

Mr. President, you may recall that it was the crew from the NOAA Ship *Rude* that so swiftly located the wreckage of TWA Flight 800. The *Rude* and a shore component of NOAA officers were also responsible for creating a highly detailed map which greatly aided Navy divers in their retrieval of the wreckage. For their efforts, they were recognized by then Secretary of Transportation Pena and by NOAA's parent bureau, the Department of Commerce, with the Department's highest award, the Commerce Gold Medal.

Additionally, it was the NOAA Corps who provided ship, aircraft and technical expertise for an environmental appraisal and the first comprehensive study of the Persian Gulf following the Gulf War. While shore personnel provided expertise in the management of hazardous materials, scientists above the NOAA Ship *Mt. Mitchell* evaluated and determined the extent of environmental damage to the Gulf. Not only did the work of the NOAA Corps grant instant credibility to both the United States and the other nations involved in the Gulf conflict, it also provided a safe, effective research platform. Once again, the Captain and crew were lauded for their service, receiving a Commerce Gold and Silver Medal, respectively.

Whether charting our nation's coastline, assessing its fisheries stock, or flying into hurricanes for the benefit of science and mankind, today's NOAA Corp maintains a standard of excellence in steadfastly following its mission, always ready to apply their scientific and service skills to the management of the United States' oceanic and atmospheric resources.

On this, the 81st anniversary of the National Oceanic and Atmospheric Commissioned Corps, I urge all Americans to join with me in taking a moment to honor these men and women for their distinguished service in their efforts to explore, chart, and protect the oceans and atmosphere not only of the United States, but of the entire world.●

#### TRIBUTE TO THE KINGSWOOD HIGH SCHOOL KNIGHTS VARSITY BASEBALL TEAM

● Mr. SMITH of New Hampshire. Mr. President, I rise today to congratulate the players of the Kingswood High School varsity baseball team for winning their first division championship.

As any baseball fan well knows, winning a division championship is no easy task. Yet what makes the Knights' season all the more remarkable is the fact that they ended their season with a spectacular record of 22 wins and only 1 loss. The Knights battled for the championship against Somersworth High School. Pitcher Kyle Frank and the team's four other seniors, Allie Shelley, Shaun St. Ong, Corey Eastman and Matt Pearson, led their team to an 8-5 victory to win the school's first championship.

Equally as important as the team's victory is the way the players carry themselves both on and off the field. The Kingswood Knights' hard work, fierce determination and positive attitude in the face of tough competition are traits that exemplify true champions and should make every student at Kingswood Regional High School proud.

The Kingswood Knights are a refreshing example of a principle that often gets lost in today's sports world: dedicated baseball playing. The Knights play because of a love and respect for the game of baseball and this is evident in their division championship.

Kingswood's victory is also very special to me personally. Twenty years ago, as a teacher at Kingswood Regional High School, I had the privilege of coaching the Knights and, in fact, had Coach Chip Skelley on my team. Mr. President, I want to once again congratulate the Kingswood Knights as well as Coach Skelley and Assistant Coach Bill Rollins. It is an honor to represent the Kingswood Knights in the United States Senate.●

#### HONORING DR. ELBERT W. FRIDAY, JR., ON HIS RETIREMENT FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

● Mr. HOLLINGS. Mr. President, in over 30 years as a U.S. Senator, I have had the opportunity to work with hundreds of Federal employees. Among all of those hard-working public servants, there are a few individuals who stand out for their commitment to doing the best possible job for the American people and who have the skills to get that job done. Today, I would like to recognize one of those individuals on the occasion of his retirement—Dr. Elbert W. "Joe" Friday, Jr., former director of the Department of Commerce's National Weather Service.

Dr. Friday has given 38 years of outstanding service to this country. Twenty of those years were as a U.S. Air Force Weather Detachment Commander in Saigon, Vietnam, and Nakhon Phanom, Thailand, and as the Director of Environmental and Life Sciences in the Office of the Under Secretary of Defense for Research and Engineering. The remaining eighteen years were served in the National Oceanic and Atmospheric Administration (NOAA). During his tenure at NOAA, Joe served as associate administrator for both the National Weather Service and the Office of Oceanic and Atmospheric Research.

