SENATE—*Thursday, March 6, 1997*

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by Rabbi Joshua O. Haberman, Washington Hebrew Congregation, Washington, DC.

PRAYER

The guest Chaplain, Rabbi Joshua O. Haberman, Washington Hebrew Congregation, offered the following prayer:

Oh God, Creator of all, we turn to Thee for we are ever in need of Thy help. Grant us the vision to see light in Thy light so that we might seek the good of our Nation in conformity with Thy laws of justice.

May our personal conduct and our work as legislators be prompted by righteousness and compassion and bear fruit in goodness and peace. May what we do enhance the well-being of all citizens, diminish the evils that beset us and enlarge our Nation's virtues.

O, Thou who didst create order out of chaos, help us create order in the lives and relations of human beings so that all might dwell in safety and none make them afraid. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT, is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today, the Senate will be in a period of morning business to allow a number of Senators to introduce legislation and make statements. I understand the Rules Committee is scheduled to meet this afternoon to begin the markup of the Governmental Affairs Committee funding resolution. It is my hope that there will be an agreement reached on this for the consideration of the funding resolution. If an agreement is reached, the Senate may debate the resolution on Friday and on Monday, and, hopefully, complete action on the resolution early next week. It clearly, though, is our intent to take up the funding resolution for the Governmental Affairs Committee next week, hopefully earlier in the week, but at some point we clearly will want to bring it to a conclusion. We have had a lot of discussion, a lot of efforts to find a reasonable arrangement for the committee to go forward. I think we are close to accomplishing that.

Also, I might say that there had been some thought that we would begin a discussion today, debate, if you will, on legislation involving the independent counsel, and we have some legislation pending in that regard. But in my discussions with the Democratic leader yesterday, he indicated that he thought perhaps we could come to some bipartisan arrangement to deal with independent counsel in the Judiciary Committee. I had hoped the Judiciary Committee could act on that today. I understand that perhaps there was an objection lodged to going forward today, and therefore it may be a week before the Judiciary Committee can act on that.

But the Judiciary Committee, as I understand the independent counsel law, can act in a couple of ways. One, the full committee can act in a bipartisan way to begin a process of looking at whether or not an independent counsel is called for. Or a vote of the majority on the committee could also begin this process. We would like it to be bipartisan, and we will work to try to see if that can be accomplished. Since there was an indication that perhaps we could do that, I thought that the good-faith thing to do would be to make that effort in the Judiciary Committee before we begin debate on forcing that action here in the full Senate.

Mr. President, there are a number of military nominations that the Armed Services Committee reported on Tuesday of this week. I am hopeful the Senate will be able to confirm all or at least most of those during today's session.

Also, the Energy Committee has reported out the Peña nomination this morning, and it is possible that the Senate could take action on the nomination sometime next week. I will be working with interested Senators to see what problems might exist, to see what time they need to address their concerns. It looks like we will not be able to get a vote on the Peña nomination today, but I intend to call it up next week, at the very latest the middle of the week.

As is also usually the case, I will notify our colleagues of the voting schedule as early as possible. I know they will be interested whether or not there will be votes this afternoon or tomorrow. We will get that information to all Senators as soon as we can work through some other scheduling issues with the minority.

I thank all Members for their cooperation and their attention. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. THOMAS). Under the order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the order, there will now be a period for the transaction of morning business, not to extend beyond 1:30 p.m., with Senators permitted to speak for 5 minutes.

Under the order, the Senator from Ohio [Mr. DEWINE] is recognized to speak for up to 20 minutes.

DISASTERS

Mr. DEWINE. Mr. President, as we speak, the flooding continues in Ohio and Kentucky and Indiana and West Virginia. Our hearts and prayers go out to all of those who are suffering and all those who are fighting back, trying to put their lives back in order.

I see on the floor my colleague from Ohio and my colleague from Kentucky and my colleague from West Virginia. All are States, as well as Indiana, that have been hit very hard.

The most heartening thing to see during a tragedy such as this is how people react. We have many organizations that are involved, but probably the biggest organization involved is not an organization at all, it is just Ohioans and Kentuckians and Hoosiers and people from West Virginia who are out there, helping their neighbors and helping their friends, and sometimes just helping people they do not know at all.

It is the American spirit and is something that is a wonderful thing to behold.

PROBLEMS—AND PROGRESS—IN HAITI

Mr. DEWINE. Mr. President, I would like to take a few minutes today to talk about an issue that I have been looking at for some time. I rise today to discuss U.S. policy in regard to one of our most troubled neighbors in this hemisphere. Over the last several years, in my capacity as a member of the Intelligence Committee, I traveled to Haiti on three separate occasions to investigate the problems of that country and to assess the efforts of the United States to help the Haitians cope with these problems and to help them as they try to secure the solid legal and economic infrastructure that has, frankly, eluded them now for centuries.

I did this because I believe Congress and the administration must undertake a candid, realistic look at U.S. policy, what is working, what is not working, and where we go from here. The American taxpayers have already

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

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invested a great deal in Haiti, contributing at least $2 billion to the country's recovery, risking the lives of American service personnel in the 1994 invasion, and leaving hundreds of them there today to help keep an uneasy peace.

While Haiti is not of great strategic importance to the United States, we do have a serious interest in what happens in this, the poorest country in our hemisphere. These interests stem from geography and are amply proven by history. I do not think most of us need to be reminded, for example, about the Haitian boat people. It is clear the only thing preventing yet another explosion of refugees into the southern part of this country is a wise, multinational investment in the stability of Haiti.

Fortunately, recent history has given us some good guidelines, some good advice, if you will, on how to help secure such stability. One of the great principles of the Reagan administration was that America's national interest was best served by having neighbors that practiced democratic and free-market principles. In Latin America, the Reagan doctrine certainly has worked.

As free elections and economic liberalization has taken place in country after country, the countries of South and Central America have become better neighbors for the United States. I believe these same principles apply to our national strategy in regard to Haiti.

Mr. President, we need to apply these principles to Haiti so that over the long term, Haiti can move out of the category of "problem country" and into a fuller economic and political participation in regional progress. The challenge for us, the challenge for Congress, the challenge for the administration is to provide assistance that actually works, a do-good approach, not a feel-good approach. This means working with the Haitian people to determine the real roadblocks to democracy and to free enterprise and determine what form of United States assistance will help overcome these obstacles.

Two years after the United States invasion, Haiti still is struggling by any reasonable measure. But a closer examination reveals several seeds of progress struggling to take root.

First, let's start, Mr. President, with the justice system. For democracy to survive, it is not enough that Haitians have the power to effect change at the ballot box. They also must have a working judicial system. Frankly, Haiti has never had a functioning judiciary, certainly not the way we understand it. There are sitting judges today who can't read or write. Others are just incompetent.

Understandably, the Haitian people are demanding change. Specifically, they want to know if President Preval is committed to building an independent and a competent judiciary. Since President Aristide's return, there has been a series of commando-style killings of political opponents. The numbers have dropped off since the inauguration of President Preval, but, disturbingly, too many people in Haiti still think they can commit political murders with impunity.

Mr. President, there are two things you always need if you want to solve high-profile crimes. First, you have to have the expertise, good solid police work, good professional police investigation. And second, you also have to have the political will from the top so that everyone in the country, everyone in the judicial system, everyone in law enforcement understands the priority.

The good news is that the Haitian national police have established a special investigations unit, SIU, to investigate human rights crimes. The bad news is that while I was there in November, my most recent visit, the SIU consisted of one experienced United States police officer and roughly 36 inexperienced Haitians. This has changed somewhat since my visit, since two more U.S. police officers have been added to the force.

This is one area in which American expertise can make a big difference. Indeed, with some extra United States help, Haiti could succeed in convicting some of the worst defenders, like the murderers of Mireille Bertin and Guy Malary. Mireille Bertin was an anti-Aristide lawyer. Guy Malary was Aristide's justice minister. To prosecute and convict the killers in those kinds of cases would send an unmistakable message to Haitian society: Your chance of getting justice does not depend on what side you are on.

Mr. President, these reforms will not happen without leadership from the President of Haiti. President Preval needs to push judicial reform and make clear that the period of impunity from the left and from the right is now over.

These reforms will not take place either, Mr. President, without expertise and without assistance from the United States. The SIU needs the kind of know-how that U.S. law enforcement officials can provide; indeed, they can provide it better than anyone else in the world.

After my recent visit, I wrote to Deputy Secretary of State Strobe Talbott and told him that additional U.S. expertise is needed in this area. I am pleased to report that I have received a letter back from Secretary Talbott. He wrote me that two additional Creole-speaking U.S. citizens, U.S. police officers, have been added to the SIU since my last visit, and further, that the FBI has agreed to provide a medical examiner to perform autopsies. Furthermore, he told me that the FBI will visit Haiti with a view toward possibly helping to develop an investigation plan for the SIU.

Mr. President, I ask unanimous consent that Secretary Talbott's letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. DEWINE. Mr. President, it is my view that this would be a big step forward for the progress of restoring civil society in Haiti. It would help bring high-profile killers to justice and send a powerful message to the people of Haiti that they can count on law and order becoming a reality in the future of their country.

Let me discuss a broader topic—topic No. 2—the ordinary day-to-day operation of the Haitian police as it deals with run-of-the-mill, nonpolitical crimes, the crimes that most people face the threat of each day.

The United States has already helped to train 5,000 young recruits as a civilian police force to replace the discredited Haitian military. This task was and remains daunting. Try to imagine, Mr. President, the Washington, DC, police force fired one day, everyone fired en masse and replaced by kids fresh out of the police academy who are then asked to patrol the city's most dangerous neighborhoods. Or think of any other big city in this country.

As one would expect, there have been some pretty serious problems with this police force. They are alleged to have killed innocent people. In fact, even Pierre Denize, director general of the Haitian national police has acknowledged these problems. He has a letter in Time magazine that reached the newsstands earlier this week, in which he writes the following:

> I take responsibility for the actions of my subordinates and acknowledge that some HNP members have committed human rights abuses, but the majority of these offenses have been identified through the investigative efforts of HNP officials. The HNP does not condone these acts. In addition, the Haitian Government is working to ensure HNP officers face criminal charges when warranted. Unfortunately, there is no quick fix, as the problems did not originate with the creation of HNP in 1996 but have developed over decades.

Mr. President, one major problem is that these Haitian recruits lack experience, and they also lack the midlevel support that is essential to successful police work. I personally met with 10 of these United States police officers who are mentoring these young Haitian recruits. These Americans are veterans of big city police departments. They were born in Haiti and speak Creole. They are United States citizens. They have worked in some of the biggest, toughest cities and have great police experience. I found them to be enthusiastic and doing a great job. I was very proud of them.

But, frankly, Haiti must have more of them. In his letter that I mentioned earlier, Secretary Talbott wrote me

that in response to interest on the part of the Haitian Government, there are now 10 more United States officers there, for a total of 32.

The expectation of law and order is always a prerequisite for a working society, but it is also a prerequisite for a working economy. Therefore, let me turn now to the third major issue I would like to discuss, the state of Haiti's economy, and I have mixed news to report.

After a decade and a half of negative growth, the Haitian economy is finally beginning to grow, very slowly. But if the Haitians do not move forward, if the Government does not move forward immediately on privatizing their State industries, growth is going to stop. People need to see real economic progress if they are going to support the free market over the long run. If Haiti pays lip service to the free market while continuing its dead-or-dying state-run businesses, the prosperity will not be there for the Haitian people, and support for market reforms and support for democracy will erode very quickly.

The Haitian Parliament has taken a meaningful first step by passing privatization legislation. But legislation is only a first step. To make a difference in national prosperity, privatization has to be real. It has to actually happen. President Preval must move forward quickly and forcefully on privatization.

Mr. President, another thing that absolutely must happen in Haiti is the fundamental reform of Haiti's corrupt and inefficient ports. And this brings me to my fourth topic.

My wife Fran and I visited an orphanage in Haiti, at which a nun approached us and told us that her orphanage had been expecting a vitally important x-ray machine. Where was it? She told us it was sitting on the docks for months. Then it was finally stolen. A second replacement x-ray machine, estimated to be worth a great deal of money, sat on the docks for months and months awaiting the payment of a 30-percent tax.

Mr. President, a few weeks after returning to the United States, I met with Joe Busken in Cincinnati, a private citizen. Mr. Busken has been involved for years with a different orphanage in Haiti. He outfitted a bakery for them and taught them to make highly nutritious bread. I found, in talking to Mr. Busken, that last July—last July—he had shipped flour to that bakery, only to find that flour was also stuck on the docks since July. This was in November when I was talking to him. Once my office became involved, and with the help of the U.S. Embassy and the USAID, the flour and the other orphanage's x-ray machine were finally liberated, but that was 7 months later.

Mr. President, Haiti is an island. It is therefore very vulnerable to the poor functioning of its ports. On an island such as Haiti, a badly run and corrupt port can become a major chokepoint for imports and also exports. A vibrant assembly sector, for example, cannot hope to grow as long as the port authority exacts a $750-per-container export fee.

The Inter-American Development Bank, Mr. President, is to spend literally hundreds of millions of dollars to build roads in Haiti. The main purpose of these roads is to allow farmers and others to get goods to the ports for export. But those roads will not do any good if Haiti cannot even get things in or out of the port to begin with.

Humanitarian aid, Mr. President, is just as vulnerable as are ordinary commercial imports and exports. Because economic reform remains a long-term goal, continued humanitarian aid remains an immediate need that must be met. Many concerned American volunteer groups are sending food and other emergency aid to Haiti. But huge tariff or port entry fees are keeping aid sitting on the docks for months. Food shipments are simply left to rot, discouraging many from even trying.

Mr. President, here is an example of where American know-how can help. I am glad to report we have made some progress in making the humanitarian-aid train run on schedule. United States Ambassador William Swing has informed me that the Haitian Government has agreed to let assistance from private voluntary organizations, PVO's, who are affiliated with the United States Government enter Haiti without having to pay the 4-percent so-called verification fee. Shipments of food, pharmaceuticals and scholastic materials will be exempt from that verification fee for all PVO's, as well as United States Government agencies shipping aid to Haiti. That, Mr. President, is certainly a step in the right direction.

Let me now turn to a related humanitarian matter, the current U.S. food-aid policy. That policy is shifting from a general feeding program to one targeted to women and infants. That is a wise step. But, Mr. President, I believe it should be modified so that the children in orphanages and the elderly in institutional care continue to receive this food until there is an alternative feeding program in place.

In Port-au-Prince, my wife Fran visited an orphanage run by a nun who goes to hospitals to gather as many children as her orphanage will hold. These children who have been abandoned as babies are simply left at the hospital. She now takes care of 50 babies and children, many of whom came to the orphanage horribly malnourished. My wife had the opportunity to see some of these children, and it was a very pitiful sight.

Mr. President, if the proposed U.S. food-aid policy is left unchanged, it would harm the neediest and most vulnerable patients, such as these babies. USAID is evaluating this policy now. I would urge them to reformulate the policy so that the most vulnerable people, children in orphanages and the elderly in institutions, are not left out.

Mr. President, there is another topic that I do not intend to address today. That is the issue of Haitian agriculture. Haiti cannot recover—true progress cannot be made—without a viable agricultural sector. But Haitian agriculture has been devastated. Haiti needs to do what it can to help themselves in this particular area. I intend to return to the floor at some future date, Mr. President, to discuss this issue in greater detail than time would permit today.

Let me conclude by underlying the central fact about today's Haiti. It is an extremely troubled country. The road ahead is uphill, and it is very steep. Turning around two centuries of poverty and misrule is not a task that can be accomplished by Haitians overnight.

That is why, Mr. President, it is important for Congress and the administration to work out a realistic bipartisan consensus on Haiti. The United States cannot make Haiti an island paradise. Only the people of Haiti can determine their own destiny. But we can help the Haitian people transform their country into one that works, one that exports goods and services, one where the people will come together to escape from their past rather than escaping from their homeland. That is their only hope for a viable future. That is a goal worthy of America's support.

Mr. President, I will continue to work with the administration, with Members of both parties here in Congress to make sure this goal gets the attention that it needs.

EXHIBIT 1

U.S. DEPARTMENT OF STATE,
Washington, DC, February 6, 1997.

Hon. MIKE DEWINE,
U.S. Senate.

DEAR SENATOR DEWINE: I read with interest your January 24 OpEd article in the Wall Street Journal.

I wholeheartedly concur with you on the need for further reforms in the police, judiciary and economy if Haiti is to realize the full benefits from the restoration of democracy. In this regard, I believe you would be interested in some developments that have occurred since your November visit to Haiti which address these shared concerns.

Police and Judicial Reforms: The Inspector General (IG) of the Haitian National Police (HNP) has continued to crack down on police officers implicated in malfeasance or other improper activity, including during the last month the detention of four HNP officers involved in a November 5 shootout in the Delmas suburb of Port-au-Prince. Over the last year, IG investigations have resulted in the dismissal of dozens of police officers. As you note, one of the most positive elements of our own effort to strengthen the fledgling Haitian National Police has been the contribution of U.S. police mentors working

with their Haitian counterparts. Responding to continued Haitian Government interest in this program and to your recommendation that additional U.S. civilian police officers be assigned to Haiti, the current U.S. contingent of 22 officers will be augmented this week with the arrival of ten new mentors.

I also believe that additional measures are needed to ensure a thorough investigation of the murders of Haitian political figures. Two additional experienced, Creole-speaking U.S. investigators have been assigned to the Special Investigation Unit (SIU), and in response to a formal request from Haitian authorities, the FBI has agreed to provide a medical examiner to perform autopsies. We will give positive consideration to additional areas of support to the SIU that might be identified during a forthcoming FBI visit to Haiti to develop an investigation plan for the SIU.

In the area of judicial reform, strengthening prosecutorial capabilities and the courts remain a priority USG effort, and we will work with the Congress to provide adequate resources for these efforts.

Economic reforms: I agree with you that progress on privatization and tariff reform are essential to encourage economic development and private-sector investment. The Department remains committed to working closely with the Congress to establish and apply realistic conditions that will encourage sustainable economic development. We also plan to target USAID safety-net programs toward those most in need including, as you recommend, maintaining feeding programs directed at vulnerable sectors such as mothers and their infants.

Again, I wish to express my appreciation for your interest in Haiti and your desire to work with the Administration in pursuit of democratization, political security and economic reform. Your visits have helped to galvanize a bipartisan effort that, in turn, will help Haiti to help itself. National Security Advisor Sandy Berger and I hope to visit Haiti in the near future. I look forward to continuing close cooperation with you to address the problems of the poorest and least developed of our neighbors.

Sincerely,

STROBE TALBOTT.

Mr. DEWINE. Mr. President, I thank the Chair for his indulgence and yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

ISRAELI SETTLEMENTS POLICY IN JERUSALEM

Mr. BYRD. Mr. President, last week the Israeli leader, Prime Minister Benjamin Netanyahu, decided to authorize a politically volatile housing project for Israeli settlers in predominantly Arab East Jerusalem. This disappointing act has thrown into confusion the promising opening that was generated by the long and difficult, but successful negotiations last month, which culminated in an agreement returning control of the West Bank city of Hebron to the Palestinians. The United States invested very considerable efforts, negotiating talent and prestige to move the peace process along. The agreement over Hebron gave the world great hope that a long-term peaceful settlement of the outstanding issues between Israel and the Palestinians was on an upward track.

Therefore, it is very unfortunate, in my view, that the reality of the substantial success over Hebron prompted the right wing of Israeli politics to pressure Prime Minister Netanyahu into this latest act on housing settlements. According to the New York Times of March 2, 1997, "a powerful group of Mr. Netanyahu's conservative colleagues" "leaned on him" to prove his commitment to Jerusalem by building Har Homa, threatening to bring down the government if he failed. With new territorial concessions to the Palestinians looming, Mr. Netanyahu told Americans and Palestinians privately that he had to "fill his right wing tank" on Har Homa if he was to keep on the peace route.

This is a most disappointing situation. Progress on peace is regarded as a threat by the Israeli right wing and has resulted in efforts to force the Prime Minister to retreat from his own success. The Israeli right wing should know that their behavior will have consequences in the United States, and I for one will relate my support for their agenda to their support of that of the United States, which is a fair, equitable and just peace in Jerusalem and the Middle East. The process of American intermediations between the Israelis and Palestinians is a serious matter and we cannot stand by and watch the Israeli right wing, at their whim, pull the rug out from under whatever progress is accomplished. Such actions should be understood to have consequences for support for Israel's various interests as they are considered by Senators.

I hope the Israeli Prime Minister will do better at withstanding the pressure of his right wing and, that the considerable influence of American groups will be exercised to counter those negative pressures. I hope, as I am sure my colleagues do, that the peace process will not be derailed by the actions of an extreme right wing minority in Israel and that the settlements issue will be adjusted by the Prime Minister to reflect the opportunity that the successful Hebron agreement has provided.

Mr. President, I thank my friend from Indiana, Senator COATS, for his courtesy in allowing me to proceed ahead of him. I thank him very much indeed.

