched up and down his road and up and down his area of the country, and somewhere around 6:30 in the morning this fellow named Don Halvorson, in his tractor, pulled up to

Jan Novak's car. And he got out of the tractor and rescued her, took her back to his home. She says that he is a true hero, and he said he just could not sleep knowing there was somebody out in that storm.

It is interesting to me that these stories of people helping each other seem to get so little attention. This one did get a little attention. But bad news travels halfway around the world before good news gets its shoes on, they say, and I understand that. But there are wonderful stories of people who cannot sleep when something is wrong and who want to go out and help other people.

In our part of the country, and I expect in the part of the country that is represented by the Presiding Officer, we face some pretty difficult times. And the only way you get along is to work with each other, neighbors helping neighbors, folks helping folks. Don Halvorson could have gone back to sleep, I suppose. He did not know where Jan Novak was. He did not know Jan Novak. Instead, he got up, put on his clothes, got in his tractor in bitterly cold weather, with raging wind and zero visibility, and risked his life to go search for a woman stranded in the blizzard whose life was also at risk.

Even as I talked today about the need for some help from the Department of Agriculture for livestock feed and for ranchers and farmers out there who are struggling, I also wanted to pay homage to some heroes who are out there. Some are on road crews today working shift after shift. Some are also in farmhouses helping neighbors get along in about as difficult a winter as I can remember in the history of North Dakota.

Mr. President, with that, I yield the floor and make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### PRINTING OF SENATE DOCUMENT

Mr. LOTT. Mr. President, I ask unanimous consent that Members have until January 30 to submit eulogies of our friend and former colleague, Senator Paul Tsongas, and further, that statements be compiled and printed as a Senate document.

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

#### ORDERS FOR MONDAY, JANUARY 27, 1997 AND TUESDAY, JANUARY 28, 1997

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 10 a.m. on Monday, January 27, for a pro forma session only; and further, immediately following the pro forma session, the Senate stand in adjournment until the hour of 10 a.m. on Tuesday, January 28; that immediately following the prayer, the Journal of proceedings be deemed approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there then be a period for the transaction of morning business until the hour of 12:30 p.m., with each Senator being allowed to speak for up to 5 minutes each, with the following exceptions: Senator LOTT, or his designee, 30 minutes; Senator DASCHLE, or his designee, 60 minutes; Senator COLLINS, 30 minutes.

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

Mr. LOTT. I further ask unanimous consent that on Tuesday, the Senate stand in recess between the hours of 12:30 p.m. and 2:15 p.m. for the weekly policy conferences to meet.

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

#### PROGRAM

Mr. LOTT. Mr. President, for the information of all Senators, the Senate will be in session on Monday pro forma only, as I said. No business will be conducted on Monday, and the Senate will then adjourn until Tuesday.

On Tuesday, it is my hope the Senate will consider any available nominations that have been reported from committees. Members should expect rollcall votes beginning on Tuesday and throughout the remainder of next week as we consider nominations or any other legislative items that become available.

As we see what may be available on Monday or Tuesday, we will notify Members about exactly what they can expect, hopefully, on Wednesday or Thursday and whether there will be any need to be in on Friday. We need to look at the nominations. It could be we will have more than just one or two, or maybe only one or two. We will just have to see what is happening next week.

#### ADJOURNMENT UNTIL MONDAY, JANUARY 27, 1997, AT 10 A.M.

Mr. LOTT. Mr. President, 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 1:44 p.m., adjourned until Monday, January 27, 1997, at 10 a.m.