

employee, or employee representative, for an inspection of a construction worksite to determine if an imminent danger exists and to stop work at, or remove affected employees from, an area in which such a danger exists;

“(F) provide assurance that a competent person is on site at all times to oversee the implementation of the safety plan and coordinate activities among employers; and

“(G) provide assurance that the plan will be reviewed and modified as the project addresses new safety concerns.

“(3) AVAILABILITY.—Copies of the plan shall be made available to each construction employer prior to commencement of construction work by that employer.

“(C) APPLICATION.—

“(1) IN GENERAL.—The Secretary, by regulation, may modify the requirements of this section, or portions thereof, as such requirements apply to certain types of construction work or operations where the Secretary determines that, in light of the nature of the risks faced by employees engaged in such work or operation, such a modification would not reduce the employees' safety and health protection. In making such modification, the Secretary shall take into account the risk of death or serious injury or illness, and the frequency of fatalities and the lost work day injury rate attendant to such work or operations.

“(2) EMERGENCY WORK.—If it is necessary to perform construction work on a worksite immediately in order to prevent injury to persons, or substantial damage to property, and such work must be conducted before compliance with the requirements of the regulations under subsections (a) and (b) can be made, the Secretary shall be given notice as soon as practicable of such work. Compliance with such requirements shall then be made as soon as practicable thereafter.”

SEC. 4. STATE CONSTRUCTION SAFETY AND HEALTH PLANS.

Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) is amended by adding at the end the following:

“(i) Any State plan that covers construction safety and health shall contain requirements which, and the enforcement of which, are, and will be, at least as effective, in providing safe and healthful employment and places of employment in the construction industry as the requirements contained in subsection (c), and the requirements imposed by, and enforced under, this Act and section 107 of the Contract Work Hours Standards Act (40 U.S.C. 333), including requirements relating to construction safety and health plans.”

SEC. 5. ENFORCEMENT.

(a) CITATIONS.—Section 9(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 658(a)) is amended by inserting “, 8, or 31” after “section 5”.

(b) PROJECT CONSTRUCTORS.—Section 9 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 658) is amended by adding at the end the following:

“(e) For purposes of this section and sections 8, 10, 11, and 17 a project constructor shall be considered an employer.”

SEC. 6. REPORTS TO CONGRESS.

The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) (as amended by section 3) is further amended by adding after section 31 the following:

“SEC. 32. REPORTS TO CONGRESS.

“The Secretary shall include in the annual report submitted to the President under section 26 additional information on the construction industry as such information relates to the general subjects described in section 26, including the operation of the Office of Construction Safety, Health, and Education.

SEC. 7. FEDERAL CONSTRUCTION CONTRACTS.

The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) (as amended by section 6) is further amended by adding after section 32 the following:

“SEC. 33. FEDERAL CONSTRUCTION CONTRACTS.

“Not later than 90 days after the date of the enactment of this section, the Secretary shall deliver to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate recommendations regarding legislative changes required to make the safety records (including records of compliance with Federal safety and health laws and regulations) of persons bidding for contracts subject to section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) a criterion to be considered in the awarding of such contracts.”

SEC. 8. DEFINITIONS.

Section 3 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 652) is amended by adding at the end thereof the following:

“(15) For purposes of sections 30 and 31, the following terms shall have the following meanings:

“(A) The term ‘construction employer’ means an employer as defined in paragraph (5) (including an employer who has no employees) who is engaged primarily in the building and construction industry or who performs construction work under a contract with a construction owner, except that a utility providing or receiving mutual assistance in the case of a natural or man-made disaster shall not be considered a construction employer.

“(B) The term ‘construction owner’ means a person who owns, leases or has effective control over property with or without improvements, a structure, or other improvement on real property on which construction work is being, or will be, performed.

“(C) The term ‘construction project’ means all construction work by one or more construction employers which is performed for a construction owner and which is described in work orders, permits, requisitions, agreements, and other project documents.

“(D) The term ‘construction work’ means work for construction, alteration, demolition, or repair, or any combination thereof, including painting and decorating, but does not include work performed under a contract between a construction employer and a homeowner for work on the homeowner's own residence, or routine maintenance and upkeep performed at least monthly, and such term shall include work performed under a contract between a construction employer and an agency of the United States or any State or political subdivision of a State.

“(E) The term ‘construction worksite’ means a site within a construction project where construction work is performed by one or more construction employers.”

SEC. 9. RELATIONSHIP TO EXISTING LAW AND REGULATIONS.

(a) IN GENERAL.—Nothing contained in the amendments made by this Act or the regulations issued to carry out the amendments shall limit the application of, or lessen, any of the requirements of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Contract Work Hours Standards Act (40 U.S.C. 327 et seq.), or the standards or regulations issued by the Secretary of Labor to carry out either such Act.