As the head of the National Weather Service, Joe has guided the agency through the most significant changes in its 200-year history. Weather service modernization has required the implementation of powerful new observational technologies, updated information and forecast systems, and a streamlined organizational structure. When complete, it will yield revolu-

tionary advancements in our national public weather warning and forecast system. In fact, in recent years we have already begun to document dramatic improvements in the accuracy and timeliness of the Service's forecasts of weather events. For example, the Weather Service has lengthened the warning time for tornadoes from 6 minutes back in 1994 to 10 minutes today. That may not seem like a huge accomplishment, but it can mean the difference between life and death for individuals who are caught in a tornado's deadly path. Under Dr. Friday's leadership, we have also seen substantial improvements in the accuracy of predicting hurricane landfall, allowing local managers to make better and less costly evacuation plans and emergency preparations.

In 1989, an anxious nation watched as Hurricane Hugo moved relentlessly towards the Southeastern coast. As we waited, there was one person, Joe Friday, that I could count on to answer my questions and provide accurate information for tracking the storm. During weather service modernization when local communities in every region raised concerns about the closing of weather stations and the placement of radars, one person, Joe Friday, sorted through the rumors, listened, and gave us straight information. In recent years, budgetary difficulties have provided Joe with some of his greatest challenges. However, he succeeded in protecting the National Hurricane Center and other essential programs from sweeping cutbacks that would have hampered the ability of the Weather Service to do its job.

Last year, Joe moved over to NOAA's Office of Oceanic and Atmospheric Research, where he is responsible for environmental research and technology programs like Sea Grant and Climate and Global Change. These programs are critical for addressing such diverse issues as global warming, climate prediction, El Niño events, red tides, and *Pfiesteria*. I am sure that many at NOAA would echo my view when I say that I regret not being able to entice Dr. Friday to stay longer in his new position.

Throughout his career, Joe Friday has shared credit for successes, but never blamed others for problems or difficulties. He is a rare mix of gifted scientist, decorated soldier, and eloquent speaker—a charismatic man who leads by example and has inspired a generation of men and women at the National Weather Service. His strong leadership, clear vision, loyalty, and concern for his colleagues were instrumental in creating an effective team of professionals. His simple but powerful philosophy has always been that, as a public servant, his responsibility is to provide the highest level of products and services to the people of the United States and the world. In all his endeavors, he has supplied endless energy, sound judgment, keen intelligence, and a sense of humor to the government he

is so proud to serve. It was no surprise to anyone when he was awarded the 1993 Federal Executive of the Year, an outstanding and well deserved recognition for his contributions.

I am confident that I speak for many of my colleagues when I express admiration and thanks to Joe for his invaluable contributions to the United States of America and to the global scientific community. He has our best wishes and deepest gratitude for his accomplishments in his 38 years of Federal Service.●

#### EDUCATION SAVINGS AND SCHOOL EXCELLENCE ACT OF 1998

● Mr. COVERDELL. Mr. President, yesterday, the Senate passed the conference report to H.R. 2646, the Education Savings and School Excellence Act of 1998 by a bipartisan vote of 59-36. With respect to the Reading Excellence provision of the bill, I wanted to state for the RECORD that there was a technical error in the report regarding the participation of private schools. I will seek to correct this technical problem when the opportunity arises to ensure the participation of private schools in the literacy program authorized under this bill.●

#### SUPREME COURT DECISION ON THE REACHBACK TAX

● Mr. CONRAD. Mr. President, the Senate has often heard me speak about the people of North Dakota, and at times I have been compelled to speak about the injustices North Dakotans have been forced to endure because of something our Federal government has done to them.

Today, the Supreme Court handed down a decision which should mark the beginning of the end for the reachback tax, which has been a terrible burden for the largest lignite producer and largest coal industry employer in our state.

This very important part of our economy was unfairly and unjustly saddled with the reachback tax under the 1992 Coal Industry Retiree Health Benefit Act. The Coal Act has been draining millions of dollars from this company every year.

The Supreme Court, while agreeing that Congress has the power to help fund retired unionized bituminous coal miners' health benefits, held that Congress did so improperly. We subjected honest, tax-paying corporate citizens to a truly onerous levy without an adequate basis for doing so. If the Senate had taken the time either in committee or in a floor debate to consider fully the scope of this reachback tax, perhaps the rebuke Congress received this morning from the Supreme Court could have been avoided.

In the opinion of the Court, the Act places a "severe, disproportionate, and extremely retroactive burden" on the reachback company that brought the action. As such, the Court held that

the tax imposition it reviewed violates the Constitution's takings clause.

In short, Mr. President, the Supreme Court has affirmed the arguments that many of us have pursued in this body for some time—namely, that Congress needs to revisit the whole problem of how to fund the health benefits for retired unionized bituminous coal miners.

