

these facilities to meet the health care needs of their communities.

While the shortage has subsided in most parts of the country, shortages continue in many rural and inner city areas. Foreign educated nurses holding H-1A visas fill an important void which continues to exist in certain areas. Without their professional services, the quality of patient care would dramatically decrease. In addition, I have heard from many rural health care providers in North Carolina who informed me that, without the services of foreign nurses, they would be unable to meet Federal and State staffing requirements.

While a long-term solution to this particular nursing shortage problem has not been developed, a short-term solution is needed to address the existing realities in rural and inner city areas. The legislation which passed the Senate today is a carefully crafted short-term compromise. It affects only those H-1A nurses who are currently residing in the United States and extends their length of stay until September 30, 1997. Importantly, this legislation does not allow additional foreign nurses to enter the United States under the expired H-1A Visa Program, nor does it change any of the current requirements for an H-1B visa.

This legislation was introduced and passed by unanimous consent today. Thus, there was no committee action and no legislative history relating to the bill. As the author of the legislation, I wish to clarify section 1(b) governing "Change of Employment." It is my intention that a change in an employer's ownership does not constitute a prohibited change of employment for a nonimmigrant affected by this act. For example, if an employer changes its name as a result of a merger or acquisition, I intend that the nonimmigrant be eligible to continue employment for the new owner. In such circumstances, it is my intention that this legislation permits the Immigration and Naturalization Service to process an I-129 petition to reflect this technical change. The same rules should apply to circumstances in which a nonimmigrant changes work locations with the same employer.

Finally, I wish to thank Senator SIMON for his assistance in passing this legislation. It has been a privilege to work with him to address a serious problem confronting both Illinois and North Carolina. In particular, I am glad to have had this opportunity to work with him one last time before he retires at the end of this Congress. I congratulate him on a distinguished career and wish him well in the future.

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

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

#### UNANIMOUS-CONSENT REQUEST— SENATE CONCURRENT RESOLUTION 74

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Concurrent Resolution 74 submitted earlier by Senator BROWN correcting the enrollment of the FAA authorization conference report; further, I ask that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Regrettably, Mr. President, I am compelled to object.

The PRESIDING OFFICER. Objection is heard.

#### RELIEF OF NGUYEN QUY AN

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of H.R. 1087, which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:  
A bill (H.R. 1087) for the relief of Nguyen Quy An.

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

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

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate point in the RECORD.

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

The bill (H.R. 1087) was deemed read a third time, and passed.

#### PRESIDENTIAL AND EXECUTIVE OFFICE ACCOUNTABILITY ACT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 636, H.R. 3452.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3452) to make certain laws applicable to the Executive Office of the President, and for other purposes.

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

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

#### THE WHITE HOUSE ACCOUNTABILITY ACT

Mr. COATS. Mr. President, the Senate today will pass a bill to eliminate

an unfortunate double standard that has remained in the application of our civil rights and labor laws.

James Madison wrote that an effective control against oppressive measures from the Federal Government on the people is that Government leaders "can make no law which will not have its full operation on themselves and their friends, as well as the great mass of the society."

Last year, this Congress—under Republican leadership—passed the Congressional Accountability Act, requiring the Congress to live under the laws it passes—and oftentimes imposes—on the rest of the Nation. The White House, however, has remained exempt from these laws. After prodding from this Congress, the White House now agrees that this double standard should no longer exist, and our negotiations this week have led to final passage of the White House Accountability Act.

For many years I supported the Congressional Accountability Act, and was glad to see this important legislation become law. For me, this was an issue of fundamental fairness. Congress should live under the laws it passes, and the White House should be no exception. H.R. 3452 will allow all lawmakers—on Capitol Hill and in the Office of the President—to learn firsthand which laws work, and perhaps more often than not, which laws are overly intrusive and burdensome.

I think America's labor leaders will agree with me when I say that employees of the White House should be protected by the same laws that the President approves for the rest of the country. Employees should have the same rights and protections regardless of where they work—whether the individual labors in the private sector, the Congress, and yes, even in the White House.

The White House Accountability Act applies to all workers at the White House except those appointed by the President with Senate confirmation, those appointed to advisory committees, and members of a uniformed service. This legislation requires the White House to enforce 11 civil rights and labor laws for its workers as a matter of law, not just a matter of policy. These standards include the Civil Rights Act, the Family and Medical Leave Act, the Americans with Disabilities Act, OSHA, and the Fair Labor Standards Act.

This is a bipartisan bill that passed the House of Representatives last week on a vote of 410-5. The White House asked for some modifications to the House legislation, and while I did not agree with all of their requests, we have reached an accommodation that will—for the first time in our history—give White House employees protection under the law. I also am encouraged that we were able to persuade the White House to accept a provision ensuring that White House employees will not lose their jobs if they take time off under the Family and Medical

Leave Act to care for a newborn or sick child, a spouse, or a parent. This is a significant victory for the families of employees who work in the Executive Office of the President.

Mr. President, American workers deserve the right to be free from discrimination, the right to work in a safe and healthy work environment, the right not to be harassed or fired simply because of race, sex, disability, or age. White House workers deserve the same rights and protections that now extend from our Nation's assembly lines to our Nation's general assembly. The bill we are passing today ensures that those rights will be enforced for employees of the White House.