(b) PROJECT CONSTRUCTORS.—The presence and duties of a project constructor or a project safety coordinator on a project shall not in any way diminish the responsibilities of construction employers under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) for the safety and health of their employees.

ADDITIONAL COSPONSORS

S. 193

At the request of Mr. GLENN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 193, a bill to provide protections to individuals who are the human subject of research.

S. 714

At the request of Mr. AKAKA, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 714, a bill to make permanent the Native American Veteran Housing Loan Pilot Program of the Department of Veterans Affairs.

S. 801

At the request of Mr. GRAHAM, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 801, a bill to amend title 38, United States Code, to provide for improved and expedited procedures for resolving complaints of unlawful employment discrimination arising within the Department of Veterans Affairs, and for other purposes.

S. 969

At the request of Mr. D'AMATO, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 969, a bill ordering the preparation of a Government report detailing injustices suffered by Italian-Americans during World War II, and a formal acknowledgment of such injustices by the President.

S. 1008

At the request of Mr. DURBIN, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1008, a bill to amend the Internal Revenue Code of 1986 to provide that the tax incentives for alcohol used as a fuel shall be extended as part of any extension of fuel tax rates.

S. 1105

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 1105, a bill to amend the Internal Revenue Code of 1986 to provide a sound budgetary mechanism for financing health and death benefits of retired coal miners while ensuring the long-term fiscal health and solvency of such benefits, and for other purposes.

S. 1195

At the request of Mr. CHAFEE, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1195, a bill to promote the adoption of children in foster care, and for other purposes.

S. 1212

At the request of Mr. DORGAN, the names of the Senator from North Dakota [Mr. CONRAD], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 1212, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify that records of arrival or departure are not required to be collected for purposes of the automated entry-exit control system developed under 110 of such Act for Canadians who are not

otherwise required to possess a visa, passport, or border crossing identification card.

S. 1213

At the request of Mr. HOLLINGS, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 1213, a bill to establish a National Ocean Council, a Commission on Ocean Policy, and for other purposes.

S. 1220

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 1220, a bill to provide a process for declassifying on an expedited basis certain documents relating to human rights abuses in Guatemala and Honduras.

SENATE CONCURRENT RESOLUTION 30

At the request of Mr. HELMS, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of Senate Concurrent Resolution 30, a concurrent resolution expressing the sense of the Congress that the Republic of China should be admitted to multilateral economic institutions, including the International Monetary Fund and the International Bank for Reconstruction and Development.

SENATE CONCURRENT RESOLUTION 52

At the request of Mr. HOLLINGS, the names of the Senator from Arkansas [Mr. HUTCHINSON], the Senator from Michigan [Mr. LEVIN], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Concurrent Resolution 52, a concurrent resolution relating to maintaining the current standard behind the "Made in USA" label, in order to protect consumers and jobs in the United States.

AMENDMENTS SUBMITTED

THE BIPARTISAN CAMPAIGN
REFORM ACT OF 1997

JEFFORDS AMENDMENT NO. 1304

(Ordered to lie on the table.)

Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill (S. 25) to reform the financing of Federal elections; as follows:

Strike section 501 and insert the following:
SEC. 501. REQUIREMENTS TO ENSURE EXPENDITURES OF CORPORATIONS AND EXEMPT ORGANIZATIONS FOR POLITICAL PURPOSES ARE VOLUNTARY.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following:

“(c) RESTRICTIONS ON THE REVENUES OF NATIONAL BANKS AND CORPORATIONS AND DUES OF EXEMPT ORGANIZATIONS USED FOR POLITICAL ACTIVITIES.—

“(1) IN GENERAL.—Except as provided in this subsection, it shall be unlawful—

“(A) for any national bank or corporation described in this section to use for political activities any portion of any revenues or amounts received from any shareholder or employee; or

“(B) for any organization exempt from taxation under section 501(a) of the Internal

Revenue Code of 1986 (other than an organization described in section 501(c)(3) of such Code) to use for political activities any portion of any dues, initiation fee, or other payment collected or assessed from any member or nonmember of such organization.

“(2) REQUIREMENTS.—

“(A) NOTICE.—Each bank, corporation, or organization described in paragraph (1) which seeks to make any disbursements for any political activities from dues, initiation fees, or other payments shall—

“(i) provide to each individual a statement of such dues, fee, or other payment before the period to which such dues, fee, or payment applies, and

“(ii) include with each such statement a written notice which includes—

“(I) a reasonable estimate of the budget for such political activities,

“(II) a detailed itemization of all amounts disbursed for political activities in the 2 previous years,

“(III) a reasonable estimate of the dollar amount of the dues, fee, or payment which is to be used for such political activities, and

“(IV) a space for the individual to check off that the individual does or does not consent to the expenditure of any portion of such dues, fee, or payment for political activities.

