

**SENATE CONCURRENT RESOLUTION 29—AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR CONCERTS TO BE CONDUCTED BY THE NATIONAL SYMPHONY ORCHESTRA**

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

S. CON. RES. 29

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. AUTHORIZATION OF NATIONAL SYMPHONY ORCHESTRA CONCERTS ON CAPITOL GROUNDS.**

The National Park Service (in this resolution referred to as the "sponsor") may during each of calendar years 1999 and 2000 sponsor a series of three concerts by the National Symphony Orchestra (in this resolution each concert referred to as an "event") on the Capitol Grounds. Such concerts shall be held on Memorial Day, 4th of July, and Labor Day of each such calendar year, or on such alternate dates during that calendar year as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

**SEC. 2. TERMS AND CONDITIONS.**

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, each event authorized by section 1—

(1) shall be free of admission charge and open to the public, with no preferential seating except for security purposes as determined in accordance with section 4, and

(2) shall be arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with each event.

(c) AUDITS.—Pursuant to section 451 of the Legislative Reorganization Act of 1970 (40 U.S.C. 193m-1), the Comptroller General of the United States shall perform an annual audit of the events for each of calendar years 1999 and 2000 and provide a report on each audit to the Speaker of the House of Representatives and the Chairman of the Senate Committee on Rules and Administration not later than December 15 of the calendar year for which the audit was performed.

**SEC. 3. STRUCTURES AND EQUIPMENT; BROADCASTING; SCHEDULING; OTHER ARRANGEMENTS.**

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, the sponsor may erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for each event.

(b) BROADCASTING OF CONCERTS.—Subject to the restrictions contained in section 4, the concerts held on Memorial Day and 4th of July (or their alternate dates) may be broadcast over radio, television, and other media outlets.

(c) SCHEDULING.—In order to permit the setting up and taking down of structures and equipment and the conducting of dress rehearsals, the Architect of the Capitol may permit the sponsor to use the West Central Front of the United States Capitol for each event for not more than—

- (1) six days if the concert is televised, and
- (2) four days if the concert is not televised.

The Architect may not schedule any use under this subsection if it would interfere with any concert to be performed by a military band of the United States.

(d) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements as may be required to carry out each event.

**SEC. 4. ENFORCEMENT OF RESTRICTIONS.**

(a) IN GENERAL.—The Capitol Police Board shall for each event—

(1) provide for all security related needs, and

(2) provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, advertisements, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds.

(b) EXCEPTION FOR CREDIT TO SPONSORS.—Notwithstanding subsection (a), credits may be appropriately given to private sponsors of an event at the conclusion of any broadcast of the event.

(c) ENFORCEMENT.—The Architect of the Capitol and the Capitol Police Board shall enter into an agreement with the sponsor, and such other persons participating in an event as the Architect of the Capitol and the Capitol Police Board considers appropriate, under which the sponsor and such persons agree to comply with the requirements of this section. The agreement shall specifically prohibit the use for a commercial purpose of any photograph taken at, or broadcast production of, the event.

**SENATE RESOLUTION 82—EX-PRESSING THE GRATITUDE OF THE UNITED STATES FOR THE SERVICE FOR THOMAS B. GRIF-FITH, LEGAL COUNSEL FOR THE UNITED STATES SENATE**

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

S. RES. 82

Whereas Thomas B. Griffith, the Legal Counsel of the United States Senate, became an employee of the Senate on March 13, 1995, and since that date has ably and faithfully upheld the high standards and traditions of the Office of Legal Counsel of the United States Senate;

Whereas Thomas B. Griffith, from October 24, 1995, to April 18, 1999, served as the Legal Counsel of the United States Senate and demonstrated great dedication, professionalism, and integrity in faithfully discharging the duties and responsibilities of his position, including providing legal defense of the Senate, its committees, Members, officers, and employees; representing committees in proceedings to obtain evidence for Senate investigations; representing the interests of the Senate as intervenor or amicus curiae in various court cases; and otherwise providing legal advice to Members, committees, and officers of the Senate;

Whereas Thomas B. Griffith, only the second person to hold the position of Senate Legal Counsel since it was created in 1979, has met the needs of the United States Senate for legal counsel with unfailing professionalism, skill, dedication, and good humor during his entire tenure; and

Whereas Thomas B. Griffith has tendered his resignation as Senate Legal Counsel, effective as of April 18, 1999, to return to the private practice of law; Now, therefore, be it

*Resolved*, That the United States Senate commends Thomas B. Griffith for his more than 4 years of faithful and exemplary service to the United States Senate and the Na-

tion, including 3½ years as Senate Legal Counsel, and expresses its deep appreciation and gratitude for his faithful and outstanding service.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Thomas B. Griffith.

**SENATE RESOLUTION 83—EX-PRESSING THE SENSE OF THE SENATE REGARDING THE SETTLEMENT OF CLAIMS OF CITIZENS OF GERMANY REGARDING DEATHS RESULTING FROM THE ACCIDENT NEAR CAVALESE, ITALY, ON FEBRUARY 3, 1998, BEFORE THE SETTLEMENT OF CLAIMS WITH RESPECT TO THE DEATHS OF MEMBERS OF THE UNITED STATES AIR FORCE RESULTING FROM THE ACCIDENT OFF NAMIBIA ON SEPTEMBER 13, 1997**

Mr. THURMOND submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 83

Whereas on September 13, 1997, a German Luftwaffe Tupelov TU-154M aircraft collided with a United States Air Force C-141 Starlifter aircraft off the coast of Namibia;

Whereas as a result of that collision nine members of the United States Air Force were killed, namely Staff Sergeant Stacey D. Bryant, 32, loadmaster, Providence, Rhode Island; Staff Sergeant Gary A. Bucknam, 25, flight engineer, Oakland, Maine; Captain Gregory M. Cindrich, 28, pilot, Byrans Road, Maryland; Airman 1st Class Justin R. Drager, 19, loadmaster, Colorado Springs, Colorado; Staff Sergeant Robert K. Evans, 31, flight engineer, Garrison, Kentucky; Captain Jason S. Ramsey, 27, pilot, South Boston, Virginia; Staff Sergeant Scott N. Roberts, 27, flight engineer, Library, Pennsylvania; Captain Peter C. Vallejo, 34, aircraft commander, Crestwood, New York; and Senior Airman Frankie L. Walker, 23, crew chief, Windber, Pennsylvania;

Whereas the Final Report of the Ministry of Defense of the Defense Committee of the German Bundestag states unequivocally that, following an investigation, the Directorate of Flight Safety of the German Federal Armed Forces assigned responsibility for the collision to the Aircraft Commander/Commandant of the Luftwaffe Tupelov TU-154M aircraft for flying at a flight level that did not conform to international flight rules;

Whereas the United States Air Force accident investigation report concluded that the primary cause of the collision was the Luftwaffe Tupelov TU-154M aircraft flying at an incorrect cruise altitude;

Whereas procedures for filing claims under the Status of Forces Agreement are unavailable to the families of the members of the United States Air Force killed in the collision;

Whereas the families of the members of the United States Air Force killed in the collision have filed claims against the Government of Germany; and

Whereas the United States Senate has adopted an amendment authorizing the payment to citizens of Germany of a supplemental settlement of claims arising from the deaths caused by the accident involving a United States Marine Corps EA-6B aircraft on February 3, 1998, near Cavalese, Italy; Now, therefore, be it

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