

She already has demonstrated her affinity for hard work and tenacity. Shawntel competed in three Miss Oklahoma pageants before she won the title in July of this year.

After the pageant, Shawntel's father, Gailen Smith, commented that when Shawntel speaks to people, her inner beauty shines through. What a wonderful and appropriate sentiment. I congratulate Gailen, and Shawntel's mother, Karen, whose daughter possesses not only physical beauty, but inner beauty and strength of character as well.

Mr. President, Shawntel's example rekindles our belief in each individual's ability to accomplish something extraordinary and restores our confidence in the American spirit of helping others realize their dreams. Our State of Oklahoma, which is home to the finest people anywhere, celebrates her achievement.

Congratulations, Shawntel. We are pleased for you and look forward with great pride to the year ahead as you represent our State and our Nation.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the impression will not go away: The \$4.9 trillion Federal debt stands today as a sort of grotesque parallel to television's energizer bunny that appears and appears and appears in precisely the same way that the Federal debt keeps going up and up and up.

Politicians like to talk a good game—and talk is the operative word—about reducing the Federal deficit and bringing the Federal debt under control. But watch how they vote. Control, Mr. President. As of Wednesday, September 27, at the close of business, the total Federal debt stood at exactly \$4,955,602,761,788.67 or \$18,811.55 per man, woman, child on a per capita basis. *Res ipsa loquitur*.

Some control, is it not?

ADVANCE NOTICE OF PROPOSED RULEMAKING

Mr. THURMOND. Mr. President, pursuant to Section 304(b) of the Congressional Accountability Act of 1995 (2 U.S.C. sec. 1384(b)), a advance notice of proposed rulemaking was submitted by the Office of Compliance, United States Congress. The advance notice seeks comment on a number of regulatory issues arising under the Congressional Accountability Act.

Section 304(b) requires this notice to be printed in the CONGRESSIONAL RECORD, therefore I ask unanimous consent that the notice be printed in the RECORD.

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

OFFICE OF COMPLIANCE

(The Congressional Accountability Act of 1995: Extension of Rights and Protections Under the Family and Medical Leave Act of 1993, Fair Labor Standards Act of 1938, Employee Polygraph Protection Act of 1988, Worker Adjustment and Retraining Notification Act and Uniformed Services Employment and Reemployment Rights Act)

ADVANCE NOTICE OF PROPOSED RULEMAKING

Summary

The Board of Directors of the Office of Compliance ("Board") invites comments from employing offices [use appropriate definition for separate House and Senate publication], covered employees and other interested persons on matters arising in the issuance of regulations under sections 202(d)(2), 203(c)(2), 204(c)(2), 205(c)(2) and 206(c)(2) of the Congressional Accountability Act of 1995 (PL 104-1) ("CAA" or "Act").

The Act authorizes the Board to issue regulations to implement sections 202, 203, 204, 205 and 206 of the Act. The Board issues this Advance Notice of Proposed Rulemaking to solicit comments from interested individuals and groups in order to encourage and obtain participation and information as early as possible in the development of regulations. In this regard, the Board invites and encourages commentors to identify areas or specific issues they believe should be addressed in regulations and to submit supporting background information and rationale as to what the regulatory guidance should be. In addition to receiving written comments, the Office will consult with interested parties in order to further its understanding of the need for and content of appropriate regulatory guidance.

The Board is today, in a separate notice, also publishing proposed rules under section 204(a)(3) of the Congressional Accountability Act relating to the Capitol Police's use of lie detector tests under the Employee Polygraph Protection Act of 1988.

In addition to the foregoing, by this Notice, the Board seeks comments as to certain specific matters before promulgating proposed rules under section 202 through 206 of the Act.

Dates.—Interested parties may submit comments within 30 days after the date of publication of this Advance Notice in the Congressional Record.

Addresses.—Submit written comments (an original and 10 copies) to the Chair of the Board of Directors, Office of Compliance, Room LA 200, Library of Congress, Washington, DC 20540-1999. Those wishing to receive notification of receipt of comments are requested to include a self-addressed, stamped post card. Comments may also be transmitted by facsimile ("Fax") machine to (202) 252-3115. This is not a toll-free call. Copies of comments submitted by the public will be available for review at the Law Library Reading Room, Room LM-201, Law Library of Congress, James Madison Memorial Building, Washington, DC., Monday through Friday, between the hours of 9:30 a.m. and 4:00 p.m.

For further information contact.—Executive Director, Office of Compliance at (202) 252-3100. This notice is also available in the following formats: large print, braille, audio tape, and electronic file on computer disk. Requests for this notice in an alternative format should be made to Mr. Russell Jackson, Director, Service Department, Office of the Sergeant at Arms and Doorkeeper of the Senate, 202-244-2705.

Background

The Congressional Accountability Act of 1995 applies the rights and protections of

eleven federal labor and employment law statutes to covered Congressional employees and employing offices. The Board of Directors of the Office of Compliance established under the CAA invites comments before promulgating proposed rules under sections 202, 203, 204, 205 and 206 of that Act. The above-referenced sections of the CAA respectively apply the rights and protections of the Family and Medical Leave Act of 1993, 29 U.S.C. 2611 et seq. ("FMLA"); the Fair Labor Standards Act of 1938, 29 U.S.C. 201 et seq. ("FLSA"); the Employee Polygraph Protection Act of 1988, 29 U.S.C. 2001 et seq. ("EPPA"); the Worker Adjustment and Retraining Notification Act, 29 U.S.C. 2101 et seq. ("WARN"); and the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. Chpt. 43. Each of those sections authorizes the Board to issue regulations to implement the section and further states that such regulations "shall be the same as the substantive regulations promulgated by the Secretary of Labor to implement * * * [the applicable statute] * * * except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section."

Section 304 of the CAA prescribes the procedure applicable to the issuance of regulations by the Board for the implementation of this Act. It further requires the Board to recommend in the general notice of proposed rulemaking and in the regulations whether the regulations should be approved by resolution of the Senate, by resolution of the House of Representatives, by concurrent resolution, or by joint resolution.

Section 411 of the CAA provides with respect to the aforementioned sections that, "if the Board has not issued a regulation on a matter for which this Act requires a regulation to be issued, the hearing officer, Board or court, as the case may be, shall apply to the extent necessary and appropriate, the most relevant substantive executive agency regulation promulgated to implement the statutory provision at issue in the proceeding."

The CAA requires that the Office of Compliance be open for business on January 23, 1996. The statutes made applicable under the aforementioned sections of the CAA become effective for covered employees and employing offices on that date.

These inter-related provisions of the CAA give the Board various rulemaking options under section 202 through 206 of the CAA. So that it may make a more fully informed decision regarding the issuance of regulations (for each or all of the relevant sections of the CAA), in addition to inviting and encouraging comments on all relevant matters, the Board requests comments on the following:

1. General Issues Under the CAA

a. Whether and to What Extent the Board Should Modify the Regulations Promulgated by the Secretary of Labor

The CAA directs the Board to issue regulations that "shall be the same as substantive regulations promulgated by the Secretary of labor ("Secretary") * * * [the applicable statutes] * * * except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section" (emphasis added). This provision provides important guidance concerning how employing offices, covered employees and other interested persons should structure their comments in response to this ANPR and related processes in order to be of maximum assistance to the Board. Accordingly,