AMENDMENT NO. 5434

(Purpose: To improve the remedial and enforcement provisions)

Mr. LOTT. Mr. President, Senator COATS has an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi (Mr. LOTT), for Mr. COATS, proposes an amendment numbered 5434.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be considered agreed to.

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

The amendment (No. 5434) was agreed to.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate point in the RECORD.

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

The bill (H.R. 3452), as amended, was deemed read a third time, and passed.

#### FEDERAL ASSISTANCE FOR INDIAN TRIBES

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of H.R. 3219, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3219) to provide Federal assistance for Indian tribes in a manner that recognizes the right of tribal self-governance, and for other purposes.

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

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

Mr. MCCAIN. Mr. President, I rise today in support of prompt enactment of H.R. 3219, the Native American

Housing Assistance and Self-Determination Act of 1996. The bill we have received from the House just 2 days ago will separate Indian housing from public housing and transform HUD-assisted native American housing programs into tribal block grants that will, for the first time, provide this Federal funding directly to native American Indian tribal governments.

First, I want to recognize and commend Congressman RICK LAZIO for spearheading the development of this legislation in the 104th Congress and for his efforts to involve the Indian tribes and the National American Indian Housing Council in the development of the bill. I also want to pay tribute to the steady and strong leadership of Senators D'AMATO and MACK, the respective chairmen of the Senate Banking Committee and its Housing Opportunities Subcommittee, and for their cooperation this past year in working with the Committee on Indian Affairs to ensure that the housing needs of Indian people would be appropriately considered and included in the public housing reform legislation. One public example of this cooperative effort is the joint hearing held earlier this year between the Committee on Indian Affairs and the Senate Banking Committee to review the provisions of the Native American Housing Act and to receive comments from Indian Country on how best to draft Indian housing reform legislation.

Mr. President, the housing problems confronting Indian people are far more serious than those facing non-Indians. Recent studies indicate that 28 percent of all American Indian and Alaska Native families live in substandard, overcrowded housing that lacks the basic amenities of indoor plumbing, electricity, or heating. By way of comparison, less than 5½ percent of all Americans live in similar conditions. Additionally, more than 90,000 native American families are estimated to be underhoused or homeless.

The severe housing problems facing Indian people are compounded by poverty and unemployment levels in native American communities that are of epidemic proportions. The number of Indian families with incomes below the poverty line is nearly three times the average rate for families throughout the rest of the Nation. The average income of native Americans is less than \$4,500 per person per year.

HUD programs have been the major source of housing assistance available to Indian communities. Regular mortgage financing has not been available on Indian reservations because of the unwillingness of the private sector to broaden investment and lending opportunities in part because of the challenges presented by the unique status of Indian trust lands.

The statistics on Indian housing reveal an overwhelming need to change the status quo on HUD assistance to Indian tribes. For these reasons, I strongly support the transformation of

existing HUD programs into tribal block grants and the separation of Indian housing from HUD's urban-oriented public housing programs. Tribal block grants are consistent with long-standing principles of Indian self-determination and tribal self-governance and should enhance the long-standing trust relationship between the United States and Indian tribal governments.

Mr. President, I am asking that my colleagues support immediate consideration and enactment of H.R. 3219. I am pleased with the progress that we have made this year to fashion an Indian housing bill that will best fit the needs of tribal communities. However, while I can support this bill as passed by the House on the eve of adjournment, I must express my serious concerns with the House-passed provisions which retreat from previous Senate-House agreements reached during conference on public housing reform legislation. Unfortunately, the Congress was unable to complete work on the larger public housing reform bill this year, but real progress on Indian housing reform should not be forfeited because of this inability.

H.R. 3219 reflects many of the agreements reached between Indian tribes, Indian Housing Authorities, the administration and the Congress. But, as typically happens in the last remaining days of a congressional session, changes were adopted to the bill in order to pave the way for House passage. I am particularly disturbed by provisions adopted by the House regarding the application of the Davis-Bacon wage requirements to the entire Indian housing bill, including programs which previously had limited exemptions from Davis-Bacon. The House changes will result in a loss of direct funding to Indian tribes for housing development.

As long as I have worked with Indian affairs, I have heard from Indian tribes, time and time again, overwhelming opposition to the application of Davis-Bacon wage requirements on Indian reservations. As chairman of the Committee on Indian Affairs, I have an obligation to protect tribal sovereignty and fight the age-old paternalism of the Federal Government to impose policies on Indian tribes that are not appropriate and that undermine the ability of tribal governments to make their own decisions about how to protect their people and manage their own affairs. I realize that a complete exemption of Davis-Bacon is not politically feasible in this Congress. However, for practical and policy reasons, I believe that the Secretary of HUD should have the authority to grant waivers to Indian tribal governments, at their request, who can provide clear evidence of the impracticality of Davis-Bacon.

In my view, the wage requirements of the Davis-Bacon Act inhibit the ability of Indian tribal governments to provide safe and affordable homes to their tribal members. I understand that for some