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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. MILLER of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 3, 1998.

I hereby designate the Honorable DAN MILLER to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. ARMEY) for 5 minutes.

CONGRESS SHOULD NOT SAY ''NO'' TO THE STUDENTS OF THE DISTRICT OF COLUMBIA

Mr. ARMEY. Mr. Speaker, I am not sure that I will take my whole 5 minutes, but I do have a few things that I would like to point out.

Washington, D.C., has some very, very good schools, has some exceptionally good public schools, and it has some exceptionally good private schools. Unfortunately, the city also has some exceptionally bad schools where we have too many young children that are caught in circumstances that would almost say they have no opportunity for anything but failure.

Those of us that have met these children have understood what one always understands when one meets a child: This is a very, very special and precious person. We have seen too many cases of children that have the ability, that have the energy, that have the hopes and the dreams that are coupled with the same on the part of their parents and punctuated with prayers for a better opportunity for this child, for us to turn our back on these children.

Mr. Speaker, we will bring to consideration for this body again a bill that would allow scholarships for choice for those families that are disadvantaged so they, like so many more wealthy families, particularly here in D.C. and across the country, could exercise their opportunity to take their child out of a school that is failing that child and move that child to a school where the child will have their hopes and dreams and abilities recognized and nourished.

We have people that oppose this. They oppose it for ideological reasons; they oppose it for institutional reasons; they oppose it for reasons that, quite frankly, I do not understand.

One prominent Senator said, ''D.C. parents and ministers and local leaders have made it clear that they do not want vouchers.'' Another prominent Member of this body made the point, ''I think I can say with confidence that the people I represent would deeply resent the imposition of vouchers.'' That was the gentlewoman from the District of Columbia (Ms. NORTON). ''I think I can say with confidence that the people I represent would deeply resent the imposition of vouchers.''

What is a voucher? We say to people, we make available to you the opportunity. You can choose or you cannot choose to accept that opportunity for your child.

On October 13, 1997, the Washington Scholarship Fund announced the availability of 1,000 new scholarships for children that are disadvantaged by being stuck in failing schools. By the deadline last Saturday, 7,573 children applied. One out of every six children eligible for these scholarships applied.

Mr. Speaker, D.C. parents are making the effort.

Let me talk about this a moment. I have had the opportunity to work with the D.C. Scholarship Fund. I have met these parents. I have met these children. I have seen those that have already had the scholarships that have moved to the other schools. I have seen them brighten up and seen them do better. I have seen children that might have been stuck forever with failure emerge and shine.

What child is not precious enough that they ought to have this opportunity? How can somebody's heart be so cold as to say we deny that?

This is not taking money away from the other D.C. schools. The voucher program that we are putting forward says we will add additional money beyond that which is already available to the City of D.C., which has, if not the highest, certainly the second or third highest per capita student budget for their school system of any city in the Nation. And yet, with all that they already have, we have children that are not being well served by the schools; and we are saying, in addition to that money, let us put some more vouchers in place for these little children.

Mr. Speaker, this is a little thing in Washington. The numbers here are very big. The President has got a $1.73 trillion budget. He has got all kinds of things in that budget, all full of good intentions. Big heart. Something for everyone.

We are saying drive off these Capitol grounds two blocks, three blocks. See the children that do not have the opportunity that children in my district in Texas have to walk to school safe in neighborhoods that are safe; to be with

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friends in school and to be proud of their school; to learn and understand and be appreciated and, yes, on occasions, disciplined so that they can successfully learn.

Then I ask my colleagues to tell me if they meet these children, they meet these parents, they see these opportunities, that they can have a heart that is so closed, cold, and a mind that is so closed, a dedication to a union so strong or a perversion of priority so cruel that they will say ''no'' to these children.

Mr. Speaker, I cannot do it. And it is not just because I have met the children. I do not think anybody can do that. And I have to say I deeply regret the callous expressions of sentiment that I read from the two Members of Congress whose quotes I opened this discussion with. I hope that something will touch their heart for these children.

PRESIDENT CLINTON'S EDUCATION INITIATIVE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas (Mr. GREEN) is recognized during morning hour debates for 5 minutes.

Mr. GREEN. Mr. Speaker, I am glad I have the opportunity to follow the gentleman from Texas (Mr. ARMEY), my colleague from Texas and Majority Leader.