Mr. COATS. Mr. President, it is not difficult to yield to the Senator from West Virginia because the content of what he says is always instructive, and I am always pleased to be on the floor when he is speaking because I always learn something.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I thank the Chair.

(The remarks of Mr. COATS pertaining to the introduction of S. 409 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRASSLEY. Mr. President, I ask unanimous consent to extend the normal time of 5 minutes to 13 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FBI MANAGEMENT FAILURES—PART THREE

Mr. GRASSLEY. Mr. President, troubling facts continue to surface in the FBI crime lab issue. These facts are putting flesh on the bones of allegations that much of the lab's analysis is sloppy, not credible, fabricated, or all of the above.

The FBI has charged that these allegations are unfounded, and that they are the musings of one Dr. Frederic Whitehurst. Dr. Whitehurst has come forward as a whistleblower with serious charges against the lab and its management. The FBI chose to shoot the messenger instead of taking Dr. Whitehurst seriously.

After a year of studying Dr. Whitehurst's claims and his information, I was not so sure the FBI took the wise course. Then, after a private briefing by the Justice Department's inspector general on his investigation into these matters, I was even more convinced that the FBI has taken the wrong course. And now that the FBI has taken personnel action against Dr. Whitehurst in retaliation for his telling the truth, I am convinced that the Bureau is dead wrong.

The FBI's defense—some would say coverup—is slowly unraveling. Last week, we discovered that it wasn't just Dr. Whitehurst that has raised serious concerns. Another respected scientist, Dr. William Tobin, had raised equally serious allegations in 1989. He alleged that an FBI agent tampered with evidence and made a series of false statements while testifying in court proceedings against then-Judge ALCEE L. HASTINGS. I discussed this before this body on February 26, Mr. President.

The FBI covered up this matter. There may be a missing document. Last week, at my request, the Attorney General ordered that the FBI not be involved in the investigation. The investigation has been given instead to the IG. This is because there are major questions about the FBI's ability to police itself. The Attorney General gets much credit for recognizing the potential conflict involved when the FBI investigates these issues.

In the past 2 weeks, two additional cases—in addition to the Alcee Hastings case—appear to reveal similar improper behavior by FBI agents testifying in Federal cases. If it sounds to you like a pattern is developing, Mr.

President, you have been paying close attention. Up to now, the FBI's denials had been set in concrete. What you are hearing now is the sound of concrete cracking.

Thus far, the IG has had remarkable success keeping the draft report under wraps. But a few press stories about its contents have been popping out. Last week, the Miami Herald ran a story about a Florida case reviewed by the IG. In that 1988 case, George Trepal was convicted of murdering his neighbor by poisoning her soft drink. Mr. Trepal was sentenced to death, and is still on death row.

But as the Herald reports, the testimony of evidence linking Mr. Trepal to this murder may have been tainted by an FBI lab supervisor. The supervisor may not have had adequate scientific support to identify the poison as he did. If the Herald is correct, this is another example of the problems found in the Hastings case.

And now there's a third case, Mr. President. The Associated Press reported yesterday that the IG found similar problems in the VANPAC case. That is the case involving the 1991 conviction of Walter Leroy Moody for the murder of U.S. Circuit Judge Robert Vance and Georgia civil rights attorney Robert Robinson. It was Justice Department attorney Louis J. Freeh who prosecuted the case.

Before I get into the specifics of the FBI's wrongdoing apparently uncovered by the IG in this case, let me provide some context.

More than a year before the bombing tragedy in Oklahoma City, Director Freeh and his general counsel, Howard Shapiro, had been fully briefed about Dr. Whitehurst's allegations of misconduct within the lab. They were aware of Whitehurst's charges of a systemic quality control breakdown in the lab.

On February 7, 1994, Whitehurst's attorney wrote to Mr. Shapiro informing him of the sensitive nature of the allegations, and how a thousand cases could be affected. Whitehurst asked that a special, independent, or outside counsel review the matters.

But the FBI chose another course. It did not empanel an independent review. Instead, the matter was assigned to two attorneys within the Office of the general counsel. They reported directly to Mr. Shapiro and Mr. Freeh.

No scientist was placed in the decisionmaking chain of command. Mr. Freeh, in conjunction with his attorneys, decided they could perform a diligent and thorough internal investigation. Mr. Shapiro's exact words in his February 14 reply—and remember these words, Mr. President, because I intend to refer to them liberally in the future—his exact words were, "The FBI has a long and proud history of performing diligent and thorough internal investigations."

What is amazing to me is that neither Mr. Freeh nor Mr. Shapiro recused himself from the decisionmaking role with respect to the review. After all, they had prosecuted one of the cases—the VANPAC case—in which Dr. Whitehurst alleged misconduct had occurred.

In other words, nonscientists with a conflict of interest assumed the authority to review significant allegations of scientific and evidentiary misconduct that could affect hundreds, if not thousands of cases.

I have now obtained a redacted copy of the results of that review, headed by Mr. Freeh and Mr. Shapiro. The findings and recommendations were approved by both.

The first thing they did was fire at the messenger. On the very first page, the FBI notes that Dr. Whitehurst could be disciplined for providing information about the lab's misconduct to Congress.

You see, Mr. President, providing information to Congress—and I'm quoting the FBI—"violates FBI and DOJ regulations." Were you aware, Mr. President, that FBI and DOJ regulations override the first amendment guarantee of the people's right to petition Congress? If I could anticipate your response, Mr. President, neither was I.

The second issue: During this 1994 review, Mr. Freeh and Mr. Shapiro learned that the lab "would not meet minimal accreditation standards." The report notes that it was "incredulous that the premiere forensic laboratory in the world" was "not accredited."

Instead of asking how the failure to reach minimal accreditation standards had impacted on past cases, or might impact on future cases, the FBI took a different course. The FBI concluded, "no further investigation or action" was needed.

In other words, rather than evaluating the potentially serious ramifications of the FBI's failure to meet minimal accreditation standards, the Bureau circled the wagons and whitewashed the problem. They set up a committee to come up with a timetable for accreditation. That was 3 years ago. Now, the Bureau tells us they'll be accredited in 18 months from now. And if you believe that, Mr. President—

This brings me back to the VANPAC matter. As I mentioned, Mr. Freeh had been the lead prosecutor on that case. He got national recognition. Mr. Shapiro was his cocounsel. Larry Potts—of Ruby Ridge infamy—was the FBI's case agent.

Dr. Whitehurst had alleged that there were problems with the evidence in the VANPAC case. Despite the clear conflict, Mr. Freeh and Mr. Shapiro did not recuse themselves. They recused themselves about a year and a half later—in September 1995. But at this point in time—February 1994—they kept themselves at the top of the investigation into misconduct in that case.

Instead of using real scientists to independently review the evidence—as the IG did, by the way—Mr. Freeh and Mr. Shapiro used their own subordinates. And what was their conclusion after reviewing the VANPAC allegations, Mr. President? "Whitehurst's allegations are not supported by any facts." That's what it says in their report.

Now we have a new account—by the Associated Press—that gives us an insight into what the IG found in VANPAC. And it seems to conflict with the FBI's interpretation. Remember, the IG followed up on Dr. Whitehurst's suggestion, and did an independent review. And, the IG went out and recruited five of the world's most renowned lab scientists for his investigation. In other words, the IG did a proper review.

According to the AP, the IG report states that "a lab witness overstated test results during the trial." And that's not all. Let me quote further from the AP story: "In addition to overstated testimony in VANPAC, the report found the lab lacked databases to support its conclusions, used unvalidated tests, lacked written test procedures, inadequately documented why it discounted test results that undercut its conclusions and lacked any record for some tests."

Now, this is interesting if true, Mr. President. Because less than 2 months ago, on January 23, Mr. Freeh told his deputy, Weldon Kennedy, "Based upon the VANPAC allegations investigated by the Office of the Inspector General [OIG], and despite their findings that none of the allegations regarding VANPAC are substantiated, I have decided to recuse myself from any of the Whitehurst-related disciplinary or administrative matters contained in the OIG report regarding the FBI laboratory."

Mr. President, I'm not sure whose version is correct—Director Freeh's or the AP's. But if this AP story is correct, this is the second time Mr. Freeh has been misleading on what's in the IG report. On February 26 I pointed out on this floor Mr. Freeh's other discrepancy. He said he had been unaware of the Tobin memo: Remember, he's the other scientist I referred to earlier who lodged complaints. I questioned how he could possibly say that when the IG report containing the Tobin allegations had been on his desk for a full month.

In sum, Mr. President, we're beginning to see some patterns that back up Dr. Whitehurst, and contradict Mr. Freeh and the FBI. First, other scientists have surfaced with allegations—not just Dr. Whitehurst. Second, it appears that three cases reviewed by the IG found misconduct and/or sloppiness.

When I was growing up back on the farm in Iowa, we had a saying. If you reach into a barrel of apples for the first time and pull out a bad one, the chances are pretty good there's more bad apples in there. Maybe a barrel-full of bad apples.

So far, based on press reports, that's three bad apples—three out of three. Those are pretty high odds.

What's to be done? Director Freeh made a big splash yesterday announcing a new way to handle internal reviews of alleged criminal behavior and misconduct. He will increase the number of people working on such reviews from 30 to 60.

The Director doesn't seem to get it, Mr. President. The issue is that the FBI can't police itself. Doubling the number of self-policers won't change the bottom line. Zero times two is still zero.

I'm beginning to think those 60 slots are a lot better off—from the taxpayers' point of view—being moved to the IG instead. And I intend to discuss this with my colleagues on the Judiciary Committee.

The FBI does not have a long and proud history of self-policing notwithstanding what Mr. Shapiro leads us to believe. Look at Ruby Ridge. That case certainly doesn't inspire confidence in the FBI's ability to self-examine.

Mr. President, I believe the American people are being mislead by the FBI on the problems we're seeing in its crime lab. And all that does is continue the erosion of confidence the people have in the FBI.

It's time the Bureau stopped its narcissistic infatuation with its own image. It's time to stop selling an inferior product with false advertising. The American people deserve from its chief law enforcement agency a product with integrity. They deserve an FBI that does what it would have you believe it does. This is an issue of leadership. Quite frankly, I am beginning to join the ranks of those whose confidence in the Bureau's leadership is diminishing.

Mr. President, I yield the floor. I do not see any other Members ready to speak, so I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. GRAHAM. 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 is recognized for up to 15 minutes.

NOMINATION OF ANTHONY LAKE

Mr. GRAHAM. Mr. President, I wish to speak today on the nomination of Anthony Lake to be Director of the Central Intelligence Agency. This nomination has raised a troubling issue, an issue that has nothing to do with the candidate's qualifications. Rather, that issue is the credibility of the Senate Select Committee on Intelligence to conduct a fair, nonpartisan examination of this nominee.

That committee, of which I have been a proud member for 4 years, has a well-earned reputation for bipartisanship. But that hard-won reputation is being jeopardized by the committee's conduct in this matter.

In a speech before the Senate last night, Chairman SHELBY said he wants to treat the Lake confirmation "in a serious, thorough and fair manner." That is a laudable goal. It is a goal I fully support. I commend the chairman for establishing a high standard. The position of Director of Central Intelligence is an extremely sensitive one. We have a responsibility to the American people to subject the nominee to close scrutiny.

I accept and welcome the responsibility as a member of the committee. Unfortunately, it is a responsibility my colleagues and I have been unable thus far to exercise.

The reason for this failure is that the committee, although having officially received this nomination on January 9, has yet to conduct its first hearing on the nominee. Meanwhile, the Senate has acted judiciously but swiftly on two other members of the President's foreign policy team, the Secretary of State and the Secretary of Defense.

Mr. Lake remains the exception. Indeed, his hearings have been postponed not once, but twice. In the first instance, the chairman postponed the hearings "dependent upon the status of the Justice Department's investigation" into Mr. Lake's stock transactions and his role in the Iran-Bosnia arms sale.

The Department of Justice completed its investigation on February 7, giving Mr. Lake a clean bill of health in regard to the arms sale and determining there was no evidence that he ever took any action to conceal or misrepresent his or his wife's financial holdings.

Nevertheless, the chairman again postponed the hearings, this time asserting that the Department of Justice investigation "is only a small part of the Senate Select Intelligence Committee's overall, ongoing investigation * * *" He now cites new concerns.

After two delays, the chairman is now committed to a hearing on March 11. I welcome that commitment.

Mr. President, I fear, however, that the March 11 hearing is only a prelude to what is turning into an extended fishing expedition. If anyone doubts that, they only have to read the February 27 issue of the Washington Post, which reported that the Senate Intelligence Committee has now requested White House documents involving Haiti—documents which our House colleagues requested last year as part of their extensive investigations into the administration's Haiti policy.

Those investigations have so far produced rather paltry results, despite extensive hearings, document reviews and testimony.

The International Relations Committee was able to generate only a majority staff report. The members of that committee—neither Republican or Democrat—signed the report—not exactly a vote of confidence.

The Republican majority of the House Permanent Select Committee on Intelligence has yet to produce any report at all.

In each case, the administration made available literally hundreds of documents for congressional review.

Although withholding approximately 50 documents, citing executive privilege, the administration did offer to brief House Members and provide certain redacted versions of those documents. Republicans rejected the proposal.

The administration has made the same offer to our committee. It is a reasonable one that balances congressional rights and executive privilege. I urge the chairman to accept it, rather than creating a pretext for further delay.

Mr. President, the Haiti issue is just one of several the committee is pursuing.

The implication of the chairman's remarks are that the committee now intends to investigate the Department of Justice's investigation of Mr. Lake's divesture of stock. The Justice Department, as I mentioned earlier, found no evidence that Mr. Lake ever took any action to conceal or misrepresent his or his wife's financial holdings. It found no fault in his conduct of the Iran-Bosnia matter.

With regards to Mr. Lake's FBI file and the Tower nomination, the chairman has requested Mr. Lake's complete FBI file, based on the purported precedent of the nomination of former Senator John Tower for Secretary of Defense in 1989. As my colleague from Michigan, Senator LEVIN, stated yesterday, "neither the Armed Services Committee nor the full Senate ever had access to the raw investigative files used by the FBI to compile its summary of the background investigation of Senator Tower."

In his statement, Senator LEVIN further cites Senator Nunn's comments in 1989. Senator Nunn stated on the Senate floor that, "What we have in S-407 is the summary of interviews the FBI conducted. They prepare the summary. We do not see nor do we have the underlying interviews."

In the case of Mr. Lake, that summary has already been provided to the chairman and vice chairman of the Senate Intelligence Committee.

I am concerned that we are engaged in a fishing expedition in which the

hearings are being used to determine if some malfeasance can be found, rather than to develop information on a credible hypothesis of inappropriate behavior.

Mr. President, I am also concerned that the goalposts are clearly being moved on this nominee. Questions are asked; responses are given; and then new, different questions are asked. If members of the committee have inquiries, we should all welcome the opportunity to question this nominee in the best possible forum, under oath, during his confirmation hearings. He in turn has the right and the opportunity to respond. That is the purpose of a nomination hearing.

Unfortunately, there is a growing public perception, aptly expressed by one commentator, that the committee "seems to be waiting for something scandalous to turn up to sink the nomination." The perception, right or wrong, is that we are leaving Mr. Lake to twist in the wind. I am afraid that that says more about our committee than it does about Mr. Lake.

Some history. The Senate Select Committee on Intelligence has a hard-earned and proud tradition of bipartisanship. It is the successor to the Church Committee of 1975–76, which was an investigative committee only. The purpose of the Senate Select Committee on Intelligence is both to oversee sensitive intelligence activities and to maintain and improve intelligence capabilities and efficiency.

The issues that come before the committee, including the nomination of the Director of the Central Intelligence Agency, are extremely sensitive. They demand a high level of bipartisanship. I fear that the committee's bipartisanship is fraying and that fair play is falling victim to partisan gamesmanship.

That, Mr. President, should concern all of us, Republican and Democrat alike. Intelligence activities, by their sensitive nature, run counter to Democratic principles of openness. Yet, in my view, good intelligence is essential to our democracy's security.

Effective congressional oversight, in turn, is a critical ingredient to maintaining some balance between these two inherently contradictory forces—democratic openness and the necessary secrecy that surrounds intelligence procedures and operations. Oversight is a serious responsibility. The public must have confidence that we are above politics when we deal with intelligence issues.

In almost every other area of Federal Government, the public has multiple sources of information. That is what freedom of speech and freedom of press provide in a democratic society. But as it relates to the operations of the intelligence community, the general public must rely on a handful of its representatives to provide the necessary oversight and scrutiny to assure that the operations are being conducted in a manner that advances the public interest and assures that the public interest is not being rendered vulnerable by clandestine operations.

So far, the committee has largely succeeded. One measure of the committee's success has been the impressive number of newly emerging democracies that have sought the Senate Intelligence Committee's advice over the past few years. Each of those countries is struggling to establish an intelligence community that will safeguard democracy, not undermine it. They look to us as a model of bipartisan oversight and have come to us for guidance.

That expression of confidence is our most valuable asset. We have earned it through hard work, diligence and a determination to play the honest broker. We can ill-afford to fritter it away and give life to the perception that the CIA is becoming an instrument of partisan warfare, that the Lake nomination is simply an attempt to attack the President's foreign policy over the last 4 years.

The CIA, in turn, can ill-afford partisan bickering at a time when it is struggling with a painful transition from a cold war where we faced one principal enemy to a new world in which we face multiple threats.

Those emerging threats run the gamut from terrorism and biological and chemical weapons proliferation to narcotics trafficking. Each in its own way is as serious and in some ways more challenging a threat than that presented by the former Soviet Union.

In attacking these targets, we will need to be focused, creative, and open to new ways of conducting intelligence operations.

Whether the CIA successfully meets this challenge of transition depends in a large measure on stable leadership, something that has been in disgraceful short supply.

Whether the CIA successfully meets that challenge depends in large measure on stable leadership, something that has been in disgracefully short supply. Four DCI's have rotated through the Agency in the last 5 years.

The position of Director of Central Intelligence has become Washington's ultimate revolving door. That's got to stop, and I hope it will with this nominee.

Success also depends in no small part on the actions the SSCI and this Senate take in regard to Mr. Lake's nomination. This nomination provides us a valuable opportunity to publicly discuss the role of intelligence and its future in our democracy.

A number of important questions call out for answers.

With the demise of the Soviet Union, does the CIA have a mission?

If so, what is it? And if it has a mission, has the Agency lost its way in pursuing it?

How effectively is the community protecting the interests of America and its citizens?

Is the culture of the Directorate of Operations hobbling the Agency's effectiveness. If so, how do we change it?

Is the Agency ready to be held accountable for its actions and its failures?

What role should human rights play in Agency operations?

Is the Agency keeping congressional oversight committees and Members of Congress appropriately informed? How effective has it been in this regard?

An elevated debate, one marked not by partisan rancor but by honesty and openness, can help answer these questions and contribute to reaching a consensus about the intelligence community's role in our society as we enter the 21st century.

More important, such a debate will help educate ourselves and as well as the voters who sent us here about the appropriate role of intelligence in a democracy—its pluses and its minuses.

Having said that, there clearly are specific issues regarding this nominee that deserve the committee's scrutiny.

I question whether Mr. Lake's opponents have focused on the right ones. His supposed connections with the left and his views as to Alger Hiss' guilt or innocence obviously have enthralled some.

But as former Director of Central Intelligence Bob Gates under President Bush wrote in the January 29 issue of the Wall Street Journal, these issues are "wholly irrelevant and silly."

I certainly respect the right of any Member to pursue these questions during upcoming hearings. Indeed, I would hope that those who find these issues troubling would urge the chairman to deal with this nomination expeditiously so that we can conclude committee hearings and move to floor debate.

One question, I intend to ask of Mr. Lake is whether he can provide the President objective intelligence analysis after serving as his National Security Adviser the past 4 years.

I also intend to ask him whether, having attempted to curry favor with representatives of the Directorate of Operations in an effort to bolster his nomination, he has weakened his ability to act decivisely as DCI on issues of accountability and reform.

I also plan to ask him whether the nomination process and the criticism he has been subjected to will jeopardize his effectiveness if he is confirmed. Has he been so bloodied that he will be unable to perform effectively?

Finally, I plan to question him about his management philosophy and skills, his attitude toward secrecy, and the role of human rights in intelligence operations.

I am confident that Mr. Lake will acquit himself well before the committee.

He has shown himself to be a man of great ability and integrity. Moreover, as National Security Adviser he has been an avid customer of intelligence and will bring that critical perspective to the job.

Barring any stunning revelations that may arise during the hearings—and I see no indication of any occuring—I will vote for Tony Lake. In my view, he will make a fine Director of Central Intelligence.

Mr. President, the issue for today is, will we protect the credibility? Will we protect the now almost 20 years of investment that has been made in a credible Senate oversight of this most sensitive of Government activities, or will we allow it to be frittered away and degraded by partisan wrangling? That will be the challenge that our committee will face, commencing with the hearings that will begin on March 11. I trust that the committee will meet its high standard.