The period covered by any statement shall not exceed 12 months.

“(B) LIMITATION ON AMOUNT; REFUND.—A bank, corporation, or organization required to provide notice under subparagraph (A) shall—

“(i) not make disbursements for political activities for the period covered by such notice in an amount greater than the amount which bears the same ratio to the amount of such disbursements estimated in the notice as the percentage of individuals consenting to such disbursements under subparagraph (A)(ii)(III) bears to the total number of individuals making payment of such dues, fees, or other payments, and

“(ii) with respect to each individual who does not consent to such disbursements under subparagraph (A)(ii)(III), either—

“(I) not collect from the individual the percentage of the dues, fee, or other payment which was to be used for such disbursements, or

“(II) refund to the individual an amount equal to such percentage.

“(C) SPECIAL RULE.—For purposes of subparagraph (B)(i), if an individual does not provide a response under paragraph (2)(A)(ii)(IV), the individual shall be treated as not having consented to the use of any portion of such dues, fee, or payment for political activities.

“(D) AVAILABILITY OF RECORDS.—An organization required to provide notice under subparagraph (A) shall make available to any affected members and nonmembers of the organization at the organization's main office any records on which the information required under subparagraph (A) is based.

“(d) CORPORATE SHAREHOLDERS MUST CONSENT TO DISBURSEMENTS FOR POLITICAL ACTIVITIES FROM FUNDS.—

“(1) IN GENERAL.—Except as provided in this subsection, it shall be unlawful for a corporation to which this section applies to make a disbursement to fund political activities from sources not described in subsection (c).

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—Any corporation described in paragraph (1) which seeks to make disbursements for political activities during any 12-month period from sources not described in subsection (c) shall, in advance of such period, transmit to each of its shareholders a written notice which includes—

“(i) a reasonable estimate of the budget for such political activities,

“(ii) a detailed itemization of all amounts disbursed for political activities for the previous 2 years,

“(iii) the method by which a shareholder may vote (at its annual meeting or by proxy in connection with the meeting) to approve or disapprove of such disbursements.

“(B) LIMITATION ON AMOUNT.—

“(i) IN GENERAL.—A corporation required to provide notice under subparagraph (A) shall not make disbursements for political activities for the period covered by such notice in an amount greater than the amount which bears the same ratio to the amount of such disbursements estimated in the notice as the percentage of shares voted at an annual meeting to approve such disbursements bears to the total number of shares voted with respect to such issue.

“(ii) SPECIAL RULE.—If a shareholder votes by proxy with respect to 1 or more issues to be considered at an annual meeting but does not vote by proxy with respect to the issue of disbursement of funds for political activities, the shareholder shall be treated as having voted to disapprove such disbursements.

“(e) POLITICAL ACTIVITIES.—For purposes of subsections (c) and (d), the term ‘political activities’ means communications or other activities which involve donations to, participation or intervention in, any political campaign or political party, including—

“(1) any activity described in subparagraph (A), (B), or (C) of subsection (b)(2), and

“(2) any communication that attempts to influence legislation or public policy.”

(b) DISCLOSURE OF CERTAIN EXPENDITURES.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended—

(1) in section 301(9)(B)(iii), by striking “Federal office, except” and all that follows through the semicolon and inserting “Federal office;”; and

(2) in section 316(b)(2), by inserting at the end the following flush sentence:

“Disbursements made for activities described in subparagraphs (A), (B), and (C) shall be reported to the Commission in accordance with clauses (i) and (ii) of section 304(a)(4)(A).”

(c) EFFECTIVE DATE.—This section shall take effect upon enactment of this Act.

TORRICELLI AMENDMENTS NOS.
1305-1306

(Ordered to lie on the table.)

Mr. TORRICELLI submitted two amendments intended to be proposed by him to the bill, S. 25, supra; as follows:

AMENDMENT NO. 1305

At the appropriate place in the bill, insert the following:

SEC. 302. BROADCAST MEDIA RATES FOR CANDIDATES.

Section 315(b)(1) of the Communications Act (47 U.S.C. 315(b)(1)) is amended by—

(1) striking “forty-five” and inserting “30”;

(2) striking “sixty” and inserting “60”;

(3) inserting “an amount not to exceed 50 percent of” before “the lowest unit”; and

(4) inserting after section 315(b)(2) the following:

“(3) In order to qualify for the broadcast media rate in section 315(b)(1), an advertisement must be at least 60 seconds in length and the candidate purchasing the ad must appear for at least 75% of the duration of the advertisement.”

AMENDMENT NO. 1306

On page 53, strike lines 14 through 21 and insert the following: