

and procedures shall be the exclusive powers and procedures applicable to such right or such claim unless after such right or such claim arises the claimant voluntarily enters into an agreement to enforce such right or resolve such claim through arbitration or another procedure."

(g) AMENDMENT TO THE EQUAL PAY REQUIREMENT UNDER THE FAIR LABOR STANDARDS ACT OF 1938.—Section 6(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)) is amended by adding at the end the following new paragraph:

"(5) Notwithstanding any Federal law (other than a Federal law that expressly refers to this Act) that would otherwise modify any of the powers and procedures expressly applicable to a right or claim arising under this subsection, such powers and procedures shall be the exclusive powers and procedures applicable to such right or such claim unless after such right or such claim arises the claimant voluntarily enters into an agreement to enforce such right or resolve such claim through arbitration or another procedure."

(h) AMENDMENT TO THE FAMILY AND MEDICAL LEAVE ACT OF 1993.—Title IV of the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) is amended—

(1) by redesignating section 405 as section 406; and

(2) by inserting after section 404 the following new section:

"SEC. 405. EXCLUSIVITY OF REMEDIES.

"Notwithstanding any Federal law (other than a Federal law that expressly refers to this Act) that would modify any of the powers and procedures expressly applicable to a right or claim arising under this Act or under an amendment made by this Act, such powers and procedures shall be the exclusive powers and procedures applicable to such right or such claim unless after such right or such claim arises the claimant voluntarily enters into an agreement to enforce such right or resolve such claim through arbitration or another procedure."

(i) AMENDMENT TO TITLE 9, UNITED STATES CODE.—Section 14 of title 9, United States Code, is amended—

(1) by inserting "(a)" before "This"; and

(2) by adding at the end the following new subsection:

"(b) This chapter shall not apply with respect to a claim of unlawful discrimination in employment if such claim arises from discrimination based on race, color, religion, sex, national origin, age, or disability."

(j) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply with respect to claims arising on and after the date of enactment of this Act.

Mr. SARBANES (for himself, Mr. BRYAN, and Mr. JOHNSON) proposed two amendments to the bill, S. 1260, supra; as follows:

AMENDMENT NO. 2395

On page 9, between lines 9 and 10, insert the following:

"(d) APPLICABILITY OF STATE STATUTE OF LIMITATIONS.—Notwithstanding subsection (b), an action that is removed to Federal court under subsection (c) shall be subject to the State statute of limitations that would have applied in the action but for such removal.

On page 9, line 10, strike "(d)" and insert "(e)".

On page 10, line 12, strike "(e)" and insert "(f)".

On page 10, line 17, strike "(f)" and insert "(g)".

On page 14, between lines 10 and 11, insert the following:

"(3) APPLICABILITY OF STATE STATUTE OF LIMITATIONS.—Notwithstanding paragraph (1), an action that is removed to Federal court under paragraph (2) shall be subject to the State statute of limitations that would have applied in the action but for such removal.

On page 14, line 11, strike "(3)" and insert "(4)".

On page 15, line 15, strike "(4)" and insert "(5)".

On page 15, line 20, strike "(5)" and insert "(6)".

AMENDMENT NO. 2396

On page 10, strike line 24 and all that follows through page 12, line 11 and insert the following:

"(2) CLASS ACTION.—

"(A) IN GENERAL.—The term 'class action' means any single lawsuit (other than a derivative action brought by 1 or more shareholders on behalf of a corporation) in which—

"(i) 1 or more named parties seek to recover damages on a representative basis on behalf of themselves and other unnamed parties similarly situated; and

"(ii) questions of law or fact common to those persons or members of the prospective class predominate over any questions affecting only individual persons or members.

On page 16, strike line 3 and all that follows through page 17, line 13 and insert the following:

"(B) CLASS ACTION.—

"(i) IN GENERAL.—The term 'class action' means any single lawsuit (other than a derivative action brought by 1 or more shareholders on behalf of a corporation) in which—

"(I) 1 or more named parties seek to recover damages on a representative basis on behalf of themselves and other unnamed parties similarly situated; and

"(II) questions of law or fact common to those persons or members of the prospective class predominate over any questions affecting only individual persons or members.

On page 17, line 14, strike "(C)" and insert "(ii)" and move the margin 2 ems to the right.

On page 17, line 21, strike "(D)" and insert "(C)".

SARBANES (AND OTHERS)
AMENDMENT NO. 2397

Mr. SARBANES (for himself, Mr. BRYAN, Mr. JOHNSON, and Mr. BIDEN) proposed an amendment to the bill, S. 1260, supra; as follows:

On page 10, between lines 16 and 17, insert the following:

"(f) STATE ACTIONS.—

"(I) IN GENERAL.—Notwithstanding any other provision of this section, nothing in this section may be construed to preclude a State or political subdivision thereof or a State pension plan from bringing an action involving a covered security on its own behalf, or as a member of a class comprised solely of other States, political subdivisions, or State pension plans similarly situated.

"(2) STATE PENSION PLAN DEFINED.—For purposes of this paragraph, the term 'State pension plan' means a pension plan established and maintained for its employees by the government of the State or political subdivision thereof, or by any agency or instrumentality thereof.

On page 10, line 17, strike "(f)" and insert "(g)".

On page 15, between lines 19 and 20, insert the following:

"(5) STATE ACTIONS.—

"(A) IN GENERAL.—Notwithstanding any other provision of this subsection, nothing in

this subsection may be construed to preclude a State or political subdivision thereof or a State pension plan from bringing an action involving a covered security on its own behalf, or as a member of a class comprised solely of other States, political subdivisions, or State pension plans similarly situated.

"(B) STATE PENSION PLAN DEFINED.—For purposes of this paragraph, the term 'State pension plan' means a pension plan established and maintained for its employees by the government of a State or political subdivision thereof, or by any agency or instrumentality thereof.

On page 15, line 20, strike "(5)" and insert "(6)".

BIDEN AMENDMENT NO. 2398

Mr. BIDEN proposed an amendment to the bill, S. 1260, supra; as follows:

At the appropriate place, insert the following new section:

SEC. ____ FRAUD AS PREDICATE OFFENSE.

Section 1964(c) of title 18, United States Code, is amended by striking ", except" and all that follows through "final".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, May 13, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 13, 1998, at 10:00 a.m. to hold a hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, May 13, 1998, at 10:30 a.m. in room 226 of the Senate Dirksen Office Building to hold a hearing on "Tobacco Litigation: Is it Constitutional?"

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

SUBCOMMITTEE ON COMMUNICATIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Communications Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, May 13, 1998, at 9:30 a.m. on Federal Communications Commission Oversight: Wireless Bureau.

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

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on near Eastern and South

Asian Affairs be authorized to meet during the session of the Senate on Wednesday, May 13, 1998, at 2:00 p.m. to hold a hearing.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet in executive session during the session of the Senate on Wednesday, May 13, 1998, at 9:30 a.m.

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

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS ON REGULATORY RELIEF

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Financial Institutions and Regulatory Relief of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, May 13, 1998, to conduct an oversight and reauthorization hearing on the Community Development Financial Institutions Fund (CDFI) Program.

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

SUBCOMMITTEE ON INTERNATIONAL SECURITY, PROLIFERATION, AND FEDERAL SERVICE

Mr. DOMENICI. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services to meet on Wednesday, May 13, 1998 at 2:00 p.m. for a hearing on "S. 1710, The Retirement Coverage Error Correction Act of 1998."

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

ADDITIONAL STATEMENTS

AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT—CONFERENCE REPORT

• Mr. BROWNBACK. Mr. President, particularly in light of the 1996 Farm Bill, it is important that the federal government focus its attention on the factors that will increase U.S. agriculture's competitiveness in a deregulated farm economy. This includes improving efficiency in the transportation system, keeping international markets active and growing, advancing research, and facilitating use of market oriented risk management tools.

Yesterday the Senate approved the Conference Report to S. 1150, which provides for two of those critical factors. First of all, it provides important funding for agriculture research programs. Though I am critical of government funding of applied research that would otherwise be financed by those who will directly benefit in the private sector, I view basic research as a responsibility of the federal government. It is through research—largely conducted by the land grant universities supported by the federal government—

that we experienced the "green revolution" whereby the world learned to produce more food using fewer resources. Through research we have developed technologies that have increased farm efficiency exponentially, transformed food processing, and enhanced human nutrition. Given the structure of the agriculture industry, these advances never would have occurred if it had been up to individual farmers or individual companies to conduct the necessary research.