Mr. President, I ask unanimous consent that a January 29, 1997, column by former Director of the Central Intelligence Agency, Robert Gates, as printed in the Wall Street Journal in support of Mr. Lake's nomination as well as a January 26, 1997, column by Reagan administration official Richard Schifter, as printed in the Washington Times, be printed in the RECORD.

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

[From the Wall Street Journal, Jan. 29, 1997]

THE CASE FOR CONFIRMING ANTHONY LAKE

(By Robert M. Gates)

I am barely acquainted with Tony Lake, the president's national security adviser and nominee to become CIA director. But I have read about his views on foreign policy for years and disagree with him on a number of important issues. I think that the administration's foreign policy, which he has helped shape, has been erratically interventionist, excessively tactical, insufficiently supportive of resources for defense and intelligence, and lacking in strategic priorities, coherence and consistency. Even so, I believe Mr. Lake should be confirmed.

An ideal nominee for CIA director would have universally recognized integrity, expertise in foreign affairs (but with no controversies), experience managing large enterprises, savvy in intelligence operations (with no failures), analytical insight (with no mistakes), political skill, the confidence of and ready access to the president, and a winning personality. None of the 17 men who have been CIA director have had that combination of credentials. Mr. Lake has three of the most important, however.

First, he is broadly recognized as a man of integrity and principle—and as a man with the courage to stand up for what he believes is right. This offers reassurance that he will be independent of the White House in which he served and will be directed by a moral grounding most Americans would find admirable. Second, whether or not one agrees with him on the issues, he is thoroughly knowledgeable about foreign affairs. Moreover, as national security adviser, he is clearly familiar with current intelligence operations and analysis, and will be able to improve both. Third, he has the confidence of the president and knows well the rest of the president's national security team, two assets without which a CIA director is deeply, if not fatally, weakened.

Mr. Lake does have deficiencies. He has no relevant intelligence background, but then neither did 13 of his 17 predecessors. He has not managed a large (and difficult) organization, but his power of appointment (and the incumbent deputy) can compensate for that. As for a winning personality, I am in no position to judge.

There are contentious issues surrounding Mr. Lake that will doubtless be important in his confirmation hearings before the Senate Select Committee on Intelligence. Most significantly, the administration's failure to tell Congress about its actions in at least tacitly encouraging Iran to arm Bosnia was, at minimum, a serious mistake. Mr. Lake should say so, and the committee should extract appropriate pledges from him about keeping Congress informed—and his willingness to resign if ordered by the president to keep lawmakers in the dark, a pledge I made prior to my confirmation in 1991. At the same time, primary responsibility for this mistake in Bosnia rests more heavily with the president and the then-secretary of state, and Mr. Lake should not be disqualified as CIA director simply because others senior to him are beyond the reach of the Senate.

Other issues that have been raised in connection with his nomination are not, in my view, disqualifying. He obviously must satisfactorily explain his tardy disposal of stock after entering public office. But the charge that Mr. Lake was once equivocal as to the guilt of Alger Hiss and allegations of other manifestations of "left-leaning" views years ago strike me—someone who was attacked in my own confirmation hearings as too much of a Cold War hawk—as wholly irrelevant and silly in 1997, even if true.

The committee must satisfy itself on Iran-Bosnia and Mr. Lake's commitment to congressional oversight, as well as other issues, such as the stock sale. But these should be resolvable. Then perhaps the hearings can serve a positive function by eliciting Mr. Lake's thinking on continued reform and restructuring of U.S. intelligence, his views of its strengths and weaknesses and the adequacy of resources in light of the tasks assigned by the president and Congress. The answers to these tough questions could prove illuminating, not to mention highly relevant to his confirmation.

The bipartisan nature of the Senate intelligence committee since its early days under the leadership of Daniel Inouye and Barry Goldwater has been one of its greatest assets, and a source of its credibility. As Congress becomes more polarized and partisan, it would be a tragedy if the Republican and Democratic leadership of this very sensitive committee were to allow its special nonpartisan character to be weakened. I was nominated to be CIA director by President Reagan in 1987 and again by President Bush in 1991, and despite the struggles I went through in a Democratic-controlled Senate, I never felt the disputes were partisan.

Mr. Lake's confirmation ought not become a matter of partisan conflict, an opportunity to attack the administration's foreign policy. There are other, more appropriate forums for that, even in Congress—the Senate's Foreign Relations and Armed Services committees, and the House's equivalent committees. Republicans should not use hearings for CIA director—a position that should be outside of politics—to make Mr. Lake the designated partisan target.

Tony Lake isn't perfect for CIA director, but he is a capable senior official of integrity who is the choice of the president to head the U.S. intelligence community. As the last CIA director nominated by a Republican president and confirmed by a Democratic-controlled Senate, I strongly believe that hard questions should be asked of Mr. Lake, and then he should be confirmed expeditiously with broad bipartisan support. This would be in the best interests of the country and of the intelligence community.

[From the Washington Times, Jan. 26, 1997]

CLOSE AND CONFIDENT OF LAKE

For the last month, a stream of unsubstantiated charges have been leveled against the nomination of Anthony Lake to be the next director of central intelligence. These attacks are based on inaccurate information.

I have worked closely with Tony Lake on the staff of the National Security Council for the last three-and-a-half years. I came to this job as a hard-liner on U.S. foreign policy, a lifelong foe of communism, and one of the initial members of the Committee on the Present Danger. I found Tony Lake to be a kindred spirit in his devotion to the enlargement of democracy and the global promotion of American interests. Whether the issue was stopping aggression in Bosnia or moving ahead with the expansion of NATO, Mr. Lake's leadership, vision and competence played a vital role in the formulation and success of these policies.

Some have asserted that Mr. Lake's April 1994 decision neither to approve nor to object to Iranian arms shipments to Bosnia facilitated creation of a radical Islamic foothold. According to the intelligence community, the Iranian military and intelligence services have been present in Bosnia since 1992. There was no significant increase in that presence after April 1994. Tony Lake, we should note, was the main architect of the president's August 1995 initiative that led to the Dayton agreement. That agreement banned foreign forces and led the Bosnian government to sever military and intelligence links with Iran as a condition for the train and equip program. Hundreds of Iranian Revolutionary Guards have left Bosnia, Mujahideen units have disbanded, and the Bosnians are looking to the United States and moderate Islamic states for security assistance. Mr. Lake, thus, played a key role in the reduction of Iranian influence on Bosnia, not the opposite.

As for the issue of congressional consultation, Mr. Lake—recently praised by Senator Majority Leader Trent Lott for his efforts to keep Congress informed—has said, in retrospect, that informing key members of Congress on a very discreet basis would have been wise. The Senate Select Intelligence Committee report later confirmed there was nothing illegal about this diplomatic exchange.

Assertions that during Mr. Lake's tenure as national security adviser CIA resources were massively diverted from monitoring military threats to addressing global environmental issues, and that this would continue with Mr. Lake as the director of intelligence, are misguided. Environmental issues are important—a Chernobyl reactor disaster or a major oil spill in the Persian Gulf would have major economic and security implications. However, Mr. Lake and the CIA have, by no means, massively diverted resources to

look at the environment. In fact, the agency's program on the environment, initiated during the Bush administration, remains very modest. Mr. Lake's intelligence priorities remain those previously decided upon: critical support for military operations involving U.S. forces, political, economic and military intelligence about countries hostile to the United States, and intelligence about transnational issues—weapons of mass destruction, terrorism, organized crime, drug trafficking—that affect national security and the lives of Americans.

Allegations that Mr. Lake had ties to the "extreme Left" are ridiculous and tend to subvert fair discussion of an important nomination. This, too, is not the case. An initial supporter of our effort to stem communism in Vietnam, Mr. Lake volunteered to serve there as a State Department official. Like many other Americans, he later changed his mind as to whether our continued military interest in Vietnam served the national interest. After leaving the Foreign Service, he supported, in 1971–72, the centrist presidential campaign of Edmund Muskie. Mr. Lake was not a member of the Center for National Security Studies, and did not "help found" it, as has recently been charged. Mr. Lake's connection with the Institute of Policy Studies was that at the invitation of an acquaintance he delivered a single lecture to an IPS seminar on Washington's government institutions.

We currently live in an extraordinarily complex world, in which our national security concerns are no longer focused on a single country and a single movement. In this world we need a director of central intelligence who is able to see the whole picture and can then identify the multiple concerns which require our special attention. We also need a director who can incisively analyze the material presented to him by his staff, can spot the flaws and insufficiencies and see to it that a superior, thoroughly reliable product emerges from the process. Finally, we need a director who combines professional integrity with personal decency. Having seen Tony Lake at work, I am confident that he meets all of these criteria.

Mr. GRAHAM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

WILLIAM RANDOLPH HEARST FOUNDATION SENATE YOUTH PROGRAM

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of Senate Resolution 60, which was reported by the Judiciary Committee today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 60) to commend students who have participated in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, before I begin my remarks on the sense-of-the-Senate resolution before us today, I would like to express my appreciation to my colleagues, Senator KAY BAILEY HUTCHISON of Texas and Senator WYDEN of Oregon, who joined me in introducing this measure earlier this week.

I am also very grateful for the fact that a number of Senators from both sides of the aisle have subsequently expressed their support for this effort by cosponsoring this resolution.

I would like to finally thank Senator HATCH and Senator LEAHY, the chairman and ranking minority members of the Senate Judiciary Committee, who have very graciously allowed us to bring this resolution to the Senate floor quickly while the 1997 U.S. Senate Youth Program delegates are still here in Washington visiting.

Senate Resolution 60 pays tribute to the 3,600 students who have participated in the U.S. Senate Youth Program over the last 35 years.

Under this program, which has been very successfully administered by the William Randolph Hearst Foundation, two students from every State of the Nation, the District of Columbia, and the Department of Defense schools abroad are selected to spend a week right here in Washington learning about their Federal Government.

Typically, each year the delegates meet with Senators, Representatives, Supreme Court Justices, Cabinet members, White House personnel, and other officials, and have the opportunity to ask them questions directly and to offer comments or concerns on current events.

Earlier this week, I had the pleasure of addressing the 1997 delegates. It was a very enjoyable and memorable event for me for two reasons. First, the questions and the comments raised by the delegates were both timely and insightful. Their knowledge was impressive and their enthusiasm contagious.

Second, I have the honor and the privilege of being the first Senate youth delegate who has gone on to actually serve in the Senate. I still remember vividly when I visited Washington, DC, in the spring of 1971, more than 25 years ago. We met with various Representatives and Senators, including my colleagues, Senator ROBERT BYRD and Senator STROM THURMOND, both of whom I am now privileged to serve with in this body. In fact, I brought out my journal and I read my notes on both Senators' speeches to us, and it was a wonderful experience to reread and relive that week.

The high point of my visit, however, was the time that I was fortunate to spend with Maine's Senator Margaret Chase Smith. She was very much an inspiration and a role model for me and countless other girls growing up in Maine and young women throughout the Nation who aspire to public service.

While I am the first Senate youth delegate to serve in the Senate, I fully expect that there will be other delegates who will serve one day in the House, the Senate, on the Supreme Court, in the Cabinet, and even as President of the United States.

I urge my colleagues to join me in supporting this resolution, which recognizes the value of this program, salutes the individual students who have participated in it, and commends the William Randolph Hearst Foundation for its generous sponsorship over the years.

At this point, Mr. President, I ask unanimous consent that the resolution be agreed to, that the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

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

The resolution was agreed to.

The preamble was agreed to.

The resolution (S. Res. 60), with its preamble, is as follows:

S. RES. 60

Whereas the continued success of our Nation's constitutional democracy is dependent upon our Nation's youth striving toward higher goals;

Whereas a student's intelligence, determination, perseverance and continued interest in the workings of our Nation's political processes must be nurtured and encouraged;

Whereas the pursuit of higher education, and participation and interest in the political processes, remain priorities of young citizens around our Nation; and

Whereas the United States Senate and the William Randolph Hearst Foundation Senate Youth Program have provided high school juniors and seniors who are leaders in education and student government, as well as in their communities, with the opportunity to travel to their Nation's capital and witness the political process, supported solely by private funds with no expense to the Federal Government since the program's inception in 1962: Now, therefore, be it

Resolved, That the Senate hereby congratulate, honor, and pay tribute to the 3,600 exemplary students who have been selected, on their merit, to participate in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997.

Ms. COLLINS. I thank the Chair.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair. Mr. President, I ask unanimous consent that I might be able to speak for 10 minutes.

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

Mr. WELLSTONE. I thank the Chair.

CAMPAIGN FINANCE REFORM

Mr. WELLSTONE. Mr. President, we have had a lot of focus in the media about money and politics, and we are involved in a debate here on the Rules Committee about the Government Operations Committee and the scope of the inquiry. I thought I would speak in this Chamber for a few moments about what I think is the most important issue in American politics. I guess I want to start out by saying to colleagues, Democrats and Republicans alike, and to people in the country, if what happens in the Congress is that you just have accusations going back and forth and the climate becomes really poisonous, I fear we will not do anything right.

I really do believe that this is the core issue of American politics. I think the ethical issue of our time is the way in which money has come to dominate politics. I do not think it is so much the wrongdoing of individual officeholders. As a matter of fact, Mr. President, I have said it in debates, I have said it in interviews: The whole system is inappropriate. The whole system is inappropriate. It needs to be turned not upside down —it is upside down right now—but right side up.

If we are going to talk about any kind of corruption, it is not the wrongdoing of individual officeholders. We are talking about something far more serious. It is systemic corruption. By systemic corruption, I mean we now have reached the point where too few people have way too much wealth, power and say, too much access, too much say by virtue of their economic resources and their big contributions, and the vast majority of people feel left out of the loop.

That is the fundamental issue. To most people in the country, the vast majority of people in the country, it is really clear:

First, too much money is spent in these campaigns;

Second, there is too much special interest access and influence as a result of the money spent;

Third, too much time is spent by all of us—all of us—in what can be described as a money chase, trying to raise money because you are running for office; and

Fourth, regular people, ordinary citizens, which I do not use in a pejorative sense but in a positive way, do not feel they can run for office.

Mr. President, we are talking about nothing less than the question of whether or not we are going to have a real representative democracy. We have now really gotten to the point —and I am not going to use all the terms such as "independent expenditures" and "soft money" and "hard money." Let me just make a more basic point. We are talking much more about auctions than elections. We are not even talking about authentic democracy anymore. It is a minidemocracy at best. If you believe that each person should count as one and no more than one, and you believe in equality and you believe in fair and open elections, people in the country know this is all trumped by big money.

It is time for reform. It is time for reform. It is time to get big money out of politics. There are a lot of proposals. Some of us really believe you ought not to have any private money in the system and that ultimately, absolutely is the way to go. Some focus on other legislation. Some focus on soft money.

I just want to make this clear, that we are going to be making a huge mistake, all of us are going to be making a huge mistake if we do not pass a major reform bill this Congress. We are going to make a huge mistake if the only thing this boils down to is just sort of piling acquisitions on accusations and people going after one another. If this becomes a kind of slash-and-burn politics, search-and-destroy politics, we are going to get absolutely nowhere.

I will say this. I am only speaking for myself. I do not know how the Chair feels. Actually, I believe, even though the argument is made often that the problem is that those in office do not really want to change the system because the system is wired toward incumbents, because we are able to raise more money than our challengers—the statistics bear that out—I think it has come to the point where all of us should hate the system, because when you are raising money and you are running for office and you have to be on television and you are trying to figure out how you are going to go after your opponent and destroy your opponent—that is the way some people view politics; they should not but they do—or you are figuring out how to raise millions of dollars so you do not get ripped up into shreds, the fact is even if you are absolutely sure in your head and your heart that not one time has the compelling need to raise money ever affected any position you have ever taken on any issue, it certainly does not look that way to the public.

I am convinced that all the good things that could happen here are trumped by money in politics. I am convinced that one of the reasons we are not responding to the very real concerns of citizens across this country, which have to do with affordable education and good jobs and the standard of living and reducing violence in communities and all the rest of it, is because of this influence of money in politics.

This is the core issue. There is too much access for the big givers and the heavy hitters and the well connected, and the vast majority of people feel left out of the loop and they are right. What concerns me is I have heard some colleagues say, "But the fact of the matter is, the polls do not show this. The polls do not show that the people seem to consider this a burning issue."

I think what is sad is that people's expectations are so low in the country right now that they are not at all sure there is anything we are going to do about this. But we better prove ourselves to the people we are asked to represent. We better pass a reform bill. We better make sure that we dramatically reduce the amount of money that is spent in these campaigns. We better make sure we try to lessen—if you cannot eliminate it, at least lessen—special-interest access. We better make sure we do something about this constant money chase. We better make sure our elections do look like elections and not like auctions. We better make sure that people in the country, whether they are Democrats or Republicans or independents, feel like they can run for office. We better do that, because this is all about democracy.

We keep spending more and more money every election cycle, and participation goes down, down, down. So I am hopeful, even though this is a tough time in the Senate. We have major divisions. People are drawing the line. It seems to be an all-out battle. By the way, I am all for good debate. I do not like to hate but I like debate. But I am telling you, every single one of my colleagues, Democrats and Republicans alike, are making a big mistake if we do not line up behind major reform.

We should want to do this. If we want people to at least have more confidence in the political process than they have now, if we want people to begin to believe in us, if we want people to believe in the legislation that we pass, which is a product of this process, then people have to believe that politics in Washington, DC, is not dominated by big money. People have to believe the Congress belongs to them, that the Capitol belongs to them, that all of us, Democrats and Republicans, belong to them.

I know I may sound melodramatic on the floor of the Senate, especially since today there is no one to debate. But I came to the floor to speak because I am absolutely convinced that this is the priority. There is nothing that we could do that would be more important than to try to move forward on a reform agenda. I am hoping that, in this Congress, we will do that.

Mr. President, I yield the floor, and 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. GRAMS. 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. GRAMS. Mr. President, I ask unanimous consent that I may speak for up to 15 minutes as in morning business.

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

THE NOMINATION OF FEDERICO PEÑA TO SERVE AS U.S. SECRETARY OF ENERGY

Mr. GRAMS. Mr. President, I rise today on behalf of our Nation's taxpayers and ratepayers in seeking to reaffirm the promises made to them by the Federal Government well over a decade and a half ago. Given that the Energy and Natural Resources Committee this morning reported out the nomination of Federico Peña to be the new Secretary of Energy and that full consideration by the Senate on his nomination is likely to occur soon, I find it both necessary and timely to reignite today the debate on our Nation's nuclear waste storage problem.

Since 1982, our nuclear energy ratepayers have been required to pay over 12 billion of their hard-earned dollars to the Federal Government. And that was in exchange for the promise to transport and store commercially generated nuclear waste in a centralized Federal facility by January 31, 1998.

Unfortunately, this obligation has never been met by the DOE, which has already spent over 6 billion of those ratepayer dollars, yet has little to show in exchange for that massive investment. Today, our ratepayers continue to pay into the Nuclear Waste Fund, as well as for on-site storage at commercial nuclear facilities across the Nation, including the one at Prairie Island in southeastern Minnesota.

So now ratepayers are being asked to pay twice for the storage of nuclear waste.

Even as 41 States wait for the Department of Energy to fulfill its promise to begin accepting domestic nuclear waste, the Federal Government continues to accept, transport, and store spent nuclear fuel from Federal facilities and foreign research reactors. For national security reasons, the Federal Government is even helping to pay for an interim storage facility in Russia.

Yet, Mr. President, despite the strides we are making toward interim storage of foreign and Federal waste, the situation has grown critical for our own nuclear utilities and ratepayers.

For example, even though the Federal courts have ruled that the DOE will be liable if it does not accept commercial nuclear waste by January 31, 1998—thereby putting taxpayers at risk for the Federal Government's inaction—the DOE has shrugged off this legal mandate, claiming that it will not be able to meet the deadline. Even worse, the DOE has yet to recommend the specific action it would take in order to accept any of our commercial nuclear waste.

So again, it can accept foreign or Federal nuclear waste, transport and even pay for interim storage in Russia, but yet our Government says it cannot handle what it is under contract and obligation to do for our nuclear waste.

I find this very troubling, particularly for my fellow Minnesotans, who stand to lose up to 30 percent of their energy resources if a solution is not found soon. Mr. President, the clock is ticking.

In 1994, the Federal Government's failure to live up to its promise of accepting nuclear waste sparked a prolonged and controversial debate in the Minnesota State Legislature over whether to continue on-site storage at Prairie Island. While the legislature eventually voted to extend storage capacity until 2002, it would not have been forced to do so had the DOE met its legal obligation to begin accepting waste from Minnesota.

At every turn, the DOE's response to this growing problem has been one of sheer arrogance and inaction. For example, when asked by me at an Energy Committee hearing how the DOE expected to resolve the situation facing Minnesota, DOE Undersecretary Thomas Grumbly argued that the problem was a State issue, in spite of the fact that the Federal government signed a contractual, legally binding agreement with utilities and the States to accept their waste by January 31, 1998.

He said, take that back to the States. That is your problem, not theirs.

In other words, now that the DOE has elected not to meet its responsibility, it has simply buried its head in the sand in a brazen attempt to avoid accountability. Instead of taking action, the Clinton-Gore administration is making excuses—trying once again to take a national policy problem and turn it into a crassly political debate. Unfortunately, the losers of this cynical gamesmanship are the American people.

Maybe that is why 46 State agencies and 36 utilities recently sued the Department of Energy to stop requiring future payments into the Nuclear Waste Fund and to escrow over $600 million in current payments. If the Clinton-Gore administration does not wake up and take action, this lawsuit will mark only the beginning of a costly legal process to force the Federal Government to own up to its responsibilities.

Because obviously, if a solution is not reached now, taxpayers, consumers, and those who care about the environment will be left stranded. That is the reality—and some of those who once argued the loudest against resolving this issue have come to the very same conclusion.

For example, last month, former Department of Energy Secretary Hazel O'Leary contradicted Vice President GORE's longstanding objection to meaningful action on this issue. Her comments on the need to move forward with a temporary nuclear waste storage site after the completion of a viability assessment at Yucca Mountain reflected the national will to resolve this issue.

Although I am disappointed that Mrs. O'Leary's honest assessment came after her tenure as Secretary, I strongly believe the next Department of Energy Secretary must provide the commitment, the leadership necessary to immediately resolve this critical situation.

Again, it is not a technical problem. It is not a problem of science. It is a problem of political will to be able to make that political decision within the administration to accept this responsibility and to provide the answers.

With that in mind, I, like many of my colleagues on the Energy and Natural Resources Committee, took the time to ask Secretary-designate Peña his views on resolving this issue. Unfortunately, he failed to give specific and definitive answers to our questions during his confirmation hearing.

Because I do not believe the Senate should confirm Mr. Peña's nomination before we have received specific answers, I sent a letter asking Mr. Peña for a detailed response outlining the exact steps the department plans to take in order to meet the January 31, 1998, deadline.

Yesterday, I received a letter from Mr. Peña that failed to articulate any specific solution. So in response, I again sent him another letter reiterating my question, and I hope to hear back from him today.

Mr. President, I ask unanimous consent that our correspondence be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, March 4, 1997.

Mr. FEDERICO PEÑA,
Secretary-designate, Department of Energy, Washington, DC.

DEAR MR. PEÑA: As the Senate Energy and Natural Resources Committee further deliberates on your nomination as Secretary of the Department of Energy (DOE), I'm writing to solicit your views on recent comments made concerning our nation's failed commercial nuclear waste disposal program.

As you know, the DOE has announced that it will be unable to meet its legal deadline of January 31, 1998 to begin accepting commercial nuclear waste despite a mandate by a federal court and the collection of over $12 billion in ratepayer's funds. As a result of this failure, the Court of Appeals will decide the appropriate amount of liability owed by the DOE to certain utilities, possibly putting taxpayers at risk because of the Department's lack of measurable action. Meanwhile, the federal government continues to collect and transport foreign-generated spent fuel for interim storage without any apparent technical or environmental risks.

In light of these activities, it was no surprise that former DOE Secretary Hazel O'Leary recently contradicted the Clinton Administration's longstanding objection to resolving the centralized interim-storage impasse for our ratepayers and, ultimately, our

taxpayers. Her comments on the need to move forward with a temporary waste storage site upon completion of the viability assessment at Yucca Mountain reflect the bipartisan, common-sense reforms contained in S. 104, the Nuclear Waste Policy Act of 1997. Unfortunately, the Clinton Administration has ignored this reality by failing to become a constructive player in this process.

Although I am disappointed that Mrs. O'Leary's comments came after her tenure as Secretary, I applaud her courage in expressing her views honestly and thoroughly. I strongly believe that the next DOE Secretary must provide the committed leadership necessary to resolve this critical situation while in office. With this in mind, I want to know your specific thoughts on Mrs. O'Leary's comments that the DOE should move forward on a temporary nuclear waste storage site next year at Yucca Mountain if a viability assessment is completed at the permanent site. If you disagree with Mrs. O'Leary, I want to know what specific alternatives you would propose to meet the federal government's legal obligation to accept nuclear waste by January 31, 1998.

For too long, our nation's ratepayers and taxpayers have been held hostage to what has become a political debate. They deserve better and, more importantly, deserve an immediate solution to this issue. For that reason, I expect a specific, constructive response to my questions before the Senate votes to confirm your nomination.

Sincerely,

ROD GRAMS,
U.S. Senator.

March 5, 1997.

Hon. ROD GRAMS,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMS: Thank you for your letter of March 4, 1997 concerning the Department of Energy's civilian nuclear waste disposal program and the comments made recently by former Secretary Hazel O'Leary. I have not spoken with Secretary O'Leary about her remarks and, therefore, am not in a position to comment on them.

As I stated when I appeared before the Committee on Energy and Natural Resources, I am committed to working with the Committee and the Congress toward resolving the complex and important issue of nuclear waste storage and disposal in a timely and sensible manner, consistent with the President's policy, which is based upon sound science and the protection of public health, safety, and the environment.

I am very cognizant of the Department's contractual obligation with the utilities concerning the disposal of commercial spent fuel, and, after confirmation, I also expect to meet with representatives of the nuclear industry and other stakeholders to discuss the Department's response to the recent court decision and the consequences of the delay in meeting that contractual obligation.

As Chief of Staff Erskine Bowles emphasized in his February 27 letter to Chairman Murkowski, the Administration believes that the Federal government's long-standing commitment to permanent, geologic disposal should remain the basic goal of high-level radioactive waste policy. Accordingly, the Administration believes that a decision on the siting of an interim storage facility should be based on objective, science-based criteria and should be informed by the viability assessment of Yucca Mountain, expected in 1998. Therefore, as the President has stated, he would veto any legislation that would designate an interim storage facility at a specific site before the viability of the Yucca Mountain site has been determined.

In conclusion, I want to strongly emphasize again that I am committed to working with you and other members of the Committee and the Congress on these difficult issues.

Sincerely,

FEDERICO PEÑA.

U.S. SENATE,
Washington, DC, March 5, 1997.

Mr. FEDERICO PEÑA,
Secretary-designate, U.S. Department of Energy, Washington, DC.

DEAR MR. PEÑA: I received your letter, dated today, in response to my most recent questions on our nation's nuclear waste policy. Although I appreciate the timeliness of your response, I am still concerned about the absence of specific proposals from you on how best to resolve this important issue.

In your letter, you wrote that the Clinton Administration "believes that a decision on the siting of a storage facility should be based on objective, science-based criteria and should be informed by the viability assessment of Yucca Mountain, expected in 1998." Frankly, this response states nothing more than the position you have taken in the past, leaving questions about whether the viability study can be completed in time for the DOE to realistically accept waste by the legal deadline of January 31, 1998 and what can be done to meet the deadline if the permanent site at Yucca Mountain is not determined to be viable.

I certainly hope you can understand my concerns, given that you yourself have publicly admitted that following this track would make it impossible for the DOE to meet the January 31, 1998 deadline.

More importantly, you did not answer my central question regarding what specific, constructive alternatives you would propose in order for the DOE to begin accepting waste from states by January 31, 1998, as outlined in statute and ordered by the courts.

With that in mind, I would again request a specific response from you—prior to the Senate vote on your confirmation—to the following question: given that the current Administration position would result in the failure of the DOE to accept waste from states by January 31, 1998, what specific, constructive alternatives would you propose to guarantee that the DOE will meet this legal, court-imposed deadline?

I look forward to your response.

Sincerely,

ROD GRAMS,
U.S. Senator.

Mr. GRAMS. Today, when the Energy and Natural Resources Committee took up Mr. Peña's nomination, I voted "present," as I had announced I would several weeks ago.

As the author of legislation to eliminate the Department of Energy—legislation prompted, in part, by the nuclear waste fiasco—I had decided that I could not in good conscience vote for Mr. Peña's nomination to head up a department that should not continue to exist.

Yet, at the same time, I did not want to cast a vote that would be misinterpreted as a vote against Mr. Peña personally.

Since then, I have grown increasingly troubled, however, for the reasons that I have outlined here today, by Mr. Peña's inability to provide specific answers about how he and the Clinton-Gore administration intend to resolve our Nation's nuclear waste storage problem.

Again, he has to get these answers from the administration. And it is Clinton-GORE that have to make these decisions.

We in the Senate have our own proposal, and that is our bill S. 104. That is the Murkowski-Craig-Grams bill, which won the support of 63 Senators last year.

As a Senator representing Minnesota ratepayers who already have paid over $250 million in exchange for no tangible benefit, representing taxpayers who may be held financially liable for the Federal Government's failure to act, and representing citizens concerned about protecting our environment, I believe that the Senate must not rush ahead in confirming Mr. Peña's nomination before we receive from him a specific and constructive response to our questions.

Now, while I hold out hope that we will receive such answers from Mr. Peña in the immediate future, I am willing to work with my colleagues in ensuring that a final vote is not taken before a specific, constructive response is given. Accordingly, I would object to any unanimous-consent agreement to bring up Mr. Peña's nomination for a vote at this time.

The Senate cannot simply allow itself to be lulled by vague promises to work together on this issue. Fifteen years of unfulfilled promises should have taught us that lesson.

Again, with the January 31, 1998, deadline fast approaching, we have our own responsibility to the American people to ensure that the obligations of the Federal Government are satisfied. We owe them nothing less.

DR. PIERCE BLITCH

Mr. COVERDELL. Mr. President, I rise today and ask my colleagues to join me in extending condolences to the family and loved ones of Dr. Pierce Blitch, Jr., of Augusta, GA, who passed away on Wednesday, February 12, 1997. Dr. Blitch leaves a proud and indelible legacy for his family, profession, and community. He spent his professional and personal life dedicated to the field of medicine. After completing service to his country in the Navy during World War II, he graduated from the Medical College of Georgia in 1952. Dr. Blitch embarked on his medical career with an internship at University Hospital and a cardiology fellowship at Massachusettes General Hospital in Boston. He was active on staff at University Hospital and St. Joseph Hospital from 1956 until 1996. At University Hospital he served as a member of the executive committee and chief of staff

and chairman of the department of medicine from 1976 until 1981. Dr. Blitch then went on to teach at the Medical College of Georgia as an instructor in the department of medicine in 1956, clinical professor of medicine in 1976 and ultimately awarded professor emeritus of medicine in 1992. He was truly a public servant and devoted leader of his field. He will remain a role model to the medical community for generations to come. I am proud of this fellow Georgian, his achievements and his contributions to our State and country. His passing is a great loss for the community.

TRIBUTE TO FDA COMMISSIONER DAVID KESSLER

Mr. KENNEDY. Mr. President, I welcome this opportunity to pay tribute to an outstanding public servant who is leaving office as Commissioner of Food and Drugs, Food and Drug Administration, Dr. David Kessler. In 1991, the Food and Drug Administration was at one of the lowest points in its history. The agency was recovering from the generic drug scandal. It was not consistently enforcing the law. Patients felt they were not receiving the therapies they needed.

The appointment of David Kessler as commissioner changed all that. He launched an extraordinary period of reform and improvement in the agency's effectiveness. He began with the obvious—enforcing the law.

He initiated many other important reforms. He has worked tirelessly to provide improved treatments for cancer and AIDS, and to assure that lifesaving drugs move quickly from the laboratory to the marketplace. Because of his leadership, the information supplied with prescription and over-the-counter drugs will soon be more user-friendly. He led the administration's initiative to reduce teenage smoking.

He led the way to many other impressive achievements. The United States is now as fast or faster than any other country in the world in getting new drugs to patients. David Kessler achieved this result without sacrificing the FDA's high standards for safety and effectiveness.

For David Kessler, the first priority was always the public health. He used his brilliant intellect, his boundless energy, and his unparalleled commitment to serve that great goal. He represents the best in public service. It has been a great privilege to work with him, and I wish him well in the years ahead.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GREGG. Mr. President, may I ask what the parliamentary status is?

The PRESIDING OFFICER. Morning business recently expired.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed for 10 minutes as in morning business.

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

THE AMERICAN PRODUCTIVITY RENEWAL PACKAGE

Mr. GREGG. Mr. President, I want to speak about a series of initiatives that I have introduced to try to address what I see as the major public policy concerns as we move into the next century, on the fiscal side of the ledger, that affect people in their lives.

As we move out of the 20th century, we have seen a period where, certainly throughout most of the 20th century, there was a sense that, through a centralized Government, through an economy dominated by a Government, you could manage the lives and affairs of individuals and improve their lifestyle. Of course, the most exaggerated example of this was communism and the Russian revolution, which began the major Communist state of this century or any time. And it did not work. One of the great truths of the 20th century, of which there have been about three, one of the great truths is that communism—the concept that the state can manage the marketplace and make people better off by requiring that people function under a top-down system where their lives and their style of economic production is controlled by a central mechanism—simply does not function effectively. Instead of producing prosperity, it produced despair. Instead of producing freedom, it produced totalitarianism.

So, one of the great truths that has come out of this century is that capitalism works, that the free market works, that giving the individual the incentive to be productive, by allowing the individual to retain a large amount of the product of their work, is something that produces prosperity for the individual and, as a result, produces prosperity for society. And a prosperous society is a freer society, we have also learned that. That is the second truth.

Yet, our Government continues to function, even here in the United States, with a hybrid of the theory that a centralized decisionmaking process can handle major social and economic issues more effectively than the marketplace can handle them or the individual can handle them. In the 1930's and 1940's, we as a Nation, our intellectual community, especially the Northeastern intellectual community, was caught up in the concept that you could manage almost every major social and economic problem from the top down. We were caught up in the concept that a few good minds put together in a room, thinking, could resolve issues of major concern for the society at large, especially fiscal issues.

This led to a centralization of decisionmaking here in Washington throughout the 1950's, 1960's and 1970's, which reached its peak in the early 1970's, and gained momentum from that peak throughout the 1970's until the arrival of Ronald Reagan, who said, "Let's stop and think a minute as to what we have done here and whether it has been successful."

The conclusion was that many of the decisions to centralize the process of policymaking in the hands of a few here in Washington simply was not working, that it was not producing a resolution to the problems that were at the core of our society, and especially it was not helping the prosperity of the Nation and individuals who lived in the Nation in many ways. So, we have, as we move toward the end of this century, come to the conclusion that maybe a centralized Federal Government is not all that effective in solving all of our problems; maybe we should slow the rate of growth of this Government and return authority to the people and to the States. And that, really, is what the Republican revolution has been about.

If we take that as true, and I do happen to believe that is one of the things that has been proven by time, now—it is not a question of philosophy or theory any longer, it is a time-tested, proven event—then we still have some major issues to address, because some of the most significant social/fiscal issues which we have as a country today are still being driven in their policies as to how they are resolved by these concepts which came out of the thirties and the forties and the fifties of centralizing the decision in Washington and making the process of addressing those decisions a Washington-driven one.

The three issues that are at the core of this, the three concerns that we as a society must have, from a fiscal policy standpoint—I am not talking about social policy; there are a whole set of other issues dealing with social policy—but from a fiscal policy standpoint of how Government deals with major issues, the three core concerns which we must have, as we head into the next century, are, one, how do we deal with Social Security; two, how do we deal with Medicare, which is a health care component for our senior citizens, and Medicaid; and three, our tax laws, how do we structure our taxes?

All three of those issues, all three of those functions of Government which deal with the broad spectrum of the quality of life of a vast majority of

Americans, are now dominated by a philosophy which grew out of the thirties, which was that a centralized, Government-decisionmaking process can better manage these systems than a decentralized, marketplace-driven approach.

As a result, we have some chaos headed our way. We know that, under the present Social Security system, as a function of its present rate of return on investment and as a function of demographics, the system goes broke, taking the country with it, starting in about the year 2010. It goes broke in about the year 2020, but gets into what one might call a fiscal spiral beginning about the year 2017 which is not reversible.

This is driven by the fact that returns on investment in Social Security dollars put into the trust fund have been extraordinarily low. They are basically a rate of return set by the Federal Government on special bonds given to the Social Security fund, which is where the Government borrows.

Second, we have a population shift in this country, which is a function of the postwar, baby-boom generation, where we now have 3½ people paying into the system for every 1 person taking out, and in the year 2012, we will have 2 people paying into the system for every 1 person taking out, and this cannot support the present benefit structure when you have such a change.

In addition, there is the fact that people are living longer. When Social Security was first created, people lived to be 61. The time was set at 65. That was Franklin Roosevelt's choice. He was no slouch and understood actuarial tables. Today, people live to be, on the average, male, 72, female 78, and it is going up.

So we have a Social Security system which we know is headed toward bankruptcy due to demographics and due to the fact there is no prefunded system. It is a pay-as-you-go system with a very low rate of return on the investment.

Then we have the Medicare system, which is going broke, managed by the Federal Government. Basically, it is a Federal Government program, single manager, single opportunity for seniors. They have to buy fee-for-service delivery. They have to buy a certain set of benefit structures. That system is going to go broke in the year 2001 at the latest; probably in the year 2000, only 3 years from now.

It is going to go broke because of the fact that it is a system which is using a 1960's model of health care delivery in the 1990's. It is a system which still relies on fee for service when, in fact, we know that in the marketplace today, very few people use fee-for-service health care. Most people choose some sort of fixed-cost, prepaid health care plan, whether it is a HMO, PPO, PSO, or whatever. They choose some sort of alternative rather than going out to a doctor on a cost-plus basis who refers you to another doctor on a cost-plus basis, then refers you to another doctor, which is what the present system does.

It is a classic program which was designed by Government bureaucrats in the 1960's which was probably outdated even then, but which has clearly not been updated for the 1990's and is going to go broke in the year 2000 because it is not structured for these times. That is the second system which represents a major issue of fiscal policy.

Between those two, Medicare and Social Security, they will be accounting, between them, for almost 50 percent of the Federal budget by the year 2000, and by the year 2017, if you throw in interest on the Federal debt, they will be counting for all the revenues of the Federal Government. That is their size and their impact under their present structure.

The third issue, of course, is our tax laws. Our tax laws are, again, a centralized decisionmaking process where we in Washington, a group of elite in the Government, choose winners and losers in the marketplace. We choose that this type of market activity will be a benefit and that type of market activity will be penalized because, for some reason, we think we can think better than the marketplace and individuals can think on how they should invest their money, and tax laws are structured to be a top-down, centralized, essentially Government-driven exercise in managing the marketplace through the Government. Of course, nothing affects the prosperity of a country more than the level of taxation and the manner in which you tax.

So my representation is this. I have put together a package of bills which I call the American productivity renewal package, which addresses these three core issues of fiscal policy from a marketplace approach, instead of using the dynamics which have dominated these policies since the thirties, which is a Government-driven approach and which is a centralized-planning approach. Instead of using that approach, which has clearly failed and which is predicted to be a catastrophic failure as we move into the next century, I am acknowledging the fact, the truism of the 20th century, which is that the marketplace, not the Government, is the primary provider of prosperity within a society.

These three proposals which I put forward involve, first, in the Social Security area, that we recognize that you cannot have a pay-as-you-go system with an unfunded liability of $3 to $4 trillion and an aging population that is exceeding the ability of the working population to pay for it and expect that system to survive. So what we need to do is to create a better return for those younger people who are now paying into the system on their savings. We need to be able to say to the working American who is under the age of 45, "In order for you to get a decent Social Security retirement, we are going to have to have you earn more money on the dollars that you pay into Social Security and, more important, we are going to have to give you the ability to identify those dollars to yourself."

Today under Social Security, if you pay a dollar in, the dollar goes out. You have no account. There is no savings account which says, "Bob Smith" or "Mary Jones" on it. It is basically a dollar in, dollar out, and, as a result, you have this huge unfunded liability.

We need to prefund that liability, No. 1, so that people can have their own savings account designated to themselves. And, second, we need to allow people to get a better return than what is presently occurring under the present system, which is about a 3 percent rate of return, which is not inflation adjusted, so if inflation is more than 3 percent, it is no return at all. We need to allow people to get a better rate of return.

What my proposal does, in the Social Security area it says today Social Security is running a surplus. It is running about a $29 billion actual surplus. It actually has about a $70 billion surplus, but half of that is interest which the Federal Government is paying on debt, so it is, basically, paying interest to itself. But there is actually about a $29 billion real surplus in Social Security, which represents about 1 percent of the 7.5 percent payroll tax people pay.

So what my proposal says is that, rather than paying a 7.5-percent payroll tax, people will only have to pay a 6.5-percent payroll tax. They will get that percentage back, that percent difference back. They will have the right to take that percentage difference and invest it in a savings account or some other vehicle that allows them to produce income for their retirement.

It will have to be a retirement account, like an IRA. And the practical implications of that are two: No. 1, people will start to generate a nest egg for retirement that will be real, that they will be able to look at every year when they get their statement; it will be there, and it will be able to generate a better return than 3 percent. And, No. 2, it has no impact on present-day Social Security recipients or people who would be receiving Social Security who are over the age of 45, because we are now running a surplus and we could pay the cost of their Social Security benefits without impacting them with this type of private account. It is using the marketplace and recognizing that the marketplace must be used to prefund the liability of Social Security.

In the area of Medicare, this package of bills does something called choice, where essentially we say to the senior citizen, rather than having a program where the Government tells you who insures you, we will give you a program where, like a Member of Congress or a Federal employee, you can go out and choose who would insure you. They would have to give you a certain set of benefits and the benefits will have to at least equal what you are presently getting under Medicare, but you will be able to choose the benefit package you feel best meets your needs—you, the senior citizen. You will not be limited to one choice or, at most, two choices, which, at present, the present Medicare Program has.

Equally important, what we are going to say to the senior citizen is, today it costs, for example, $4,800 for a senior to be on Medicare. To the extent that a senior can go out and find a health care plan which gives the basic benefits of Medicare, maybe even more benefits, but gives it to them for less than $4,800—say, $4,500—we will let the senior keep the difference, or at least 75 percent of it, that $300 between $4,800 and $4,500.

What does this do? It creates three marketplace forces which will lead to making the Medicare system more solvent. No. 1, it means the senior becomes a cost-incentive buyer of health care. They think about where they are going to buy their health care. Granted, people who are already in the system who are in their late 70's or 80's probably are not going to change. But you have a whole group of seniors coming into the system who have been used to looking at a variety of health care options, so they will be comfortable doing this. But getting that 75 percent back of your savings makes them cost-incentive buyers.

No. 2, it will create a marketplace which will compete for the seniors' dollars. Because, believe me, there are a lot of health care providers who deliver high-quality health care who would be very excited about the chance to buy into this.

And, No. 3, it gives the Federal Government a predictable rate of growth as to how much health care is going to increase in Medicare accounts. And we, in order to make the trust funds solvent, do not need to cut Medicare. All we need to do is slow its rate of growth to about 7 percent, 6.5 percent—what is now a 10-percent rate of growth. That rate of growth, by the way, is still twice the rate of inflation and a multiple of 5, possibly, the rate of health care inflation.

So this creates a marketplace atmosphere around which Medicare would compete and around which seniors could participate in their health care system and which would control costs and which would give seniors more choices than they have today, more options in health care than they have today. It recognizes the fact that, you know, a 1960 system, where the Federal Government basically picks who you can have health care with, simply does not work. You have to use the marketplace.

The third element of this American productivity renewal package is to look at the tax laws and acknowledge the fact that the tax laws are arbitrary. They are as arbitrary as some bureaucrat in Washington could possibly make them, or some Member of Congress could possibly make them. Why should somebody be a winner and why should somebody else be a loser under the tax laws? Simply because a Member of Congress or somebody at Treasury decided unilaterally to affect the marketplace by making the decision that this person will be a loser and this person will be a winner, that is not right. That perverts the flow of capital; it perverts investment; it perverts the manner in which people go out and make decisions in the marketplace. It causes an inefficient use of dollars that are used to create capital and create savings.

So we need a flatter system. We need a system that eliminates the vast majority of the deductions and says to the taxpayer, "You can fill your form out on one page, one postcard, and in doing that, we won't control how you make decisions with your money. We'll take your taxes still, but we won't control whether or not you invest in this item or that item. That is simply a decision as to whether or not you're going to get better or worse tax treatment." And, thus, capital will flow much more efficiently to those items which are most productive and those items which will create the most prosperity, because that is the way a capitalist system works and a marketplace system works.

So by addressing these three core issues of fiscal policy from a marketplace approach as versus from a centralized planning approach, which is what has been done for the last half century, we can, I believe, ready ourselves for the next century, make this country more competitive, and, most importantly, put the country in a position where our children will be assured that we are going to be a fiscally solvent place and a prosperous place for them to raise their children, rather than a place subject to the vagaries of a huge Government debt and inflation that would cause a bankruptcy of the Social Security system.

Mr. President, I appreciate your time. I yield the floor and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mrs. HUTCHISON pertaining to the introduction of S. 411 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. HUTCHISON. 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. GRASSLEY. 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. GRASSLEY. Mr. President, I ask unanimous consent to have 7 minutes as in morning business.

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

IT'S FOR KIDS II

Mr. GRASSLEY. Mr. President, in December, the Department of Health released annual figures on teenage drug use. As in the preceding 3 years, what the numbers showed was a continuing, alarming increase in teenage drug use. The number of eighth graders using any illicit drug in the year before the survey has almost doubled since 1991, from 11 to 21 percent. The proportion of increased use among 10th graders has risen by almost two-thirds, from 20 to 33 percent. It has risen by almost 50 percent among seniors in high school, from 27 to 39 percent. Stop for a minute and think about the reality behind the numbers.

One in every five 13 year olds has used an illicit drug in the last year. One in every three 15 year olds and close to two of every five seniors have used drugs. Marijuana use is leading the way. Regular use of marijuana by kids is on the rise. Nearly 1 in every 20 seniors now uses marijuana daily. We know from bitter experience, that marijuana use, especially regular use, increases dramatically the likelihood of further, more serious drug use. We know only too well that such use leads to dramatic increases in addiction, violent crime, treatment dependency, and a cycle of hurt that can endure for years.

Moreover, the recent survey reveals that teenage attitudes about the dangers of drug use are also changing—for the worse. An increasing number of young people at younger ages no longer see drug use as dangerous.

Just this past Tuesday, the Partnership for a Drug Free America released information that showed that kids at younger ages, including kids in fourth, fifth, and sixth grades, are starting to try drugs.

We have not seen increases in use or changes in beliefs about the dangers of

use like this since the late 1960's and 1970's. Those of us who are adults today know what that increase in use and changes in attitudes did to this country. We are still living with the consequences of social attitudes that legitimized drug use. We are still paying the costs to treat the addicts that began as teenage users then.

Let's remind ourselves of a simple truth. The most likely users of drugs are kids. Not adults. Not grown men and women. Not our peers and friends and colleagues. Not our business partners or professional associates. Kids. It begins with kids. Most addicts today began as teenagers. Most addicts tomorrow will begin as teenagers or younger. And whom do the pushers of drugs target? Kids. Whom do the purveyors of drug messages in our movies and popular music target? Kids.

You do not have to go very far to discover why. Young people are more vulnerable to messages that would have them test limits. They are less aware of long-term consequences for present acts. They are more easily influenced by peers and fashions. It is our kids that are most at risk for messages about drug use. It is in order to protect kids that we take steps to control drugs in our society. Even the majority of the most ardent legalization advocates do not advocate drug use by kids. Most of them draw the line at that. Most.

But our problem lies in this. We cannot be halfhearted and ambivalent in our counterdrug messages if we are to tell our kids not to use drugs. We cannot, on the one hand, make drugs readily available and condone their use by law and custom and keep them from our kids. We have ample evidence of this in legal drugs, in the problems of teenage use of alcohol and tobacco.

But I am talking about substances that are far worse and more dangerous. We cannot afford to make these drugs part of our daily lives. The public is aware of that. They oppose it. But what we see is a growing effort by a few to get around that opposition. Ultimately they are not likely to succeed. But they can and have so muddled the public message as to send mixed signals to the very people we want to protect. Kids.

From music to videos to movies and political campaigns, we are seeing efforts once again to glamorize drugs. We are seeing opinion leaders and members of our cultural elite portray drug use as simply a personal choice that is harmless and benign. Many of these individuals act as if the only issue is for responsible adults to decide for themselves. They speak as if it is only adults that we need to think about. This, however, is not in fact the case.

If you do not believe this, talk to parents. Talk to teachers. Talk to the health and law enforcement professionals who daily see the consequences. Most important, listen to what kids are telling us about what is happening in their schools. To their friends.

Like other Members here, I receive mail from many people. Among them are our young people. Their letters are full of concern and hope. One of the concerns is about drugs in school. Thus Byron, 14 years old, writes, "As I have grown up, I have begun to notice more and more people I know using legal and illegal drugs. Never before did I even know 'Meth' existed. But now, my school feels there is a need to take courses about it. I agree with you that drug use should stop, and fast." Or Christina, 12, who writes about her concern for what's being done to stop underage drug use. Or Heath, a senior, concerned about growing use in junior high and elementary schools. Or Jennie, a junior, who has seen peers using PCP and crack or acid. Or the many others who have written confused about what they should think or what our policy is.

It is to this and following generations that we are responsible for and to. They look to us for guidance. They rely on us to protect them and their futures. That is what is at issue here. The efforts that we undertake to keep our society drug free are the things that we do to protect our kids. We do this because it is the responsible thing to do. We do this because no sane or civilized society can long endure that fails its children.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. 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 VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, March 5, the Federal debt stood at $5,359,515,287,678.12.

One year ago, March 5, 1996, the Federal debt stood at $5,016,462,000,000.

Five years ago, March 5, 1992, the Federal debt stood at $3,849,118,000,000.

Ten years ago, March 5, 1987, the Federal debt stood at $2,258,090,000,000.

Fifteen years ago, March 5, 1982, the Federal debt stood at $1,045,007,000,000 which reflects a debt increase of more than $4 trillion—$4,314,508,287,678.12—during the past 15 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a nomination which was referred to the Committee on Governmental Affairs.

(The nomination received today is printed at the end of the Senate proceedings.)

REPORT CONCERNING THE TRADE POLICY AGENDA AND THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT—PM 21

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance.

To the Congress of the United States:

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1997 Trade Policy Agenda and 1996 Annual Report on the Trade Agreements Program.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 6, 1997.*

MESSAGES FROM THE HOUSE

At 2:11 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 513. An act to exempt certain contracts entered into by the government of the District of Columbia from review by the Council of the District of Columbia; to the Committee on Government Affairs.

The message also announced that the House agrees to the following concurrent resolution, without amendment:

S. Con. Res. 4. Concurrent resolution commending and thanking the Honorable Warren Christopher for his exemplary service as Secretary of State.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 17. Concurrent resolution congratulating the people of Guatemala on the success of the recent negotiations to establish a peace process for Guatemala.

H. Con. Res. 18. Concurrent resolution congratulating the people of the Republic of Nicaragua on the success of their democratic elections held on October 20, 1996.

H. Con. Res. 31. Concurrent resolution expressing the sense of Congress regarding the display of the Ten Commandments by Judge Roy S. Moore, a judge on the circuit court of the State of Alabama.

MEASURE REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 513. An act to exempt certain contracts entered into by the government of the

District of Columbia from review by the Council of the District of Columbia; to the Committee on Government Affairs.

The following measures were read and referred as indicated:

H. Con. Res. 17. Concurrent resolution congratulating the people of Guatemala on the success of the recent negotiations to establish a peace process for Guatemala; to the Committee on Foreign Relations.

H. Con. Res. 18. Concurrent resolution congratulating the people of the Republic of Nicaragua on the success of their democratic elections held on October 20, 1996; to the Committee on Foreign Relations.

H. Con. Res. 31. Concurrent resolution expressing the sense of Congress regarding the display of the Ten Commandments by Judge Roy S. Moore, a judge on the circuit court of the State of Alabama; to the Committee on Governmental Affairs.

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–1318. A communication from the Administrator of the Food and Consumer Service, Department of Agriculture, transmitting, pursuant to law, a rule entitled "Food Assistance in Disaster and Distress Situations" received on February 26, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1319. A communication from the Secretary of the U.S. Securities and Exchange Commission, transmitting, pursuant to law, two rules including a rule entitled "Anti-manipulation Rules Concerning Securities Offerings" (RIN3235–AF54, AF97); to the Committee on Banking, Housing, and Urban Affairs.

EC–1320. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, a rule entitled "New Starts Criteria" (RIN2132–AA50) received on February 27, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–1321. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 95–16; to the Committee on Appropriations.

EC–1322. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 95–14; to the Committee on Appropriations.

EC–1323. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, four rules including a rule entitled "Approval and Promulgation of Implementation Plans" (FRL5660–2, 5698–1, 5697–9, 5688–8) received on March 5, 1997; to the Committee on Environment and Public Works.

EC–1324. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, a rule entitled "Special Local Regulations" (RIN2115–AE46) received on February 27, 1997; to the Committee on Commerce, Science, and Transportation.

EC–1325. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, a rule entitled "Regulatory Flexibility Analysis" received on March 6, 1997; to the Committee on Commerce, Science, and Transportation.

EC–1326. A communication from the Vice-Chairman of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, a notice relative to the D.C. fiscal year 1998 Budget and Financial Plan; to the Committee on Governmental Affairs.

EC–1327. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, a draft of proposed legislation entitled "The Contract Costs Act of 1997"; to the Committee on Governmental Affairs.

EC–1328. A communication from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, a rule relative to plastic explosives (RIN1512–AB63) received on February 24, 1997; to the Committee on the Judiciary.

EC–1329. A communication from the Vice President (Government Affairs), National Railroad Passenger Corporation, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1996; to the Committee on the Judiciary.

EC–1330. A communication from the Executive Secretary of the National Security Council, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1996; to the Committee on the Judiciary.

EC–1331. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Procedure 97–20 received on March 4, 1997; to the Committee on Finance.

EC–1332. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 97–12 received on March 4, 1997; to the Committee on Finance.

EC–1333. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Notice 97–16 received on March 4, 1997; to the Committee on Finance.

EC–1334. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Announcement 97–22 received on March 4, 1997; to the Committee on Finance.

EC–1335. A communication from the Chief (Regulations Unit), Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Announcement 97–24 received on March 4, 1997; to the Committee on Finance.

EC–1336. A communication from the Assistant Secretary of the Interior (Land and Minerals Management), transmitting, pursuant to law, a rule entitled "Mining Claims Under the General Mining Laws" (RIN1004–AC40) received on February 25, 1997; to the Committee on Energy and Natural Resources.

EC–1337. A communication from the Chair fo the Federal Energy Regulatory Commission, transmitting, pursuant to law, two rules including a rule entitled "Open Access Same-Time Information System" received on March 4, 1997; to the Committee on Energy and Natural Resources.

EC–1338. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the production of nuclear weapons; to the Committee on Foreign Relations.

EC–1339. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of a proposed approval of a manufacturing license agreement; to the Committee on Foreign Relations.

EC–1340. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a Presidential Determination relative to suspending restrictions; to the Committee on Foreign Relations.

EC–1341. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the certification of the proposed issuance of an export license; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–38. A resolution adopted by the Knoxville City Council relative to the land and water conservation fund; to the Committee on Appropriations.

POM–39. A resolution adopted by the Toledo City Council relative to the Clear Air Act; to the Committee on Environment and Public Works.

POM–40. A resolution adopted by House of Representatives of the General Assembly of the State of Delaware; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 11

Whereas, the annual Federal budget has not been balanced since 1969, and the federal public debt is now more than $5 trillion—or $20,000 for every man, woman, and child in America; and

Whereas, continued deficit spending demonstrates an unwillingness or inability of both the federal executive and legislative branches to spend no more than available revenues; and

Whereas, fiscal irresponsibility at the federal level is lowering our standard of living, destroying jobs, and endangering economic opportunity now and for the next generation; and

Whereas, the federal government's unlimited ability to borrow raises questions about fundamental principles and responsibilities of government, with potentially profound consequences for the nation and its people, making it an appropriate subject for limitation by the Constitution of the United States; and

Whereas, the Constitution of the United States vests the ultimate responsibility to approve or disapprove constitutional amendments with the people, as represented by their elected state legislatures; and opposition by a small minority repeatedly has thwarted the will of the people that a Balanced Budget Amendment to the Constitution should be submitted to the states for ratification; Now, therefore: Be it

Resolved by the House of Representatives of the 139th General Assembly of the State of Delaware That the Congress of the United States expeditiously pass, and propose to the legislatures of the several states for ratification, an amendment to the Constitution of the United States requiring, in the absence of a national emergency, that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year; be it further

Resolved That the Clerk of the House transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives of the United States, each Member of the Delaware Congressional Delegation, and the Secretary of State and the presiding officers of both Houses of the Legislatures of each of the other States in the Union.

EXECUTIVE REPORTS OF COMMITTEES

The following executive report of committees was submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Federico Peña, of Colorado, to be Secretary of Energy.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. HATCH, from the Committee on the Judiciary:

Merrick B. Garland, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

Rose Ochi, of California, to be Director, Community Relations Service, for a term of four years.

Colleen Kollar-Kotelly, of the District of Columbia, to be United States District Judge for the District of Columbia.

Lyle Weir Swenson, of South Dakota, to be United States Marshal for the District of South Dakota for the term of four years.

(The above nominations were reported with the recommendation that they be confirmed.)

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 Mr. COATS:

S. 409. A bill to amend the Communications Act of 1934 to provide for the implementation of systems for rating the specific content of specific television programs; to the Committee on Commerce, Science, and Transportation.

By Mr. D'AMATO (for himself, Mr. GRAMM, Mr. SARBANES, and Mr. DODD):

S. 410. A bill to extend the effective date of the Investment Advisers Supervision Coordination Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HUTCHISON (for herself, Mr. ABRAHAM, Mr. CAMPBELL, Mr. D'AMATO, Ms. MOSELEY-BRAUN, and Mr. SPECTER):

S. 411. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for investment necessary to revitalize communities within the United States, and for other purposes; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COATS:

S. 409. A bill to amend the Communications Act of 1934 to provide for the implementation of systems for rating the specific content of specific television programs; to the Committee on Commerce, Science, and Transportation.

TV RATING SYSTEM LEGISLATION

Mr. COATS. Mr. President, this past Thursday the Senate Commerce Committee held a hearing on the current television rating system. I want to commend Senator MCCAIN for calling that hearing. It was very instructional for all of us. What was apparent from that hearing is the near universal dissatisfaction with the current Hollywood rating system, the need for immediate change, the utter failure of the industry to understand what parents want in a rating system, and the basic responsibility that goes with using publicly owned broadcast spectrum.

Mr. President, we are beyond debate regarding the influence of television programming on children, particularly the most vulnerable of our children, growing up in single-parent homes or homes where the demand of work keep parents away and children unsupervised for long hours. This is, unfortunately, an increasing norm in our society.

It was a combination of these facts and the increasingly violent and explicit nature of television programming that produced the "V" chip legislation that passed last year and the demand for ratings that empower parents with content information so that they can exercise control over the type of television programming invading their households and their children's minds that they believe is inappropriate.

I call attention to the 1995 study of children age 10 to 16 conducted by the Los Angeles polling firm of Fairbank, Maslin, Maulin & Associates. In that poll, one-third of the children stated they would like to try what they see others doing on television; two-thirds stated that their peers are influenced by what they see on TV; 65 percent said programming like the Simpsons encouraged them to disrespect their parents; and an alarming 62 percent said that sex portrayed on television influences kids to have sex when they are too young. These are the results of the study of children 10 to 16. These are their responses to the questions that were asked by the poll.

Upon hearing the results of this poll, entertainer Steve Allen told editorialist Cal Thomas, "My first reaction is that we should take this information and beat (network TV executives) over the head with it." I think some of last week's hearing, for those who tuned in and those who were there, may have had the same effect, because there was universal, near universal, dissatisfaction with the efforts, lack of effort, made by the broadcasters, Hollywood producers and others to address some of these fundamental questions. That was a bipartisan response not confined to any one particular party.

Unfortunately, the system offered by the television industry to address this is critically flawed. There are two fatal problems with the system. First is the fact that the system does not provide program-specific, content-based information. This is the critical point.

The Hollywood ratings system adopted by the television industry essentially hides the true content of programs behind a generic rating that suggests to parents what may be in a program—I say what "may be" in a program, not what actually is in a program. Take the TV "PG" rating, which 61 percent of current television programs receive. In a 52-word explanation of this rating, it is stated: "This program may contain infrequent coarse language, limited violence, some suggestive dialog and situations."

Mr. President, I suggest that telling a parent what a program "may" include does not tell them very much. I ask, what would be so difficult, what is so hard about simply substituting the word "does" for the word "may." The program "does" contain infrequent coarse language. The program "does" contain limited violence. This program "does" contain some suggestive dialog and situations. In addition, why not provide parents with an audible explanation of content just prior to airing the programming and stating the information clearly and prominently on the screen.

The second fatal flaw in the current system proposed by Hollywood and adopted by the broadcasters is there is no standard format for how ratings are arrived at. In other words, each station or channel uses their own methods and priorities in assigning ratings. Fox uses one method, NBC another and so on. What is recommended as a standardized system to parents is, in fact, completely unique from station to station, channel to channel. In other words, it a rating in search of a meaning.

The Hollywood system designed by the Motion Producers Association head Jack Valenti was created to avoid giving parents information on the content of programs. I do not think you can come to any other conclusion. It is so confusing, it is so imprecise, I think you have to conclude that it was designed not to give specific information. Why? Well, clearly, I think they were concerned about advertisers not wanting to advertise on programs that included offensive language. Ultimately, it is the parents who turn off the sets, or the sets that are turned off because of the contents of programs, that will determine where those advertising dollars flow.

Now, Mr. President, I want to make sure that we all understand that we cannot and we should not be censors,

but that our society depends on informed choices. We need to provide informed information and informed choices for parents. To do that requires information which the current Hollywood-Valenti rating system refuses to give.

