

added an amendment to ERISA during the House-Senate Conference on the Act. The ERISA amendment provided that investment advisers registered with a state can serve as "investment managers" for two years, or through October 12, 1998. My staff has been told that this "sunset" provision was included in the ERISA amendment so that the appropriate congressional committees with jurisdiction over ERISA could have a reasonable amount of time to review the amendment before deciding whether to make it permanent. Apart from that important procedural issue, I am not aware of any other considerations that would suggest the need for the ERISA amendment to expire in two years.

I believe that the Congress should move as quickly as possible to enact legislation that eliminates the sunset provision, and permanently enables properly registered state investment advisers to continue their service as investment managers under ERISA. There is no reason to wait until 1998 to do so. In fact, many small investment advisers believe that the ongoing uncertainty about their status as "investment managers" under ERISA is making it difficult for them to acquire new ERISA plan clients, and may even cause them to lose existing clients. Some advisers think the harm they could suffer, even before the expiration of the sunset provision next year, could be irreparable, and it is easy to see why.

It is only through the swift action of your Committee that these unintended and unnecessary consequences for thousands of successful small businesses can be avoided. If you or your staff would like additional information about this matter, please do not hesitate to contact me at 942-0100, or Barry P. Barbash, Director of the Division of Investment Management, or Robert E. Plaze, an Associate Director in the Division, at 942-0720.

Sincerely,

ARTHUR LEVITT.●

FEDERAL JUDICIARY PROTECTION ACT OF 1997

● Mr. LEAHY. Mr. President, I am proud to join as a cosponsor of the Federal Judiciary Protection Act of 1997, S. 1189.

This legislation would provide greater protection to Federal judges, law enforcement officers, and their families. Specifically, our legislation would: Increase the maximum prison term for forcible assaults, resistance, opposition, intimidation, or interference with a Federal judge or law enforcement officer from 3 years imprisonment to 8 years; increase the maximum prison term for use of a deadly weapon or infliction of bodily injury against a Federal judge or law enforcement officer from 10 years imprisonment to 20 years; and increase the maximum prison term for threatening murder or kidnapping of a member of the immediate family of a Federal judge or law enforcement officer from 5 years imprisonment to 10 years. It has the support of the Department of Justice, the U.S. Judicial Conference, the U.S. Sentencing Commission, and the U.S. Marshals Service.

It is most troubling that the greatest democracy in the world needs this legislation to protect the hard-working men and women who serve in our Fed-

eral judiciary and other law enforcement agencies. But, unfortunately, we are seeing more violence and threats of violence against officials of our Federal Government.

Earlier this year, for example, a courtroom in Urbana, IL, was firebombed, apparently by a disgruntled litigant. This follows the horrible tragedy of the bombing of the Federal office building in Oklahoma City 2 years ago. More recently in my home State, a Vermont border patrol officer, John Pfeiffer, was seriously wounded by Carl Drega, during a shootout with Vermont and New Hampshire law enforcement officers in which Drega lost his life. Earlier that day, Drega shot and killed two State troopers and a local judge in New Hampshire. Apparently, Drega was bent on settling a grudge against the judge who had ruled against him in a land dispute.

There is, of course, no excuse or justification for someone taking the law into their own hands and attacking or threatening a judge or law enforcement officer. Still, the U.S. Marshals Service is concerned with more and more threats of harm to our judges and law enforcement officers.

The extreme rhetoric that some are using to attack the judiciary only feeds into this hysteria. For example, one of the Republican leaders in the House of Representatives was recently quoted as saying: "The judges need to be intimidated," and if they do not behave, "we're going to go after them in a big way." I know that House Republican Whip TOM DELAY was not intending to encourage violence against any Federal official, but this extreme rhetoric only serves to degrade Federal judges in the eyes of the public.

Let none of us in the Congress contribute to the atmosphere of hate and violence. Let us treat the judicial branch and those who serve within it with the respect that is essential to its preserving its public standing.

We have the greatest judicial system in the world, the envy of people and countries around the world that are struggling for freedom. It is the independence of our third, coequal branch of Government that gives it the ability to act fairly and impartially. It is our judiciary that has for so long protected our fundamental rights and freedoms and served as a necessary check on overreaching by the other two branches, those more susceptible to the gusts of the political winds of the moment.

We are fortunate to have dedicated women and men throughout the Federal judiciary and law enforcement in this country who do a tremendous job under difficult circumstances. They are examples of the hard-working public servants that make up the Federal Government, who are too often maligned and unfairly disparaged. It is unfortunate that it takes acts or threats of violence to put a human face on the Federal judiciary and other law enforcement officials, to remind everyone

that these are people with children and parents and cousins and friends. They deserve our respect and our protection.

I urge my colleagues to support the Federal Judiciary Protection Act of 1997 and look forward to its swift enactment.●

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS CONFERENCE REPORT FOR FISCAL YEAR 1998

● Mr. ASHCROFT. I would like to make a statement regarding the transfer of FUSRAP to the Army Corps of Engineers.

Mr. President, yesterday I cast a vote in favor of the Energy and Water Development Appropriations Conference Report for FY 1998 with hesitation. Missouri has a major FUSRAP site in St. Louis which contains nuclear contamination from the Manhattan project and other hazardous waste. For 15 years we have worked with the Department of Energy to clean up this site. During such time I have expressed concern over the delays but in just the past 2 weeks we have come to the point where DOE has begun preliminary cleanup efforts. Given this recent progress, the news of the FUSRAP program's transfer out of DOE has, quite understandably, caused a great deal of distress in the St. Louis community. While I am not questioning the corps' ability to handle the FUSRAP project, concern has been expressed that further delays will be caused by the transfer and undo much of the recent progress.

With site recommendations already made, feasibility studies concluded, and contracts let, it is encouraging that the corps will honor the preliminary groundwork laid by the St. Louis community. The plan designed by the community further illustrates their ability to continue to administer the program from St. Louis. Further, I was pleased to learn that the cleanup and restoration of contaminated sites falling within the purview of FUSRAP shall be managed and executed by the St. Louis area Civil Works District of the Corps of Engineers, ensuring that the local community will continue to be very involved in designing cleanup plans at the FUSRAP site and effectively maintain community input in the process.●

FLORIDA SHERIFFS YOUTH RANCHES

● Mr. GRAHAM. Mr. President, I want to take this opportunity to recognize a program that for the past 40 years has served over 30,000 troubled boys, girls, and their families. This program has assisted these troubled youth by providing an opportunity to learn to resolve conflicts and learn proper values as they work toward a lawful, productive, and secure future. I speak specifically of the Florida Sheriffs Youth Ranches, which have been in continuous operation since October 2, 1957.