Since its inception, I have fought for reform of the Coal Act. Many of my colleagues over the years have joined me in this bipartisan fight. With the impetus of today's decision by the Supreme Court, the Senate should commit itself to fixing the Coal Act soon. I am confident that we can devise a plan that assures benefits for affected retirees and their families, treats the industry fairly, and passes Constitutional muster.●

#### TRIBUTE TO JAMES EDWIN "JIMMY" WALKER

● Mr. SHELBY. Mr. President, I rise today to salute a great Alabamian and a great American whose life was cut short by war—Lieutenant James Edwin "Jimmy" Walker. I did not have the pleasure of knowing Jimmy, but many people from my home state who knew this young man have nothing but praise for him.

Born in 1913, Jimmy became one of the most outstanding athletes in the history of Holt High School. He was the captain of the football, baseball, and basketball teams, leading his small school to athletic prominence in the state. Jimmy's former high school coach and teacher described him as having "superior athletic abilities, and as being a great and popular leader." He further described Jimmy as "a joy and an inspiration to those who had the good fortune to work and play with or for him."

In 1932, Jimmy entered the University of Alabama, in Tuscaloosa, on an athletic scholarship. Throughout his three years of varsity competition, he started on both the football and basketball teams. On campus, as well as on the athletic field, Jimmy was well known, loved and respected. He was a member of the "A" Club, Alabama Quadrangle, Jason's Honorary Junior Society, Pi Gamma Alpha Fraternity, O.D.K., Cotillion Club, and the Court of Appeals of the Student Government. Notably, Jimmy was captain of the victorious Rose Bowl and national championship football team of 1935, as well as captain of the 1934 Crimson Tide Basketball team. He was an All-Conference, All-Southeastern, and All-American basketball player while remaining active on campus and successful in the classroom. Jimmy ultimately received his Bachelor of Science degree in 1935.

Jimmy continued in athletics, coaching basketball at Virginia Military Institute. As in high school, Jimmy led a small school to great heights. His teams were outstanding, consistently

ranking higher than the much larger southern schools. At the time, newspapers called his accomplishment "a coaching masterpiece."

Despite his considerable professional and personal success and his growing notoriety, Jimmy asked for a leave of absence from coaching to join the United States Navy at the start of World War II. When he became a First Lieutenant in the Navy, he told his family that he had finally "made the team." After a period of distinguished wartime service, on December 22, 1943, this Alabama sports-hero-turned-Naval-officer sadly died in South America, from wounds received while in the performance of his official duties.

Jimmy died serving his country. He was a true leader, not only on the athletic field but in all areas of life. As a coach, a student, and a military officer, he was a fine role model for those around him. His dedicated, patriotic spirit will be remembered for a long time. He truly gave his all for victory.

Today, 45 years after his untimely passing, my thoughts are with Jimmy's family and friends. His spirit will forever live on in those who knew him. Perhaps Jimmy's sister, Neta Walker Laycock, of Tuscaloosa, Alabama, captured his outstanding personality best when she said: "If you knew him, you loved him. If you didn't, you missed a treat."●

#### MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1999

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate now turn to calendar No. 422, H.R. 4059, that all after the enacting clause be stricken, and the text of S. 2160 be inserted in lieu thereof, and the bill be amended by two conforming amendments at the desk.

##### AMENDMENTS NOS. 3045 AND 3046

The PRESIDING OFFICER. The clerk will report the amendments.

The legislative clerk read as follows:

The Senator from Montana [Mr. BURNS] proposes amendments numbered 3045 and 3046, en bloc.

The amendments (Nos. 3045 and 3046) are as follows:

##### AMENDMENT NO. 3045

(Purpose: To adjust appropriations for Navy military construction, Air Force family housing construction, and Defense-Wide military construction to accommodate the authorizations of appropriations for such construction for fiscal year 1999)

At the appropriate place insert the following:

SEC. . (a) Notwithstanding any other provision of this Act, the amount appropriated by the heading "MILITARY CONSTRUCTION, NAVY" is hereby increased by \$5,780,000.

(b) Notwithstanding any other provision of this Act, the amount appropriated by the heading "MILITARY CONSTRUCTION, DEFENSE-WIDE" is hereby decreased by \$11,000,000.

(c) Notwithstanding any other provision of this Act—

(1) the amount appropriated by the heading "FAMILY HOUSING, AIR FORCE" is hereby increased by \$5,220,000; and