It had been my hope that the television industry would be responsive to the public outcry against their age-based rating system. Polls conducted in response to the industry proposal by the PTA/Institute for Mental Health Initiatives demonstrated that 80 percent of parents desire a content-based system and a Media Study Center poll found similar results. Ask any parent, ask any parent what they need in order to make a determination on what they think their children should watch, and they say tell us what is in it. Do not give us some rating scheme where we do not know what it relates to, that is not standardized, that changes from station to station. Just tell us what is there.

Unfortunately, the industry has not simply ignored the American public; it has defied them. Mr. Valenti, the architect and the cheerleader for the current system, claims the system must be simple so that parents can understand it. Must be simple? Parents can understand it? The TV-Y rating requires a 47-word explanation; TV-Y7 requires 73 words to explain what it means; TV-14, 61 words. All of these ratings explanations are riddled with ambiguity. The only thing easy to understand about these ratings is who came up with them and why.

The system is not profamily, it is pro-Hollywood. It is designed to protect the Hollywood production houses. It is designed to protect advertisers who, confronted with content-specific ratings, would shun programs that include explicit material.

Now, supposedly there was some miraculous coming together of television executives and Hollywood for a commonsense rating of programs. Well, I think there has been some confusion here in the statement that they have refused to change, regardless of what the public wants. Now, thankfully, under the pressure of the congressional investigation, the congressional hearing, and the outpouring of outrage and frustration and dissatisfaction and disgust with the current system, there have been expressions that, yes, the industry is willing to take another look at this. I hope they not only take another look, but that they will do it quickly and do it effectively, because the industry doesn't own the broadcast spectrum, the public owns the broadcast spectrum. And because the public owns the spectrum, I think it is reasonable to ask that those who use the spectrum be responsive to the public's requests—again, not for censorship, but simply for information so they can make decisions about what is appropriate and not appropriate for their children to watch. Therefore, I think combining the request for granting or renewal of a license to broadcast on that spectrum is a reasonable thing to ask for in return for a content-based, program-specific rating system. In other words, if you want to use the public spectrum, if you have a responsibility—and the responsibility is to provide parents with information.

I, therefore, am introducing legislation today that will ensure that the changes the American people demand as a condition for license renewal, for license granting, or for loan of spectrum for the transition of digital broadcast—in return for that, we get broadcaster consent to accurately label their programming. I don't create a Government rating system. I simply want to put some information in the hands of parents.

The spectrum that is going to be loaned to broadcasters for digital transmission is extremely valuable. This resource also belongs to the American public, a public that overwhelmingly supports a program-specific, content-based rating system. The basic criteria for issuing a broadcast license is service of the public good. If a broadcaster can't comply with the basic will of the American people, by accurately labeling the product they seek to provide, on the taxpayers' spectrum, then I don't believe they deserve, nor should they receive, the precious resource of broadcast spectrum.

Mr. President, we cannot use Government to force more family-friendly programming—as much as sometimes I wish we could, given what we currently see.

Mr. President, we can empower parents with information that they need to guide their children's viewing habits. In doing so, we empower them to send a message to the networks, and television advertisers to stop the onslaught of the kind of programming that flows through our television sets into the minds of our children.

Mr. President, in conclusion, let me just say that in this age where it's harder and harder to protect children from information and from behavior and from activities in our society that is damaging not only to their bodies, but to their minds and souls, the parents need tools; they are crying out for weapons and tools to fight back against this onslaught of a hostile culture. They want to try to protect the innocence of their children—even if just for a little while. I think they have every right to demand the tool of accurate and responsible television ratings in return for the use of the public broadcast system.

My legislation would ensure this end. I hope my colleagues will join me in support of this effort. With that, I send to the desk the legislation designed to accomplish this very purpose.

By Mr. D'AMATO (for himself, Mr. GRAMM, Mr. SARBANES, and Mr. DODD):

S. 410. A bill to extend the effective date of the Investment Advisers Supervision Coordination Act; to the Committee on Banking, Housing, and Urban Affairs.

THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1997

• Mr. D'AMATO. Mr. President, today, I introduce with Senator GRAMM, Senator SARBANES, and Senator DODD, a bill to extend for 90 days the effective date of title III of the National Securities Markets Improvement Act of 1997.

The Investment Advisers Supervision Coordination Act enacted as part of the National Securities Market Improvement Act, divides the regulation of the Nation's 22,500 registered investment advisers between the SEC and State commissions. Under the new divided jurisdiction, investment advisers entrusted with over $10 trillion in customer funds, will be subject to better regulation and regular examination. As a result, consumers and investors will be better protected.

The legislation we introduce today will extend the effective date of the title III, section 308 of the National Securities Markets Improvement Act of 1996 90 days, from April 9, 1997 to July 8, 1997. This extension was requested by the Chairman of the SEC, Arthur Levitt, in his letter to the committee dated February 12, 1997. The legislation is necessary to ensure that the proper rules are in place to carry out the provisions of this title. While the Securities and Exchange Commission is working diligently to complete its rules by the original effective date, the Commission is concerned that investment advisers will not have enough time to examine the final rules and to complete and submit the new forms required.

Mr. President, Congress intended for State commissions to regulate investment advisers with assets under $25 million. However, State law will be preempted as it relates to all investment advisers who are still registered with the SEC when the provision becomes effective, regardless of their asset value. This means that if the SEC rules are not final or if investment advisers have not submitted forms to end their registration by April 9, 1997, State commissions will be unable to regulate the investment advisers who fall within their jurisdiction. Extending the effective date of the Investment Advisers Supervision Coordination Act would ensure that all investment advisers have sufficient time to register with the proper commission and prevent a gap in effective regulation.

I would like to thank the chairman of the Securities Subcommittee, and

the ranking members of both the Banking Committee and the Securities Subcommittee for their cosponsorship of this legislation. It is my hope that the Senate will pass this legislation without amendment or delay so that the SEC and the State commissions can continue to move forward with these important changes to improve the regulation of investment advisers and protect investors.

Mr. President, I ask unanimous consent that the full text of the bill and the February 12, 1997 letter from Securities and Exchange Commission be included in the RECORD.

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

S. 410

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

SECTION 1. EXTENSION OF EFFECTIVE DATE.

Section 308(a) of the Investment Advisers Supervision Coordination Act (110 Stat. 3440) is amended by striking "180" and inserting "270".

U.S. SECURITIES AND EXCHANGE COMMISSION,
Washington, D.C., February 12, 1997.

Hon. ALFONSE M. D'AMATO,
Chairman, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, DC.

DEAR CHAIRMAN D'AMATO: I am writing to request that Congress extend the effective date of Title III of the National Securities Markets Improvement Act of 1996 for 90 days, from April 9 to July 8, 1997. Title III reallocates regulatory responsibilities over investment advisers between the states and the Commission.

The Commission has made substantial progress in completing the many rulemaking directives given to the Commission in the Improvement Act. In October, the Commission proposed a rule providing a safe harbor to allow journalists access to off-shore press conferences. In December, we proposed rules implementing new exemptions from the Investment Company Act for pools sold only to qualified investors. The Commission also proposed, on December 18, 1996, rules to implement Title III.

The Commission is making every effort to meet the legislative deadlines of the Improvement Act. Our rule proposals were issued only two months after the legislation was enacted, and the comment period for the proposals ended earlier this week. While we believe the Commission should be able to finish work on the adoption of the proposed rules by April 9, the effective date of Title III, we are very concerned that this timetable is likely not to afford investment advisers sufficient time to examine the new rules, consult with counsel as to their continuing regulatory status, and properly complete and submit the required forms.

We are also concerned about the effect of the April 9th effective date on state regulatory programs. As you know, Title III assigns important responsibilities for the regulation of investment advisers to state regulators. Because Title III will become effective on April 9th (whether or not the proposed rules are adopted), state law will be preempted as to all advisers still registered with the Commission, including those advisers that will be exclusively regulated by the states. If all (or most) advisers remain registered with the Commission on April 9 because they have not submitted the required forms, much of state investment adviser laws will be preempted, compromising state regulatory and enforcement programs.

By dividing jurisdiction over the 22,500 advisers currently registered with the Commission, the Improvement Act promises to provide more efficient and effective regulation of the investment advisory industry. The Commission strongly supported the enactment of the Act and has moved quickly to implement its purposes. We believe that by providing an additional 90 days, Congress will allow investment advisers adequate time to meet their obligations under the new rules and will avoid disrupting state regulatory efforts that are important if the goals of Title III of the Improvement Act are to be achieved.

If I or any of the Commission staff can answer any questions, please do not hesitate to contact us.

Sincerely,

ARTHUR LEVITT.

By Mrs. HUTCHISON (for herself, Mr. ABRAHAM, Mr. CAMPBELL, Mr. D'AMATO, Ms. MOSELEY-BRAUN, and Mr. SPECTER):

S. 411. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for investment necessary to revitalize communities within the United States, and for other purposes; to the Committee on Finance.

THE COMMERCIAL REVITALIZATION TAX ACT OF 1997

Mrs. HUTCHISON. Mr. President, I stand today to sponsor, along with Mr. ABRAHAM, Mr. CAMPBELL, Mr. D'AMATO, Ms. MOSELEY-BRAUN, Mr. SPECTER, and Mr. COCHRAN, the introduction of the Commercial Revitalization Tax Credit Act of 1997. This bill is identical to the bipartisan and widely supported legislation I sponsored during the last session.

This measure will create jobs, expand economic activity, and improve the physical appearance and increase the value of residential and commercial buildings in America's most distressed urban and rural communities. The bill provides a targeted tax credit to businesses to help defray the cost of construction, expansion, and renovation in these areas, and in the process will generate billions in privately based economic activity in those areas that need the most help in our country.

The Commercial Revitalization Tax Credit Act will fill in the gap between the broad range of tools our States and localities utilize to make declining neighborhoods healthy places to do business, to work, and to raise families. This tax credit will help businesses form a partnership with the Government to help revitalize areas of our country that have, in many cases, suffered from neglect and despair.

As we continue to look for ways to combat the decay of our inner cities and to raise the standard of living in many of our rural areas, I believe, and numerous studies demonstrate, that improving the physical structures in our neighborhoods not only has economic benefits but also tends to lift the hopes and expectations of the residents of those neighborhoods. Indeed, one of the key recommendations of the recent top-to-bottom review of law enforcement in this city, our Nation's Capital, was to improve the many abandoned buildings in the city that create an atmosphere conducive to crime and despair.

This legislation will build on local initiatives like this in the District of Columbia, as well as many now underway in cities in Texas and throughout the country. The Commercial Revitalization Tax Credit Act will build upon the empowerment zone/enterprise community program that is now unfolding in 109 communities in the United States. Texas has five of these specially designated areas: Houston, Dallas, El Paso, San Antonio, and Waco, as well as one rural zone in the Rio Grande valley covering four counties. Not only will these cities qualify for the credit under my bill, but so will the 400 communities in the United States that sought such designation but were not selected. State-established enterprise zones and others specifically designated revitalization districts established by State and local governments will also be able to participate. In all, over 1,000 areas will qualify for this credit nationwide.

Our bill contains the following main features: A tax credit that may be applied to construction amounting to at least 25 percent of the basis of the property, in designated revitalization areas; qualified investors could choose a one-time 20-percent tax credit against the cost of new construction or rehabilitation. For instance, if the expansion of a supermarket in Brownsville, TX, in the Rio Grande valley, in the empowerment zone there, cost $150,000, the tax credit against income would be $30,000. Alternatively, the business owner could take a 5-percent credit each year over a 10-year period; And tax credits totaling $1.5 billion would be allocated to each State according to a formula, with States and localities determining the priority of the projects.

Mr. President, with a minimum level of bureaucratic involvement and through a proven tax mechanism, this initiative will make a significant difference in the lives of thousands of families in need and for the economies of hundreds of distressed urban and rural communities across this Nation. I hope my colleagues will join me in supporting this sound and effective progrowth initiative.

I ask unanimous consent that the text of my bill be printed in the RECORD.

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

S. 411

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 "Commercial Revitalization Tax Act of 1997".

SEC. 2. COMMERCIAL REVITALIZATION TAX CREDIT.

(a) ALLOWANCE OF CREDIT.—Section 46 of the Internal Revenue Code of 1986 (relating to investment credit) is amended by striking "and" at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ", and", and by adding at the end the following new paragraph:

"(4) the commercial revitalization credit."

(b) COMMERCIAL REVITALIZATION CREDIT.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to rules for computing investment credit) is amended by inserting after section 48 the following new section:

"SEC. 48A. COMMERCIAL REVITALIZATION CREDIT.

"(a) GENERAL RULE.—For purposes of section 46, except as provided in subsection (e), the commercial revitalization credit for any taxable year is an amount equal to the applicable percentage of the qualified revitalization expenditures with respect to any qualified revitalization building.

"(b) APPLICABLE PERCENTAGE.—For purposes of this section—

"(1) IN GENERAL.—The term 'applicable percentage' means—

"(A) 20 percent, or

"(B) at the election of the taxpayer, 5 percent for each taxable year in the credit period.

The election under subparagraph (B), once made, shall be irrevocable.

"(2) CREDIT PERIOD.—

"(A) IN GENERAL.—The term 'credit period' means, with respect to any building, the period of 10 taxable years beginning with the taxable year in which the building is placed in service.

"(B) APPLICABLE RULES.—Rules similar to the rules under paragraphs (2) and (4) of section 42(f) shall apply.

"(c) QUALIFIED REVITALIZATION BUILDINGS AND EXPENDITURES.—For purposes of this section—

"(1) QUALIFIED REVITALIZATION BUILDING.—The term 'qualified revitalization building' means any building (and its structural components) if—

"(A) such building is located in an eligible commercial revitalization area,

"(B) a commercial revitalization credit amount is allocated to the building under subsection (e), and

"(C) depreciation (or amortization in lieu of depreciation) is allowable with respect to the building.

"(2) QUALIFIED REHABILITATION EXPENDITURE.—

"(A) IN GENERAL.—The term 'qualified rehabilitation expenditure' means any amount properly chargeable to capital account—

"(i) for property for which depreciation is allowable under section 168 and which is—

"(I) nonresidential real property, or

"(II) an addition or improvement to property described in subclause (I),

"(ii) in connection with the construction or substantial rehabilitation or reconstruction of a qualified revitalization building, and

"(iii) for the acquisition of land in connection with the qualified revitalization building.

"(B) DOLLAR LIMITATION.—The aggregate amount which may be treated as qualified revitalization expenditures with respect to any qualified revitalization building for any taxable year shall not exceed $10,000,000, reduced by any such expenditures with respect to the building taken into account by the taxpayer or any predecessor in determining the amount of the credit under this section for all preceding taxable years.

"(C) CERTAIN EXPENDITURES NOT INCLUDED.—The term 'qualified revitalization expenditure' does not include—

"(i) STRAIGHT LINE DEPRECIATION MUST BE USED.—Any expenditure (other than with respect to land acquisitions) with respect to which the taxpayer does not use the straight line method over a recovery period determined under subsection (c) or (g) of section 168. The preceding sentence shall not apply to any expenditure to the extent the alternative depreciation system of section 168(g) applies to such expenditure by reason of subparagraph (B) or (C) of section 168(g)(1).

"(ii) ACQUISITION COSTS.—The costs of acquiring any building or interest therein and any land in connection with such building to the extent that such costs exceed 30 percent of the qualified revitalization expenditures determined without regard to this clause.

"(iii) OTHER CREDITS.—Any expenditure which the taxpayer may take into account in computing any other credit allowable under this part unless the taxpayer elects to take the expenditure into account only for purposes of this section.

"(3) ELIGIBLE COMMERCIAL REVITALIZATION AREA.—The term 'eligible commercial revitalization area' means—

"(A) an empowerment zone or enterprise community designated under subchapter U,

"(B) any area established pursuant to any consolidated planning process for the use of Federal housing and community development funds, and

"(C) any other specially designated commercial revitalization district established by any State or local government, which is a low-income census tract or low-income nonmetropolitan area (as defined in subsection (e)(2)(C)) and is not primarily a nonresidential central business district.

"(4) SUBSTANTIAL REHABILITATION OR RECONSTRUCTION.—For purposes of this subsection, a rehabilitation or reconstruction shall be treated as a substantial rehabilitation or reconstruction only if the qualified revitalization expenditures in connection with the rehabilitation or reconstruction exceed 25 percent of the fair market value of the building (and its structural components) immediately before the rehabilitation or reconstruction.

"(d) WHEN EXPENDITURES TAKEN INTO ACCOUNT.—

"(1) IN GENERAL.—Qualified revitalization expenditures with respect to any qualified revitalization building shall be taken into account for the taxable year in which the qualified rehabilitated building is placed in service. For purposes of the preceding sentence, a substantial rehabilitation or reconstruction of a building shall be treated as a separate building.

"(2) PROGRESS EXPENDITURE PAYMENTS.—Rules similar to the rules of subsections (b)(2) and (d) of section 47 shall apply for purposes of this section.

"(e) LIMITATION ON AGGREGATE CREDITS ALLOWABLE WITH RESPECT TO BUILDINGS LOCATED IN A STATE.—

"(1) IN GENERAL.—The amount of the credit determined under this section for any taxable year with respect to any building shall not exceed the commercial revitalization credit amount (in the case of an amount determined under subsection (b)(1)(B), the present value of such amount as determined under the rules of section 42(b)(2)(C)) allocated to such building under this subsection by the commercial revitalization credit agency. Such allocation shall be made at the same time and in the same manner as under paragraphs (1) and (7) of section 42(h).

"(2) COMMERCIAL REVITALIZATION CREDIT AMOUNT FOR AGENCIES.—

"(A) IN GENERAL.—The aggregate commercial revitalization credit amount which a commercial revitalization credit agency may allocate for any calendar year is the portion of the State commercial revitalization credit ceiling allocated under this paragraph for such calendar year for such agency.

"(B) STATE COMMERCIAL REVITALIZATION CREDIT CEILING.—

"(i) IN GENERAL.—The State commercial revitalization credit ceiling applicable to any State for any calendar year is an amount which bears the same ratio to the national ceiling for the calendar year as the population of low-income census tracts and low-income nonmetropolitan areas within the State bears to the population of such tracts and areas within all States.

"(ii) NATIONAL CEILING.—For purposes of clause (i), the national ceiling is $100,000,000 for 1998, $200,000,000 for 1999, and $400,000,000 for each calendar year after 1999.

"(iii) OTHER SPECIAL RULES.—Rules similar to the rules of subparagraphs (D), (E), (F), and (G) of section 42(h)(3) shall apply for purposes of this subsection.

"(C) LOW-INCOME AREAS.—For purposes of subparagraph (B), the terms 'low-income census tract' and 'low-income nonmetropolitan area' mean a tract or area in which, according to the most recent census data available, at least 50 percent of residents earned no more than 60 percent of the median household income for the applicable Metropolitan Standard Area, Consolidated Metropolitan Standard Area, or all nonmetropolitan areas in the State.

"(D) COMMERCIAL REVITALIZATION CREDIT AGENCY.—For purposes of this section, the term 'commercial revitalization credit agency' means any agency authorized by a State to carry out this section.

"(E) STATE.—For purposes of this section, the term 'State' includes a possession of the United States.

"(f) RESPONSIBILITIES OF COMMERCIAL REVITALIZATION CREDIT AGENCIES.—

"(1) PLANS FOR ALLOCATION.—Notwithstanding any other provision of this section, the commercial revitalization credit dollar amount with respect to any building shall be zero unless—

"(A) such amount was allocated pursuant to a qualified allocation plan of the commercial revitalization credit agency which is approved by the governmental unit (in accordance with rules similar to the rules of section 147(f)(2) (other than subparagraph (B)(ii) thereof)) of which such agency is a part, and

"(B) such agency notifies the chief executive officer (or its equivalent) of the local jurisdiction within which the building is located of such project and provides such individual a reasonable opportunity to comment on the project.

"(2) QUALIFIED ALLOCATION PLAN.—For purposes of this subsection, the term 'qualified allocation plan' means any plan—

"(A) which sets forth selection criteria to be used to determine priorities of the commercial revitalization credit agency which are appropriate to local conditions,

"(B) which considers—

"(i) the degree to which a project contributes to the implementation of a strategic

plan that is devised for an eligible commercial revitalization area through a citizen participation process,

"(ii) the amount of any increase in permanent, full-time employment by reason of any project, and

"(iii) the active involvement of residents and nonprofit groups within the eligible commercial revitalization area, and

"(C) which provides a procedure that the agency (or its agent) will follow in monitoring for compliance with this section.

"(g) TERMINATION.—This section shall not apply to any building placed in service after December 31, 2000."

(b) CONFORMING AMENDMENTS.—

(1) Section 39(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(8) NO CARRYBACK OF SECTION 48A CREDIT BEFORE ENACTMENT.—No portion of the unused business credit for any taxable year which is attributable to any commercial revitalization credit determined under section 48A may be carried back to a taxable year ending before the date of the enactment of section 48A."

(2) Subparagraph (B) of section 48(a)(2) of such Code is amended by inserting "or commercial revitalization" after "rehabilitation" each place it appears in the text and heading thereof.