Furthermore, the intensive use of farmland here in the U.S. means that sensitive ecosystems around the world—which would have to be converted to farmland were it not for the productive capacity of the Midwest—can be spared. Continuing to search for ways to increase the productive capacity of America's farmers will help ensure that these ecosystems are not destroyed in order to provide for the food needs of the world's growing population. So the advances achieved through research have not only improved our own economic position, they have also benefitted the environment worldwide.

The bill also provides a stable funding mechanism for crop insurance, which has been subject to annual debates in recent years. This has been problematic for farmers and insurance agents, who need to be able to plan ahead. With the more liberalized market conditions that the new Freedom to Farm Act provides, risk management is more important than ever for farmers. And, for many, crop insurance is the most viable option for managing risk. In fact, lenders often require that producers obtain crop insurance in order to qualify for operating loans.

All of the spending that is directed toward these programs is offset by savings from food stamp administration accounts and the limitation of Commodity Credit Corporation funding for computers. So, the increased spending in this bill does not jeopardize the balanced budget agreement enacted last year.

It goes without saying that this bill is critical for a farm state like Kansas. However, the benefits of agricultural research and a reliable mechanism to manage risk extend well beyond the state lines of farm states—this country's production affords our consumers in rural communities and cities alike the cheapest, safest, and most abundant food supply on earth. It is imperative that Congress continue the investment that makes this competitive advantage possible. I am glad that the Senate finally approved the Conference Report, and hope that the House will act soon to secure these benefits for rural America. •

CELEBRATION OF ISRAEL'S 50TH ANNIVERSARY

Mr. FEINGOLD. Mr. President, during the last few days, both in Israel and around the world, Jews and millions of

others have been celebrating the 50th anniversary of the birth of Israel. A celebration of Israel is a celebration of democracy, prosperity, faith and the fulfillment of the dream of a Jewish homeland.

It was on May 14, 1948, that David Ben-Gurion announced Israel's birth to the world. Fifty years later, Israel is a mature state—a survivor of wars, assassinations and painful regional conflicts. And Israel has not only survived, it has prospered and thrived.

It has bloomed in the desert, taking root against seemingly impossible odds.

But it does not surprise us, for we know that overcoming the insurmountable is the story of the Jewish people. Examples of Israel's achievements abound: it is a world leader in developing agricultural techniques for arid climates, and in harnessing the power of solar energy.

Ben-Gurion believed that Israel could lead the world to a better future by marrying the ethical teachings of the ancients with the discoveries of modern science. "It is only by the integration of the two," he wrote, "that the blessings of both can flourish."

Israel ranks among the most advanced economies in the world, and is a vigorous democracy in a region of largely authoritarian regimes. Voter turnout for Israel's 1996 elections were about 80 percent, a high turnout by any standard, and one that surpasses and challenges the United States, which had just 49 percent turnout that same year. And Israel has successfully resettled Jewish immigrants from the former Soviet Republics and across the globe, including absorbing 680,000 immigrants during a three year period. The culture of Israel is equally vibrant, as Israelis have drawn on their dramatic personal and national histories to create invaluable contributions to the arts.

At 50, Israel has character, strength and dignity. Of course, like anyone who reaches 50, Israel is also experiencing something of a mid-life crisis.

As Israelis take stock of their achievements at this important moment in their history, they find problems yet to be solved and many goals yet to be reached. Israel has not yet made peace with all of her neighbors, and difficult decisions about how to achieve peace, or whether to continue to, at this point, seek peace at all, are causing painful rifts in Israeli society.

Personally, I look at Israel from many perspectives—as an American, as a Jew, as a United States Senator and as a member of the Senate Foreign Relations Committee.

As an American, I see Israel as a staunch ally and friend. As a Jew, I see a spiritual homeland, a place where all Jews have a claim, a right to belong. Israel is an oasis of faith for Jews in every corner of the world. As a United States Senator and member of the Senate's Foreign Relations Committee, I take a deep interest in Israel and the Middle East peace process.