(3) Subparagraph (C) of section 49(a)(1) of such Code is amended by striking "and" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting ", and", and by adding at the end the following new clause:

"(iv) the basis of any qualified revitalization building attributable to qualified revitalization expenditures."

(4) Paragraph (2) of section 50(a) of such Code is amended by inserting "or 48A(d)(2)" after "section 47(d)" each place it appears.

(5) Subparagraph (B) of section 50(a)(2) of such Code is amended by adding at the end the following new sentence: "A similar rule shall apply for purposes of section 48A."

(6) Paragraph (2) of section 50(b) of such Code is amended by striking "and" at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting ", and", and by adding at the end the following new subparagraph:

"(E) a qualified revitalization building to the extent of the portion of the basis which is attributable to qualified revitalization expenditures."

(7) Subparagraph (C) of section 50(b)(4) of such Code is amended by inserting "or commercial revitalization" after "rehabilitated" each place it appears in the text and heading thereof.

(8) Subparagraph (C) of section 469(i)(3) is amended—

(A) by inserting "or section 48A" after "section 42", and

(B) by striking "CREDIT" in the heading and inserting "AND COMMERCIAL REVITALIZATION CREDITS".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 1997.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. ASHCROFT, the name of the Senator from Wyoming [Mr. THOMAS] was added as a cosponsor of S. 4, a bill to amend the Fair Labor Standards Act of 1938 to provide to private sector employees the same opportunities for time-and-a-half compensatory time off, biweekly work programs, and flexible credit hour programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clarify the provisions relating to exemptions of certain professionals from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and for other purposes.

S. 28

At the request of Mr. THURMOND, the name of the Senator from Pennsylvania [Mr. SANTORUM] was added as a cosponsor of S. 28, a bill to amend title 17, United States Code, with respect to certain exemptions from copyright, and for other purposes.

S. 304

At the request of Mr. DORGAN, the names of the Senator from New York [Mr. D'AMATO] and the Senator from Arizona [Mr. KYL] were added as cosponsors of S. 304, a bill to clarify Federal law with respect to assisted suicide, and for other purposes.

S. 314

At the request of Mr. THOMAS, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 314, a bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes.

S. 366

At the request of Mr. COVERDELL, the name of the Senator from Nebraska [Mr. HAGEL] was added as a cosponsor of S. 366, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to prohibit the consideration of retroactive tax increases.

S. 368

At the request of Mr. BOND, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 368, a bill to prohibit the use of Federal funds for human cloning research.

S. 380

At the request of Mr. KENNEDY, the names of the Senator from Rhode Island [Mr. CHAFEE] and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of S. 380, a bill to prohibit foreign nationals admitted to the United States under a nonimmigrant visa from possessing a firearm.

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 380, supra.

S. 381

At the request of Mr. ROCKEFELLER, the names of the Senator from Maine [Ms. COLLINS] and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of S. 381, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for Medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

SENATE RESOLUTION 60

At the request of Ms. COLLINS, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Michigan [Mr. ABRAHAM], and the Senator from Indiana [Mr. LUGAR] were added as cosponsors of Senate Resolution 60, a resolution to commend students who have participated in the William Randolph Hearst Foundation Senate Youth Program between 1962 and 1997.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that the hearing scheduled before the full Energy and Natural Resources Committee to receive testimony from the Department of Energy and FERC on the President's 1998 budget, has been postponed.

The hearing was scheduled to take place on Tuesday, March 11, 1997, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC, and will be rescheduled later.

For further information, please call Karen Hunsicker, counsel (202) 224-3543 or Betty Nevitt, staff assistant at (202) 224-0765.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Tuesday, March 11, 1997, at 9:30 a.m. in room 485, Russell Senate Building to approve the committee's letter to the Committee on the Budget relating to the budget views and estimates for fiscal year 1998 for Indian programs.

Those wishing additional information should contact the Committee on Indian Affairs at (202) 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Wednesday, March 12, 1997, at 2:30 p.m. in room 106 of the Dirksen Senate Building with the Committee on Banking, Housing, and Urban Affairs to conduct a joint oversight hearing on Indian housing programs operated by the Department of Housing and Urban Development [HUD].

Those wishing additional information should contact the Committee on Indian Affairs at (202) 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, March 6, 1997, beginning at 2:15 p.m. to hold a hearing and markup on the Governmental Affairs Committee request for additional funding.

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

COMMITTEE ON ARMED SERVICES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, March 6, 1997, at 10 a.m. in open session, to consider the nomination of Keith R. Hall to be Assistant Secretary of the Air Force for Space.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, March 6, 1997, to conduct a hearing of the following nominees: Yolanda T. Wheat, of Maryland, to be a member of the National Credit Union Administration Board; Charles A. Gueli, of Maryland, to be a member of the Board of Directors of the National Institute of Building Sciences; Niranjan S. Shah, of Illinois, to be a member of the National Institute of Building Sciences; and Jeffery A. Frankel, of California, to be a member of the Council of Economic Advisers.

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

COMMITTEE ON FINANCE

Ms. COLLINS. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, March 6, 1997, beginning at 10 a.m. in room 213, Dirksen.

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

COMMITTEE ON FINANCE

Ms. COLLINS. Mr. President, the Finance Committee Subcommittee on Health Care requests unanimous consent to conduct a hearing on Thursday, March 6, 1997, beginning at 2 p.m. in room SD–215.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 6, 1997, at 2 p.m. to hold a hearing.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, March 6, 1997, at 9:30 a.m. for a hearing on Federal tax policy for the District of Columbia.

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

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, the Committee on the Judiciary asks unanimous consent to hold an executive business meeting on Thursday, March 6, 1997, at 10 a.m., in room 226 of the Senate Dirksen Office Building.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on health care quality and consumer protection during the session of the Senate on Thursday, March 6, 1997, at 10 a.m.

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

COMMITTEE ON VETERANS' AFFAIRS

Ms. COLLINS. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Committee on Veterans' affairs to receive the legislative presentation of the Paralyzed Veterans of America, Jewish War Veterans, the Retired Officers Association, Association of the U.S. Army, Non-Commissioned Officers Association, the Military Order of the Purple Heart, and the Blinded Veterans Association. The hearing will be held on March 6, 1997, at 9:30 a.m., in room 345 of the Cannon House Office Building.

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

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on International Operations of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 6, 1997, at 10 a.m. to hold a hearing.

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

SUBCOMMITTEE ON CONSUMER AFFAIRS AND FOREIGN COMMERCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Consumer Affairs and Foreign Commerce and Tourism Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on March 6, 1997, at 2:30 p.m. on product liability reform: Success of the General Aviation Revitalization Act.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 6, 1997, at 2 p.m. to hold a closed business meeting on intelligence matters.

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

SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure be granted permission to conduct a hearing Thursday, March 6, at 9:30 a.m., hearing room SD–406, on the Intermodal Surface Transportation Efficiency Act and innovative transportation financing, technology, construction, and design practices.

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

SUBCOMMITTEE ON OCEANS AND FISHERIES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Oceans and Fisheries and Science, Technology and Space Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on March 6, 1997, at 10 a.m. on review of NOAA's fiscal year 1998 budget request.

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

ADDITIONAL STATEMENTS

FARMING THE NEW FRONTIER

• Mr. LUGAR. Mr. President, I rise today to congratulate a group of young Indiana students who have shown great educative achievement. I would like to bring to the attention of my colleagues the winners of the 1996–97 Eigth Grade Youth Essay Contest which I sponsored in association with the Indiana Farm Bureau and Bank One of Indianapolis. These students have displayed strong writing abilities and have proven themselves to be outstanding young Hoosier scholars. I submit their names for the CONGRESSIONAL RECORD because they demonstrate the capabilities of today's students and are fine representatives of our Nation.

This year, Hoosier students wrote on the theme, "Farming the New Frontier." Students were encouraged to consider and creatively express the role of Indiana agriculture in our country and in the world marketplace. I would like to submit for the RECORD the winning essays of Shannon McArtor of Monroe County and Kyle Roth of Pulaski County. As State winners of the Youth Essay Contest, these two outstanding students are being recognized on Friday, March 7, 1997, during a visit to our Nation's Capitol.

The essays are as follows:

FARMING THE NEW FRONTIER

(By Shannon McArtor)

Vegetables that grow in water? Seedless watermelon? Miniature cobs of corn? Hearty soybeans? American farmers are boldly going where no one has gone before!

Biotechnology is going through major changes that will affect our lives as we approach the 21st century. Biotechnology will help farmers grow more, and better, crops such as corn, beans, alfalfa, and wheat. The future is bright for forage producers, due in part to new technology that allows industries to grow bigger, tastier, and better vegetables and grains.

Biotechnology has created a hybrid of soybean that can withstand certain harmful herbicides. The STS gene protects soybeans from sulfonylurea herbicides only. Soybean

varieties with resistance to certain herbicides are now available. The farmer has a choice in selecting programs to control weeds.

Because of advances in biotechnology there are corn hybrids that can resist the harsh substance called glufosinate-ammonium which is the active ingredient in New Liberty herbicide. Biotechnology has also helped to find hybrids that can resist the European corn borer. These hybrids produce a gene that contains a protein that protects these plants from damage caused by ECB (European corn borer). This gene originated from a bacterium and originally placed in the corn inbred line using techniques of biotechnology. The addition of B+ gene enhances protection of crops because the plants will achieve levels of insect resistance which are not possible using traditional breeding methods.

These new discoveries in farming will keep our nation healthy in more than one way. It will give us an ample supply of corn and beans on less acres. It will protect the vitamins contained in grains and vegetables thus providing better foods to eat. Biotechnology is going to make life better!

FARMING THE NEW FRONTIER

(By Kyle Roth)

Hello! Welcome to Bio Tech Laboratories. My name is Dr. Bio. Tech and I will be your tour guide today as we take a walk through my laboratory. Follow me while I show you just a few of the interesting things we have been working on. You know, biotechnology research wants to make a crop production more efficient and also create new varieties of crops.

Take a look at the tomato and potato. We have genetically transferred a gene from an Arctic fish to the tomato increasing its freeze tolerance. The potato has been crossed with soil bacteria to make it insect resistant.

As we go outside, Keep in mind that the world population is increasing and valuable farm ground is being gobbled up by land developers. We try to help farmers by developing seeds that will be resistant to weeds, insects, and disease. Every number that you see by this corn test plot has a different "specialty". This one is drought resistant. Another one has long full ears. That one prefers a certain soil type. Because farmers feed the world, we want them to have access to global positioning-farming by computer-so that they will produce more food.

Trying not to be scientific, I must say genetic engineering is a very powerful tool in biotechnology. We are developing new traits into crops and livestock. Vegetable crops can be altered to produce vegetables that taste and look better. Don't those green beans look appetizing? They also have improved nutritional quality.

Feast your eyes on that bread! The yeast has been altered to make the bread taste better. With the wide variety of food we have to offer, consumers can have a greater choice; and because we have improved the quality and nutrients, these food products are also healthier. Thanks for stopping by, and try a slice of our great tasting bread on your way out!

1996–97 DISTRICT WINNERS

District 1: Kyle Roth, Melissa Lichtenbarger
District 2: Ryan Johnson, Heather Butts
District 3: Ryan Frey, Julia Pokorney
District 4: Shawn Smith, Trisha Penner
District 5: Timothy Heck, Marni Yeagley
District 6: Cory Bohlander, Melissa Winebarger
District 7: Brandon Roe, Shannon McArtor
District 8: Thomas Naylor, Christine Jeffrey
District 9: John Saalweachter, Christa Rentehler
District 10: Allen Haberthier, Katrina Madden

1996–97 COUNTY WINNERS

Bartholomew: Peter Reichenbach, Christine Jeffrey
Boone: Timothy Heck, Charlotte Orr
Cass: Shawn Baker, Julia Pokorney
Carroll: Lance Hofmann
Dearborn: Nathan Lehn, Claire Cradler
Decatur: David Stewart
Delaware: Joel Rossol, Melissa Winebarger
Fayette: Thomas Naylor
Fulton: Johanna Martin
Gibson: Carolyn Moseley
Hamilton: Sam Tischfield, Natalie Templeton
Hancock: Jimmy Asher, Heather Hobbs
Henry: John Sweigart
Huntington: Nathan Scheiber, Jennifer Stetzel
Jackson: Christopher Lambring, Cheyenne Hackman
Jay: Dustin Knipp, Tarra Rothburn
Kosciusko: Isaac Wildman, Heather Butts
Lake: Wesley Gordon, Mary Owen
Madison: Cory Bohlander, Jessica Landess
Marion: Bob Cook, Christy Utnage
Miami: John Einselen
Montgomery: Wes Ambrose, Marni Yeagley
Newton: Ryan Haste
Portor: Bryan Martinez, Allison Payer
Posey: John Saalweachter, Jennifer Symanski
Randolph: Wade Chalfant
St. Joseph: Andrew Callan, Melissa Lichtenbarger
Spencer: Carmen Dominquez
Vanderburgh: Bradley Painter, Leslie Rudolph
Wabash: Shawn Smith, Trisha Penner
Warrick: Benfamin Baker, Christa Rentchler
Wells: Jenni Mason.●

NATIONAL SPORTSMANSHIP DAY

● Mr. REED. Mr. President, I rise in honor of National Sportsmanship Day, which was observed on March 4, in over 8,000 schools in all 50 States and 75 countries throughout the world.

National Sportsmanship Day was conceived by the Institute for International Sport, located in my home State of Rhode Island. The Institutes slogan, "Dare to Play Fair," challenges athletes, coaches, administrators, and parents to reflect on the true meaning of competition and to discuss the importance of ethics and fair play in sport, the classroom, and everyday life.

The centerpiece of this years National Sportsmanship Day was a seminar and town meeting at the University of Rhode Island discussing the issue of violence in sport. This day long event included panels composed of professional athletes, coaches, and journalists who discussed the many different aspects of this issue.

In addition, the Institute has enlisted the help of several Sports Ethics Fellows, including the winner of baseball's Roberto Clemente Man of the Year Award and 10 time All-Star for the Minnesota Twins, Kirby Puckett, Rhode Island's own Brad Faxon, one of the top golfers on the PGA tour and the cofounder of the Billy Andrade-Brad Faxon Charities for Children Program. These men and women are wonderful role models who can be admired for more than just their athletic prowess. They have consistently demonstrated an interest in furthering the principles of honesty and integrity in sport and society.

Indeed, the Sports Ethics Fellows are helping to teach the important lessons of National Sportsmanship Day by writing articles on sportsmanship and developing programs for National Sportsmanship Day. Through competition, young athletes can learn that while winning is a worthy goal, honor, discipline, and hard work are more important. Indeed, these values will guide them in all aspects of everyday life.

Mr. President, I ask my colleagues to join the President's Council on Physical Fitness and Sports and the Rhode Island congressional delegation in recognizing this day and the principles it embodies.●

HOME OFFICE TAX DEDUCTION

● Mr. BURNS. Mr. President, as an original cosponsor of the home office tax deduction bill introduced today by Senator HATCH, I rise in strong support of this measure and urge its expeditious passage in the Senate.

Today, home-based business is the new workplace. The new workplace is interactive video, the Internet, and digital documents. Telecommuting is now common, saving travel costs and time. But it's not just a matter of cost, it's a matter of lifestyle. With technology, the new workplace means you can live anywhere you want and still make a living doing what you love. And spend a few extra hours with the kids. In my State of Montana, where there's a lot of dirt between light bulbs, those extra hours really add up.

Back in 1993, shortly after the Supreme Court's Soliman decision, I introduced the home office tax deduction bill, and I've been pushing for it ever since. We must allow a tax deduction for essential activities, such as billing, performed in the home when that is the only available place for such activities. As the law now stands, workers like Dr. Soliman who spend 15 hours per week doing billing in an exclusive home office are denied the deduction. That's not right. Home offices that are used regularly and solely for business purposes—whether it's by physicians, salespeople, or mothers working at home—should be an allowable deduction.

A few weeks ago the Senate Small Business Committee, of which I am a

member, held a hearing on women-owned and home-based businesses. We heard from small businesspeople who expressed their frustration with Federal tax laws that hinder their ability to succeed. Some of today's largest companies started as home businesses, and the potential for job and economic growth is unlimited, provided the tax code is not a barrier to that growth.

I thank Senator HATCH for introducing this measure today.•

HONORING THE WOMEN'S BUSINESS DEVELOPMENT CENTER

• Ms. MOSELEY-BRAUN. Mr. President, I want to take a moment to recognize the achievements of the Women's Business Development Center [WBDC]. Today, they are celebrating their 10th anniversary, and I truly wish I were able to join their celebration in person.

Currently, there are over 8 million women-owned businesses in the United States, generating $2.3 trillion in sales. In my home state of Illinois alone, there are over 350,000 women business owners. Women business owners across the country employ one of every four U.S. company workers, and women in business are contributing to economic growth both at home and abroad. The story of women in business is one of unqualified success, and that success is thanks in no small part to organizations like the Women's Business Development Center.

For the past decade, the WBDC has dedicated itself to providing services and programs that support and accelerate women's business ownership and strengthen the impact of women on the economy. Founded in 1986 by Carol Dougal and Hedy Ratner, the WBDC is currently active in six States—Illinois, Indiana, Ohio, Florida, Massachusetts, and Pennsylvania, and has served over 30,000 women business owners. The highly successful programs and services of the WBDC are many in number, including counseling, workshops, entrepreneurial training, the women's business finance programs, the women's business enterprise initiative, the entrepreneurial women's conference and women's business and buyer's mart.

I wish to commend the WBDC for their vital role in the growing economic impact of women business owners on our Nation's economy. I am proud that the WBDC was founded in Illinois, and that the effects of their good works are felt far beyond the borders of my State.•

PARTIAL BIRTH ABORTION BAN ACT OF 1997

• Mr. BURNS. Mr. President, I rise to express my strong support for S. 6, the Partial Birth Abortion Ban Act of 1997. As a cosponsor of this bill, I want to take a moment to discuss why it is so important that we act on it as soon as possible.

Mr. President, as my voting record shows, I have always voted pro-life on issues concerning abortion. However, my support for S. 6 and my vote on the partial birth abortion ban during the 104th Congress was not simply a moral judgment on abortion. This debate is not about reproductive choice; it's not even about abortion. Partial birth abortion is a cruel procedure and is abhorrent to most Americans. In fact, most physicians believe it is never medically necessary. This procedure is far beyond human decency.

Mr. President, it is shocking to me that the debate over partial birth abortion is even necessary. A procedure whereby a child is partly delivered and then its brains are suctioned out has no place in a civilized society. It certainly has no place in America. Let's join together, pro-life and pro-choice, and do the right thing. Let's put an end to this cruel procedure.•

HONORING THE GLEANERS COMMUNITY FOOD BANK OF GREATER DETROIT

• Mr. LEVIN. Mr. President, I have the distinct honor of paying tribute to the Gleaners Community Food Bank of Greater Detroit, which this year celebrates its 20th year of providing food to needy people in southeastern Michigan.

On March 12, 1997, the Gleaners annual Women's Power Breakfast will bring together more than 200 of southeast Michigan's civic, professional, and corporate leaders to help lead the fight against hunger. The power breakfast was created 4 years ago by Gleaners board member Dulcie Rosenfeld and is led this year by honorary co-chairs Michelle Engler and Judge Trudy Archer, and by breakfast co-chairs Irma Elder, Barbara Levin, Helen Love, and Amanda Van Dusen. Knowing the considerable talent and commitment of these women, I have no doubt that breakfast participants will meet their challenge of raising money and awareness to help Gleaners find solutions to hunger in southeastern Michigan.

Gleaners Community Food Bank was founded in 1977 with a mission of bringing together food, resources, and manpower into a single collection, storage, and distribution center to help feed southeastern Michigan's hungry. Since its creation, Gleaners has collected surplus food from the region's farmers, food distributors and processors, supermarkets, grocery stores, and individuals. Each year, this vital organization collects, stores, and distributes more than 12 million pounds of food to more than 200 agencies, including soup kitchens, church pantries, and shelters for homeless or battered women.

Since its inception, Gleaners has been able to rely on the generosity of the people of southeastern Michigan. Each Saturday, approximately 100 volunteers from church groups, schools, unions, and corporations come together to assemble food packs for distribution to various agencies. Food drives, fundraising events, corporate donations, foundation grants, and donations from individuals contribute greatly to Gleaners success.

Hunger is faced by people of all ages, races, and socio-economic levels in communities throughout our Nation. I am proud to have such a dedicated and successful organization leading the fight against this problem in my home State. We should all take inspiration from the example we see here and recommit our efforts to eradicate hunger in this country and around the world.•

FAMILY FRIENDLY WORKPLACE ACT

• Mr. BURNS. Mr. President, as a cosponsor of S. 4, the Family Friendly Workplace Act of 1997, I rise to express my strong support for this legislation.

Mr. President, Americans have always struggled to balance the conflicting demands of work and family, but today, more than ever, families, especially double earners, are finding the old, rigid workplace structure of a different era to be the main barrier to a family friendly schedule. This is ironic because today's technology makes telecommuting from home common through the Internet and interactive video, allowing the flexibility many workers need to spend more time with their families.

The problem is that in the eyes of our Federal laws the workplace has not changed since the 1930's. Federal wage-and-hour laws were developed during the New Deal era, when about one mother in six with school-aged children worked. But the workplace is vastly different today. Over 70 percent of mothers with kids in school work, and the rigid 8-hour-per-day, 40-hour-per-week work schedule is less rational or justifiable. Simply put, the wage-and-hour laws belong in a different era—one that ended about 50 years ago.

Federal Government workers have had a flexible work schedule option for three decades. Under a flextime arrangement, many Federal employees work 10-hour days, 4 days per week. For a mother with a young child, this means 1 less day per week she'll have to pay for daycare. You can bet that adds up.

Flextime has been a tremendous benefit for Federal workers, especially women. Why shouldn't non-Federal workers have this benefit as well? The answer is that they should, and that's what S. 4 will do. Under this bill, an employee will have three options: First, flexible scheduling—to work additional hours 1 week for credit, up to 50 hours, toward a shorter work day or

work week later at full pay; second, biweekly scheduling—to schedule 80 hours over a 2-week period in any combination; or third, compensatory time off—to choose time-and-a-half compensatory time off, up to 240 hours—160 hours at time-and-a-half, for overtime hours worked in lieu of time-and-a-half pay. No employee may be required to participate in these programs, and coercion or intimidation by the employer with respect to participation is prohibited.

This is commonsense legislation endorsed by Working Women and Working Mother magazines. It's time to tear down the barriers to a family friendly workplace and give hardworking Americans the flexibility to spend time with their families.●

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following report(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
David W. Carle:									
Canada	Dollar	553	404.00					553	404.00
United States	Dollar				684.00				684.00
Edward J. Barron:									
Singapore	Dollar	2,294.84	1,638.00					2,294.84	1,638.00
United States	Dollar				4,698.95				4,698.95
Switzerland	Franc	868.10	686.00					868.10	686.00
Italy	Lire	2,132,790	1,405.00					2,132,790	1,405.00
United States	Dollar				3,529.55				3,529.55
Katherine M. Howard:									
Japan	Dollar		656.00						656.00
Hong Kong	Dollar		1,577.90						1,577.90
Singapore	Dollar		2,185.37						2,185.37
United States	Dollar				4,701.95				4,701.95
Switzerland	Dollar		1,029.00						1,029.00
Italy	Dollar		1,405.00						1,405.00
United States	Dollar				4,124.55				4,124.55
Total			10,986.27		17,739.00				28,725.27

RICHARD G. LUGAR,
Chairman, Committee on Agriculture, Nutrition, and Forestry, Feb. 6, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Patrick Leahy:									
Canada	Dollar	553.20	389.00			20.00	14.60	573.20	403.60
United States	Dollar				684.00				684.00
Timothy Rieser:									
Canada	Dollar	478.20	349.23					478.20	349.23
United States	Dollar				684.00				684.00
Total			738.23		1,368.00		14.60		2,120.83

MARK O. HATFIELD,
Chairman, Committee on Appropriations, Oct. 28, 1996.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Charles S. Abell:									
Japan	Dollar		512.00						512.00
Hong Kong	Dollar		394.00						394.00
Korea	Dollar		1,248.00						1,248.00
Patrick T. Henry:									
Japan	Dollar		1,250.00						1,250.00
Hong Kong	Dollar		394.00						394.00
Korea	Dollar		1,248.00						1,248.00
Senator John S. McCain:									
Thailand	Baht	5,507	217.00					5,507	217.00
Burma	Dollar		155.00						155.00
Cambodia	Dollar		472.00						472.00
Vietnam	Dollar		882.00						882.00
Hong Kong	Dollar		970.00						970.00
United States	Dollar				3,285.95				3,285.95
Marshall A. Salter:									
Thailand	Baht	5,507	217.00					5,507	217.00
Burma	Dollar		155.00						155.00
Cambodia	Dollar		472.00						472.00
Vietnam	Dollar		882.00						882.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hong Kong	Dollar		970.00						970.00
United States	Dollar				3,221.95				3,221.95
J. Philip Reberger:									
Korea	Dollar		524.00						524.00
Senator Dirk Kempthorne:									
Korea	Dollar		524.00						524.00
Steven Wolfe:									
Korea	Dollar		936.00						936.00
Senator John Warner:									
United Kingdom	Dollar		927.00						927.00
Cord Sterling:									
Panama	Dollar		75.00						75.00
Colombia	Dollar		486.00						486.00
United States	Dollar				892.95				892.95
Bert Mizusawa:									
Panama	Dollar		808.02						808.02
United States	Dollar				1,335.95				1,335.95
Total			14,718.02		8,736.80				23,454.82

STROM THURMOND,
Chairman, Committee on Armed Services, Feb. 18, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1, TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Brent Franzel:									
Indonesia	Dollar		675.00						675.00
United States	Dollar				763.00				763.00
Total			675.00		763.00				1,438.00

ALFONSE D'AMATO,
Chairman, Committee on Banking, Housing, and Urban Affairs,
Feb. 7, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mark Ashby:									
Singapore	Dollar	2,609.60	1,864.00					2,609.60	1,864.00
United States	Dollar				4,224.95				4,224.95
Earl W. Comstock:									
Russia	Dollar		1,700.00						1,700.00
United States	Dollar				1,843.95				1,843.45
John T. McCabe:									
Russia	Dollar		1,700.00						1,700.00
United States	Dollar				1,843.45				1,843.45
Senator Ernest F. Hollings:									
Ireland	Pound	833.46	1,355.00					833.46	1,355.00
Ivan A. Schlager:									
Ireland	Pound	833.46	1,355.00					833.46	1,355.00
United States	Dollar				972.45				972.45
Senator Bill Frist:									
Thailand	Baht	16,490	651.00					16,490	651.00
Mark Tipps:									
Thailand	Baht	16,490	651.00					16,490	651.00
Total			9,276.00		8,884.30				18,160.30

JOHN McCAIN,
Chairman, Committee on Commerce, Science, and Transportation,
Feb. 6, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Frank Murkowski:									
Hong Kong	Dollar	9,200	776.60					9,200	776.60
Taiwan	Dollar	17,411	634.50					17,411	634.50
Japan	Yen	96,282	851.00					96,282	851.00
United States	Dollar				4,776.32				4,776.32
Gregg Renkes:									
Hong Kong	Dollar	9,200	776.60					9,200	776.60
Taiwan	Dollar	17,411	634.50					17,411	634.50

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Japan	Yen	127,735.92	1,129.00					127,735.92	1,129.00
United States	Dollar				4,098.32				4,098.32
Deanna Okun:									
Hong Kong	Dollar	9,200	776.60					9,200	776.60
Taiwan	Dollar	17,411	634.50					17,411	634.50
Japan	Yen	96,282	851.00					96,282	851.00
United States	Dollar				4,098.32				4,098.32
David Garman:									
Switzerland	Franc		2,223.70						2,223.70
United States	Dollar				1,117.15				1,117.15
Total			9,288.00		14,090.11				23,378.11

FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, Feb. 25, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Steve Biegun:									
Belarus	Dollar		750.00						750.00
Ukraine	Dollar		750.00						750.00
United States	Dollar				3,783.00				3,783.00
Daniel Fisk:									
Nicaragua	Dollar		1,178.00						1,178.00
United States	Dollar				846.95				846.95
Panama	Dollar		446.25						446.25
United States	Dollar				520.95				520.95
Garrett Grigsby:									
Rwanda	Dollar		1,715.00						1,715.00
United States	Dollar				6,690.95				6,690.95
Michael Haltzel:									
Germany	Mark	1,014.35	662.50					1,014.35	662.50
United Kingdom	Pound	375.37	618.00					375.37	618.00
United States	Dollar				5,371.35				5,371.35
Gina Marie Hatheway:									
Panama	Dollar		578.00						578.00
United States	Dollar				971.59				971.59
Linda Rotblatt:									
Italy	Lira	2,428,198	1,599.60					2,428,198	1,599.60
United States	Dollar				3,430.25				3,430.25
Daniel Shapiro:									
China	Dollar		753.00						753.00
Hong Kong	Dollar		1,576.00						1,576.00
Taiwan	Dollar		282.00						282.00
Nepal	Dollar		1,442.00						1,442.00
United States	Dollar				4,617.95				4,617.95
Curt Silvers:									
Hong Kong	Dollar	10,500	1,358.00					10,500	1,358.00
Taiwan	Dollar	15,482	564.00					15,482	564.00
Malaysia	Ringgit	1,530.15	606.00					1,530.15	606.00
United States	Dollar				4,197.85				4,197.85
Senator Fred Thompson:									
Hong Kong	Dollar	10,500	1,358.00					10,500	1,358.00
Taiwan	Dollar	15,482	564.00					15,482	564.00
Malaysia	Ringgit	1,530.15	606.00					1,530.15	606.00
United States	Dollar				7,131.85				7,131.85
Christopher Walker:									
Rwanda	Dollar		1,660.00						1,660.00
United States	Dollar				6,690.00				6,690.00
Steve Phillips:									
Singapore	Dollar	1,912.37	1,365.00					1,912.37	1,365.00
United States	Dollar				4,250.95				4,250.95
Marshall Billingslea:									
The Netherlands	Guilder	1,554.53	895.00					1,554.53	895.00
United States	Dollar				3,271.55				3,271.55
Total			21,326.35		51,775.19				73,101.54

JESSE HELMS,
Chairman, Committee on Foreign Relations, Jan. 30, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Richard Hertling:									
United States	Dollar				4,320.95				4,320.95
Argentina	Peso	1,667	1,667.00	50	50.00			1,717	1,717.00
Michael Myers:									
United States	Dollar				6,359.35				6,359.35
Kenya	Shilling	26,169.60	470.00					26,169.60	470.00
Kenya	Dollar		315.00						315.00
Rwanda	Dollar		565.00						565.00
Steven Etka:									
United States	Dollar				2,944.95				2,944.95

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Singapore	Dollar	1,874.54	1,338.00					1,874.54	1,338.00
Total			4,355.00		13,675.25				18,030.25

ORRIN HATCH,
Chairman, Committee on the Judiciary, Jan. 24, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), SELECT COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Suzanne Spaulding			818.44		4,635.00				5,453.44
Mark Heilbrun			1,792.00		5,395.95				7,187.95
Senator Richard Shelby			2,192.00		2,805.95				4,997.95
Tom Young			2,240.00		2,841.95				5,081.95
Pete Dorn			2,293.00		2,841.95				5,134.95
Senator Arlen Specter			259.79						259.79
Craig Synder			2,760.48						2,760.48
Senator Mike DeWine			345.00						345.00
Mark Heilbrun			471.00						471.00
Laura Pressler			549.90						549.90
Emily Francona			1,746.00		3,978.95				5,724.95
Randy Schieber			1,433.00		3,978.95				5,411.95
Alfred Cumming			410.10		1,396.95				1,807.05
Melvin Dubee			389.10		1,396.95				1,786.05
Total			17,699.81		29,272.60				46,972.41

ARLEN SPECTER,
Chairman, Select Committee on Intelligence, Jan. 16, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), JOINT ECONOMIC COMMITTEE FOR TRAVEL FROM OCT. 1 TO DEC. 31, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Representative Pete Stark:									
France	Franc	1,703.36	333.00	2,335.98	457.14			4,039.34	790.14
Total			333.00		457.14				790.14

CONNIE MACK,
Chairman, Joint Economic Committee, Jan. 13, 1997.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY THE DEMOCRATIC LEADER FROM NOV. 8 TO NOV. 17, 1996

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom Daschle:									
Vietnam	Dollar		842.00						842.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	2,836.91	367.00					2,836.91	367.00
Taiwan	Dollar	6,089.46	222.00					6,089.46	222.00
Senator John Glenn:									
Vietnam	Dollar		722.00						722.00
People's Republic of China	Yuan	2,462.13	297.00					2,462.13	297.00
Hong Kong	Dollar	1,777.90	230.00					1,777.90	230.00
Taiwan	Dollar	3,513.60	128.00					3,513.60	128.00
Senator Patrick Leahy:									
Vietnam	Dollar		850.00						850.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	3,045.62	394.00					3,045.62	394.00
Taiwan	Dollar	7,741.00	282.00					7,741.00	282.00
Senator Byron Dorgan:									
Vietnam	Dollar		835.00						835.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	3,045.62	394.00					3,045.62	394.00
Taiwan	Dollar	7,741.00	282.00					7,741.00	282.00
Senator Dirk Kempthorne:									
Vietnam	Dollar		882.00						882.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	6,360.00	826.00					6,360.00	826.00
Nancy Erickson:									
Vietnam	Dollar		682.00						682.00
People's Republic of China	Yuan	3,249.68	392.00					3,249.68	392.00
Hong Kong	Dollar	2,063.91	263.00					2,063.91	263.00
Taiwan	Dollar	3,513.60	128.00					3,513.60	128.00
Sheila Murphy:									
Vietnam	Dollar		688.00						688.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY THE DEMOCRATIC LEADER FROM NOV. 8 TO NOV. 17, 1996—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
People's Republic of China	Yuan	2,727.41	329.00					2,727.41	329.00
Hong Kong	Dollar	1,909.31	247.00					1,909.31	247.00
Taiwan	Dollar	4,995.90	182.00					4,995.90	182.00
Phil Reberger:									
Vietnam	Dollar		882.00						882.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	6,360.00	826.00					6,360.00	826.00
Sally Walsh:									
Vietnam	Dollar		700.00						700.00
People's Republic of China	Yuan	4,161.60	502.00					4,161.60	502.00
Hong Kong	Dollar	3,045.62	394.00					3,045.62	394.00
Taiwan	Dollar	4,995.90	182.00					4,995.90	182.00
Delegation expenses:[1]									
Vietnam							1,811.17		1,811.17
People's Republic of China							509.48		509.48
Hong Kong							3,689.66		3,689.66
Taiwan							580.26		580.26
Total			16,460.00				6,590.57		23,050.57

[1] Delegation expenses include direct payments and reimbursements to the Department of State and the Department of Defense under authority of Section 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of Public Law 95–384, and Senate Resolution 179, agreed to May 25, 1977.

TOM DASCHLE,
Democratic Leader, Feb. 27, 1997.

MEASURE INDEFINITELY POSTPONED—SENATE JOINT RESOLUTION 14

Mr. GRASSLEY. Mr. President, on behalf of the majority leader, I ask unanimous consent that Calendar No. 15, Senate Joint Resolution 14, be indefinitely postponed.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Calendar Nos. 27 through 33, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy.

I further ask unanimous consent that the nominations be confirmed, that the motions to reconsider be laid upon the table, that any statements relating to the nominations appear at this point in the RECORD, that the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

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

The nominations were considered and confirmed as follows:

AIR FORCE

The following-named officer for appointment in the United States Air Force to the grade indicated under title 10, United States Code, section 624:

To be major general

Brig. Gen. Steven R. Polk, 6022.

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. Thomas P. Wittman, 2806.

The following-named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. David L. Vesely, 0433.

The following-named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Lt. Gen. Lawrence P. Farrell, Jr., 7344.

The following-named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Joseph E. Hurd, 5386.

MARINE CORPS

The following-named officer for promotion in the United States Marine Corps to the grade indicated under title 10, United States Code, section 624:

To be major general

Brig. Gen. Joseph T. Anderson, 6299.
Brig. Gen. Raymond P. Ayres, 5986.
Brig. Gen. Emil R. Bedard, 9035.
Brig. Gen. Charles F. Bolden, Jr., 5603.
Brig. Gen. Earl B. Hailston, 8306.
Brig. Gen. Bruce B. Knutson, Jr., 7136.
Brig. Gen. Gary S. McKissock, 8973.
Brig. Gen. William L. Nyland, 8595.
Brig. Gen. Ronald G. Richard, 8683.

The following-named officer for appointment in the Reserve of the United States Marine Corps to the grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. Jack A. Davis, 8721.
Col. Francis E. Quinlan, 3009.

IN THE AIR FORCE, ARMY, MARINE CORPS, NAVY

Air Force nomination of James J. Walter, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of February 5, 1997.

Air Force nomination of Alberto B. Zambrano, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of February 6, 1997.

Air Force nominations beginning Guy E. Acheson, and ending Burton L. Ziskind, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 6, 1997.

Army nominations beginning Timothy Albertson, and ending Philip R. Zelson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 30, 1997.

Army nominations beginning Steven R. Abt, and ending John Z. Zupko, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 30, 1997.

Marine Corps nominations beginning Neita A. Armstrong, and ending Matthew P. Segrest, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 11, 1997.

Navy nomination of Bruce G. Lalonde, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of January 7, 1997.

Navy nominations beginning Thomas J. Campbell, and ending John A. D'Alessandro, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 7, 1997.

Navy nominations beginning Timothy F. Archer, and ending Melanie J. Larson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 7, 1997.

Navy nominations beginning Donald L. Beem, and ending Edgardo Perez-lugo, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of January 7, 1997.

Navy nomination of Larry L. Blakesley, which was received by the Senate and appeared in the CONGRESSIONAL RECORD of January 22, 1997.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

ORDERS FOR MONDAY, MARCH 10, 1997

Mr. GRASSLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 12 noon on Monday, March 10. I ask unanimous consent that on Monday, immediately following the prayer, the routine requests through the morning hour be granted and there be a period of morning business until the hour of 3 p.m. with Senators to speak for up to 5 minutes each, except for the following:

Senator THOMAS, 30 minutes;

Senator FEINSTEIN, 2 hours;

Senator DASCHLE or designee, 30 minutes.

I further ask unanimous consent that at the hour of 3 p.m. the Senate proceed to the consideration of Senate Resolution 39 regarding committee funding.

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

PROGRAM

Mr. GRASSLEY. Mr. President, for the information of all Senators, the Senate will not be in session on Friday and will return on Monday for business. Following morning business on Monday, the Senate will begin consideration of the Governmental Affairs funding resolution. That resolution was reported by the Rules Committee this afternoon.

The majority leader will be discussing with the Democratic leader the possibility of an agreement on this resolution which would allow us to complete action on that resolution early next week. The majority leader will notify all Members when this agreement is reached and the voting schedule as it becomes clear. However, any votes ordered on Monday will be stacked to occur on Tuesday at a time to be determined later.

ADJOURNMENT UNTIL MONDAY, MARCH 10, 1997

Mr. GRASSLEY. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:33 p.m., adjourned until Monday, March 10, 1997, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate, March 6, 1997:

OFFICE OF PERSONNEL MANAGEMENT

JAMES B. KING, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF 4 YEARS. (REAPPOINTMENT)

CONFIRMATIONS

Executive nominations confirmed by the Senate March 6, 1997:

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. STEVEN R. POLK, X...

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be brigadier general

COL. THOMAS P. WITTMAN, X...

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID L. VESELY, X...

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

LT. GEN. LAWRENCE P. FARRELL, JR., X...

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. JOSEPH E. HURD, X...

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE U.S. MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. JOSEPH T. ANDERSON, X...
BRIG. GEN. RAYMOND P. AYRES, X...
BRIG. GEN. EMIL R. BEDARD, X...
BRIG. GEN. CHARLES F. BOLDEN, JR., X...
BRIG. GEN. EARL B. HAILSTON, X...
BRIG. GEN. BRUCE B. KNUTSON, JR., X...
BRIG. GEN. GARY S. MCKISSOCK, X...
BRIG. GEN. WILLIAM L. NYLAND, X...
BRIG. GEN. RONALD G. RICHARD, X...

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE U.S. MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be brigadier general

COL. JACK A.DAVIS, X...
COL. FRANCIS E. QUINLAN, X...

IN THE AIR FORCE

AIR FORCE NOMINATION OF JAMES J. WALTER, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 5, 1997.

AIR FORCE NOMINATION OF ALBERTO B. ZAMBRANO, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 6, 1997.

AIR FORCE NOMINATIONS BEGINNING GUY E. ACHESON, AND ENDING BURTON L. ZISKIND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 6, 1997.

IN THE ARMY

ARMY NOMINATIONS BEGINNING TIMOTHY ALBERTSON, AND ENDING PHILIP R. ZELSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 30, 1997.

ARMY NOMINATIONS BEGINNING STEVEN R. ABT, AND ENDING JOHN E. ZUPKO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 30, 1997.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING NEITA A. ARMSTRONG, AND ENDING MATTHEW P. SEGREST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 11, 1997.

IN THE NAVY

NAVY NOMINATION OF BRUCE G. LALONDE, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 7, 1997.

NAVY NOMINATIONS BEGINNING THOMAS J. CAMPBELL, AND ENDING JOHN A. D'ALESSANDRO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 7, 1997.

NAVY NOMINATIONS BEGINNING TIMOTHY F. ARCHER, AND ENDING MELANIE J. LARSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 7, 1997.

NAVY NOMINATIONS BEGINNING DONALD L. BEEM, AND ENDING EDGARDO PEREZ-LUGO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 7, 1997.

NAVY NOMINATION OF LARRY L. BLAKESLEY, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 22, 1997.