I think there is such a diversity in what we can talk about because both the Majority Leader and my Republican colleagues' solution to our education problems is vouchers. Let us give vouchers to a small number of children instead of fixing the big problem.

That is the difference that I want to talk about today. Let us fix public education. Let us not abandon it. Let us not take away and give vouchers for a small segment, 7,500 that the gentleman talks about, when we have thousands that need help. I do not want to abandon public education and only help a few.

Mr. Speaker, that is why I join a lot of my Democratic colleagues today saying let us fix the problems rather than saying that vouchers are the solution. That is not a solution. That is a short-term, one-time solution for one child.

Let us talk about the millions of children that are in public education. Public education educates millions of children around the country, compared to what private and church-based education can do. There is just not enough private and church-based education to do what they want to do. We need to fix the problems for the millions and not the few; that is what is important today.

My children went to public schools in Texas in an urban environment, and now they attend a public university in Texas. The image that people may have that in Congress a lot of our children go to private schools, that is just not true. Students can get an adequate public education in public schools as well as they can in private schools. It takes parental involvement, it takes dedicated teachers, and it takes business-community partnerships.

President Clinton last week in his State of the Union talked about some of the new initiatives that we need to do, including preparing children for the future. The President and Members, whether it be President, Member of Congress, a doctor, lawyer, engineer, business owner, whatever, that is our job as a Member of Congress and leader of our country, to be able to prepare the children who are in school now, whether it be in the D.C. schools or the schools in my district in Houston, Texas.

One of those initiatives that he talked about is the Head Start program. The President committed to Head Start for one million children, expanding it to one million children. I know in Harris County our Head Start program for a number of years has had problems, but we are fixing it. They serve now over 5,000 students, needy preschoolers.

What we are doing now with the help of both the independent school districts in our community, with Health and Human Service employees and the staff that are helping, we have an interim provider providing the service for 70 percent of those children. We are going to fix it even more by providing a long-term solution for those children in Head Start; and we need to expand it, whether it be in Harris County or all across this great Nation.

We are fixing our problem locally, but we also need to make sure that the funds are there for those children when we can expand it. Head Start works. It works to give children, when they show up at that kindergarten or the public schools or first grade, that same start, that same opportunity as those children whose parents could afford prekindergarten programs.

President Clinton proposed a lot of other great programs for expanding education and making sure that the next generation of Americans can stand in the place that we do and a lot of our colleagues do, to take over the job that a lot of us do here on the floor or also in lots of businesses and places all across the country, including reducing the class size to 18-to-1.

In Texas, we reduced our class size in the 1980s for kindergarten through fourth grade by mandate that the schools could not have more than 22-to-1 in kindergarten through fourth grade. I would like to see that on a national basis.

Again, it is tough to pay for it and tough to have facilities; and that is another thing that the President asked for. For the first time, we will actually see the Federal Government helping with facilities construction. It is great to talk about lowering class size, but we have to have buildings, and we have to have teachers. We have to have Federal assistance. Not a great deal of money, because it is not going to help any one district, but it will help leverage a lot of our districts that are having trouble providing facilities.

Also, he talked about the 100,000 new teachers, if we are going to have smaller class size, 100,000 new teachers helping our children. That is preparing for the next generation of our country, not just a quick fix to have vouchers for a small group of children who are fortunate enough to have a voucher.

Another one of the President's proposals was the Education Opportunity Zones. The Department of Education would select 50 high-poverty urban or rural districts who use high standards of tests for their children, provide the help to teachers and students and schools who need it, prevent students from falling behind by ensuring quality curriculum and teaching and also end social promotion.

I think that is something on this floor that we can probably agree upon on a bipartisan basis. We do not need to continue to promote someone if they are not making the grade in their current district. We are not doing that child a favor.

There are so many good things that I could talk about. I look forward to engaging my colleagues on the other side of the aisle in really dealing with education issues.

BAILOUT OF THE IMF

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, this morning I would like to call my colleagues' attention to an op-ed in the Wall Street Journal this morning called ''Who Needs the IMF?'' It is written by George Schultz, who is the former Secretary of State under President Reagan; Mr. William Simon, who was Secretary of Treasury under Presidents Nixon and Ford; and Mr. Riften, who is a former Chairman of Citicorp/Citibank.

The American taxpayers are being asked to bail out the IMF, and I believe they are being taken advantage of.

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The bailout has been organized by the IMF fund to which the United States has contributed roughly 18 percent of the IMF's reserve fund. The IMF, as of 1996, there was about $210 billion in the reserve fund. The United States has been liable for approximately $47 billion of this. This fund has responded to the East Asian financial crisis by nearly liquidating its assets. Thailand has received $17 billion in bailout money; $40 billion has been handed to Indonesia, and South Korea has been given a staggering $68 billion in funds. The total cost of this bailout amounts to more than 14 percent of East Asia's gross domestic product.

Let us put this in perspective: 14 percent of the U.S. gross domestic product would equal over $1 trillion. This breathtaking figure would be 61 percent of the Federal budget. The IMF is engaging in a policy of privatizing the profits and socializing the losses. So instead of helping beleaguered nations, the American taxpayer is guaranteeing a return of investment, of course with a profit attached, to the various investment institutions and investors who knew that they were engaging in highly risky investments. The protected markets, not the open ones, are in trouble.

The financial crisis in East Asia is not the result of excess capitalism. The crisis has been caused and exacerbated by the Asian economies that have been forcibly insulated from the free market through quasi-protectionist practices, especially as it concerns banning foreign financial services to operate in these markets.

The Heritage Foundation, a conservative think tank, reports, quote, the financial crisis in Asia is a culmination of decades of hands-on government regulation of the region's economies, distrust of foreign capital and competition, concentration of power in a family-owned business group with close ties to the government, and closed financial systems and quotes.

As the case with Japan, which has experienced nearly a decade-long recession, these Asian nations have created managed economies by picking economic winners and losers instead of allowing competition to sort out the free market winners and losers. By trying to guide their economies through bureaucratic hands, Thailand, Indonesia, and South Korea have worsened their economic crisis because they have been incapable of taking immediate action to fight the effects of a growing economic free fall. The IMF can lull nations into complacency by acting as a self-appointed leader of last resort.

This fund was originally created in 1944 to assist in global trade by supporting currency convertibility and providing needed financing to defend exchange rates. The purpose of the IMF was entirely dissolved with the demise of the fixed exchange system in 1937 and the advent of international capital markets. But instead of putting the IMF out of business as it should have been, the IMF was allowed by its member nations to redefine itself by becoming a lender to developing nations. Such a change in its mandate automatically increased the risk to its reserve funds and duplicated the efforts of other international financial institutions such as the World Bank.

The IMF money has made investors more reckless with their decisions because they have come to expect that this money will be an insurance plan against the risk of investing in questionable economic settings in foreign nations. They realize their investments will be practically guaranteed. Instead of making wise business decisions, certain investors and institutions get consumed with the thought of great profits despite significant risks.

Most importantly this crisis should teach the world, especially in countries like Japan and China, that true economic reform is needed to wean nations off managed economic policies. By allowing the free market to rule, the nations of East Asia will have the security to avoid these economic downturns that currently have befallen them. Asian nations are facing financial difficulties, not because of outside forces having imposed bad economic policies on them, but because they have imposed these bad policies on themselves.

NUCLEAR TECHNOLOGY EXPORT

The SPEAKER pro tempore (Mr. MILLER of Florida). Under the Speaker's announced policy of January 21, 1997 the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, on January 12 of this year, the Clinton administration issued a statement certifying that China had provided clear and unequivocal assurances to the United States that it is not assisting and will not assist any nonnuclear weapons State either directly or indirectly in acquiring nuclear explosive devices or the material components of such devices. This is the first time in 12 years that a U.S. President has granted such a certification.

I am greatly disturbed by this statement. As many Members of this body are aware, China is a major supplier of weapons of mass destruction, nuclear and missile technology. We have less than 30 days to take action and either reject or accept the certification.

Mr. Speaker, when the United States and China had signed an accord in 1985 to allow American firms to export nuclear technology to China, Members of Congress were concerned over China's sales of nuclear weapons technology to third countries. In response, Congress quickly passed legislation that required the President to first certify that China has not sold or transferred nuclear technology to countries that are not subject to inspection by the International Atomic Energy Agency. In granting this certification, the Clinton administration has chosen to overlook China's recent transfer of nuclear technology to unregulated nuclear facilities in Pakistan and Iran. The administration has accepted a so-called assurance by Beijing that it would cancel or postpone indefinitely several projects, especially secret nuclear facilities in Pakistan and a uranium conversion facility in Iran, as the basis for the United States granting the certification.

The administration continues to overlook CIA findings that the Chinese have sold 5,000 ring magnets to Pakistan for its uranium enrichment facility. The ring magnets were transferred to a laboratory in Pakistan, and the facility is named after the founder of Pakistan's nuclear weapons program. I would like to note that ring magnets are used for the building of nuclear weapons.

The administration has overlooked, in my opinion, a CIA report that described the Chinese sale of a special industrial furnace and high-tech diagnostic equipment to Pakistan. The furnace and diagnostic equipment have dual use and can be used to melt plutonium as well as uranium for nuclear weapons. Furthermore, by granting the certification the administration is willing to approve China's continued support of Pakistan's commitment to build a plutonium production reactor and a plutonium reprocessing plant. These facilities are essential for a nuclear weapons program.

Despite the repeated protests by Members of this body, China continues to assist Pakistan in building a sophisticated nuclear arsenal. Unfortunately, this nuclear arsenal is not subject to international inspection. Furthermore, the administration continues to look the other way as China continues to export technology and ballistic and missile components to Pakistan. I would like to remind my colleagues that Pakistan is not a member of the International Atomic Energy Agency and bans investigators from several of its nuclear facilities. Members of this body have supported and at times insisted that China receive United States peaceful nuclear technology only if China halts all nuclear exports to nations with unregulated nuclear facilities.

Last year a letter was sent to President Clinton by Members of this body stating that China has not earned or behaved in a manner that warrants such certification. The Arms Control and Disarmament Agency's annual report to Congress stated that while the administration could not stipulate a violation, questions remained about contacts between Chinese entities and elements associated with Pakistan's nuclear weapons program.

Mr. Speaker, I hope that many of my colleagues will support legislation that rejects the administration's granting of this certification. We have less than 30 days to act. We must send a message to the Chinese that we will not turn our heads away and accept its nuclear weapons relations with Pakistan. We should not accept the assurances made by the Chinese when they have continually failed to be responsible and act responsibly as a member of the international proliferation community.

CONFIRMATION OF DR. SATCHER AS U.S. SURGEON GENERAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997 the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, as a student of the Constitution, I am reminded of the wisdom of the Founding Fathers in establishing three branches of government. Also recognizing as the President is the head of this Nation that there should be advice and consent from the other body of this Congress. All of us as Americans respect that process and have watched that process help govern this Nation for the years that it has been a Nation under our Constitution.

But, Mr. Speaker, I would argue very vigorously today that there is a crisis in government and one that must be remedied by the people. We recognize that in this three branches of government there are checks and balances. But there should not be a runaway government.

We understand through statistical analysis and polls that this President was reelected because there were the view of the American people that they wanted to go in a direction of moderation, not in a radical right direction. And so they voted for a President that they thought would have the powers to select the judiciary for the 21st century. In that judiciary would be combined individuals who would decide cases in a moderate and respectful manner of the law. It would include judges who affirmed and approved and understood that affirmative action was still legal.

But it seems, however, that the other body refuses to confirm and affirm those appointments by the President of the United States who cannot pass their own political litmus test. This is a travesty and this is against the underpinnings of advice and consent that have been given under the Constitution. We need to stop this runaway process. We need to allow the President of the United States to appoint those judges that are needed, some 81 vacancies, denying the American people their justice and saying to those who believe under the Constitution that issues like affirmative action and choice are the law of the land being rejected because they do not pass a political litmus test.

We come again to another crisis, Mr. Speaker. That is the confirmation of Dr. Satcher, Dr. Satcher, who has been nominated by the President of the United States to be the U.S. Surgeon General and be the Assistant Secretary of Health at the Department of Health and Human Services, someone who is a fine scholar but also a medical professional.

The health of the people is really the foundation upon which all their happiness and all their powers as a State depends. This was spoken by Benjamin Disraeli, Earl of Beaconsfield, in a speech in 1877.

What we find here is a bottleneck in the other body, using an unfortunate and negative litmus test to refuse to confirm Dr. Satcher. He has had a distinguished career, an eloquent spokesperson and a proven health professional. He qualifies to succeed in this role.

The surgeon general's job is to develop medical consensus and articulate a broad public health vision, tasks for which Dr. Satcher is well prepared. As Director of the Center for Disease Control and Prevention, the Administrator of the Agency for Toxic Substances and Diseases Registry, and as the former president of Meharry Medical College, Dr. Satcher has made a lasting impression on the public health of this Nation. In fact, through his leadership at the CDC, childhood immunization rates have increased dramatically, growing from 55 percent in 1992 to 78 percent, and vaccine-preventable childhood diseases have been reduced to the lowest level in American history.

Under Dr. Satcher's direction, the CDC has also placed a greater emphasis on prevention. For example, the CDC's comprehensive breast and cervical cancer screening program increased from 18 to 50 States, and the agency highlighted the importance of physical activity and good health by encouraging Americans to become more physically active.

Why, however, is Dr. Satcher's confirmation being held up? Because of some false litmus test about abortion. Because of some belief that he may be prochoice or pro a procedure, none of which should have anything to do with the head of this country's medical message being confirmed or not confirmed, particularly when Dr. Satcher has indicated that it is his desire to lead this country in a comprehensive way of providing an opportunity for more Americans to be healthy.

He is highly respected and supported by the American Medical Association, the American Academy of Family Physicians, the American Academy of Pediatrics, Dr. Louis Sullivan, the President of Morehouse School of Medicine and former Secretary of Health and Human Services under Republican administrations, and numerous other medical groups.

The Office of Surgeon General has been vacant too long. This is a travesty.

Dr. Satcher wrote in 1977 to Senator WILLIAM FRIST, himself a doctor: Let me state unequivocally that I have no intention of using the position of Assistant Secretary for Health and Surgeon General to promote issues related to abortion. That is it, plain and simple. What more do you need? You cannot take away from an individual his right to his opinions and his belief. Stop the travesty. Follow the Constitution. Proceed with the advice and consent from the other body, proceed to nominate and affirm judges that can be independent and Surgeon Generals that can be independent.

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NAME CHANGE FOR WASHINGTON NATIONAL AIRPORT SHOULD NOT HAPPEN

The SPEAKER pro tempore (Mr. MILLER of Florida). Under a previous order of the House, the gentleman from Virginia (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Virginia. Mr. Speaker, tomorrow this House will take up a bill to strip George Washington's name from Washington National Airport and to rename it the Ronald Reagan National Airport.

I oppose this legislation. My opposition and the opposition of other Members to this bill has nothing to do with personal feelings about President Reagan and his family. In fact, we wish them the best. The debate on this bill should not be about President Reagan or his policies.

I want to repeat this. This debate is not about President Reagan or how best to honor his legacy, this debate is about the majority's efforts to push through a bill that will have serious consequences with little debate and no serious consideration.

In the 7 years I have been a Member of Congress I have never seen greater arrogance than has been exhibited by the majority party in their efforts to enact this legislation. This is an arrogant abuse of power. Washington National Airport is in my district. I have never been consulted about this legislation. I was never asked to appear at a hearing, because there was no hearing. And no one from the other side has even bothered to ask my constituents what they thought about it. If they had, they would find that we do not want this name changed.

Every Member of this House should think how they would feel if the Congress were to vote tomorrow to rename the airport in their district without even consulting them. This bill was drafted without consulting Senators WARNER and ROTH, Virginia's representatives in the other body.

This bill was drafted without consulting the Washington Metropolitan Airport Authority, the body that Ronald Reagan created to govern the Washington National Airport. It was drafted without consulting the Federal Aviation Administration that has to change all the tickets and the rerouting and their whole computer network. The airlines operating out of National were not consulted or the businesses located around the airport in my district. Each of these entities will be significantly and adversely impacted by this bill and each deserves a voice in this decision.

Rather than honor Ronald Reagan and his family and his philosophy of devolving Federal power to State and local governments, this Congress is completely ignoring the expressed wishes of local government when it acts in such an imperious, dictatorial manner. Both Arlington County and

the City of Alexandria have gone on record as firmly opposing this renaming bill.

The Greater Washington Board of Trade, which is the equivalent of our regional Chamber of Commerce, opposes this legislation. These local organizations reflect strong public sentiment against H.R. 2526. So rather than respect the conservative principles of Ronald Reagan, this Congress is diminishing the history of the airport and the President for which it was named to glorify another President.

Our local airport was named Washington National Airport for a very good reason. George Washington lived less than 10 miles away from it, on the very same route. He lived at the end of the street where Washington National Airport is located, Mount Vernon. When it was built, President Roosevelt and airport architects wanted the original terminal to bear a resemblance to Mount Vernon, which it does.

Virginia is a State which is proud to have produced so many Presidents and Founding Fathers for this Nation. We do not want to have the name of our first President taken off the busiest airport in our State. Rather than honor President Reagan's belief in limited and preferably local government, this Congress is about to enact a bill that will saddle the Washington Metropolitan Airport Authority and hundreds of local businesses in and around Washington National Airport with great and unnecessary expenses.

The most ironic, and some would say saddest, part of this entire debate is that we are trying to overturn one of President Reagan's accomplishments. It was, after all, President Ronald Reagan who in 1986 signed legislation that ceded Federal control over Washington National and Dulles Airports to the State and regional authorities. That 1986 law granted to the Washington Metropolitan Airport Authority control over these airports. They were not even consulted.

This is wrong. It is an outrageous abuse of power. It should not be done. Do not do it.

By signing that legislation, President Reagan assured that the federal government would get out of the business of running regional airports. He was correct in doing so. He was acting in a manner that was consistent with this core philosophy, which was to devolve power to the state and local governments.

Now, twelve years later, my Republican colleagues want to ignore completely the spirit and purpose of that law and force this name change on unwilling local authorities.

Lest anyone think that this is just a partisan concern, or that we are acting in a petty manner, I ask them to consider not my comments but the comments of former Virginia Governor Linwood Holton, who was also a former chairman of the Washington Airports Authority.

In a letter to me last week, the Governor stated his strong opposition to H.R. 2526. He expressed the concern that this bill defeats the purpose of the 1986 airports law and the underlying lease for the airports between the federal government and the airports authority. That lease grants to the authority—and not to this Congress—the control over all operational issues relating to the airport. And that includes its name!

Governor Holton goes on to articulate the concerns that many of us have about the cost of this name change and its impact on the traveling public.

These are not the concerns of some partisan Democrat, but of the first Republican elected to statewide office in modern Virginia history.

Mr. Speaker, President Reagan has been and will continue to be honored by the American people. His name will be on the Navy's next *Nimitz*-class aircraft carrier. The new international trade center downtown will be dedicated in April as the Ronald Reagan Building. And there is a courthouse in California named after President Reagan.

These honors are appropriate and enjoy bipartisan support.

Let's not subject the President and his family to a divisive debate over renaming Washington National Airport. H.R. 2526 is a bill that is opposed by our local governments in Virginia. It is opposed by the business community. It runs counter to the spirit and purpose of existing law. It diminishes Virginia history and the legacy of George Washington. And it establishes a bad precendent for this House.

I urge the Republican leadership to withdraw this ill-advised and hastily drawn measure.

Mr. Speaker, I include for the RECORD the following:

MCLEAN, VA, *January 29, 1998.*

DEAR JIM: I am writing to you in regards to the pending legislation to change the name of the Washington National Airport to ''Ronald Reagan National Airport.'' I had the honor of working closely with the Congress and Secretary of Transportation Elizabeth Dole in advancing the Metropolitan Washington Airports Act of 1986 to transfer Washington National Airport out of the Federal Government to the Metropolitan Washington Airports Authority. This legislation of course was signed into law by President Reagan. The Airports Authority was created by the Commonwealth of Virginia and the District of Columbia. The Federal Government leased Washington National Airport and Washington Dulles International Airport to the Authority for fifty years beginning on June 7, 1987. I was privileged to serve as Chairman of the Authority at that time and I signed that lease on behalf of the Authority.

The purpose of the transfer, as recited in the lease itself, was to achieve ''local control, management, operation and development'' of the airports. I am very concerned that after ten years of this lease arrangement, the Congress now proposed to take unilateral action to change the name of the airport. This is not at all consistent with either the literal terms or the purpose of that lease agreement. Further, the change to the name as proposed, while honoring a president for whom I have the greatest respect, would be detrimental to the airport and its users and affect the traveling public in ways certainly not intended by the drafters of this legislation.

The lease grants the Authority complete control, power, and dominion over the airports. The intent of Congress, Virginia and the District of Columbia in this arrangement is clear. Even though the Federal Government continues to own the underlying land, the airport is to be treated as any other airport, not as a federal facility. In the past, there have been changes made to the lease at the request of Congress and the changes have been brought about by a mutually agreed upon amendment to the lease to secure the consent of the Airports Authority. The proposed name change legislation does not acknowledge the need to obtain the consent of the Authority and this is inconsistent with the intended relationship between the Federal Government and the Authority.

As for the consequences, the removal of ''Washington'' from the airport name removed the location and market identifier that is obviously very important to travelers and shippers at points distant from the Washington area. It is worth noting that well over half of those who travel through National are not residents of the Washington region. The word ''Washington'' provides immediate market and location information. Without it, there will be confusion that does not exist today about where the airport is and what market it serves. The cost of such loss of identity and confusion may not be readily quantified, but I believe that it would be substantial. There also are other costs such as the costs to local businesses who have associated their identifies with Washington National Airport.

In conclusion, the legislation which transferred Washington National Airport to the Metropolitan Washington Airports Authority granted to the Authority the control and oversight of the airport. Unilateral action by the Congress to take the drastic action of changing the name of the airport is inconsistent with both the spirit and the intent of the transfer.

Very truly yours,

LINWOOD HOLTON.

LEGISLATION TO KEEP SOCIAL SECURITY SOLVENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, thank you very much. As you well know, Mr. Speaker, the Committee on the Budget for the last 3 hours has been meeting, talking to Mr. Raines, the Director of the Office of Management and Budget. My concern and what I noted to Mr. Raines was the fact that Social Security is in jeopardy.

I have introduced the only bill in this U.S. House of Representatives that has now been scored by the Social Security Administration to keep Social Security solvent, so I applauded the President when he suggested that we put Social Security first. However, as I said to Mr. Raines, in examining the budget that was delivered yesterday, Social Security was not put first. Social Security was put ninth, not first.

And I explained the problem of the expanded spending in this budget, where ahead of Social Security was an expanded Medicare program; ahead of Social Security was the high cost of this global warming agreement; ahead of Social Security was $37 billion expanded role for government in education, where Washington is going to decide more of the decisions and pass more regulations as they pass through that money back to local communities; ahead of Social Security was new penalties for moms who stay at home to

take care of their kids with a $21 billion program of government getting into the baby-sitting business; expanded welfare programs were there; infusing $18 billion into the International Monetary Fund, the IMF; the budget created or expanded $39 billion worth of new or expanded entitlement programs. Social Security was definitely not put first.

In the budget was roughly $102 billion of increased taxes, another $23 billion of increased fees, which one could almost consider taxes because eventually they are going to be passed on to the consumer. My question to Mr. Raines was, would he consider taking whatever increased revenues was projected and not spending it on these new expanded ''make government bigger and more powerful'' programs and put all that surplus into Social Security? And he reacted that, no, they thought they had the correct balance.

I think, Mr. Speaker, that we should change the definition of what a balanced budget is. We are hoodwinking the American people in pretending there is a balanced budget, because there is not. If you look in this book of part of the budget, the historical tables, on page 111, we talk about what happens to the national debt of this country, the Federal debt of this country. The Federal debt in this budget is going up between $100 billion and $200 billion every year for the next 5 years. I personally think that a reasonable definition for a balanced budget is when we stop increasing the national debt.

And the justification is, and it is not just the President, it has been Congress, too, that says, look, we are defining a balanced budget as everything that comes into budget. But everybody should understand what government is doing is overtaxing workers today because there is more money coming in in the Social Security tax than is needed to pay out immediately for benefits. And the Federal Government is taking that money, not only spending it for other social programs but they are taking that money and considering it is balancing the budget.

That should not be the way, Mr. Speaker. We need to start being more honest with the American people. In this budget we should be looking at how we reduce the overall size of government and not, as suggested in this government, in this budget, that we have another $102 billion of taxes, or a total of $129 billion of taxes if you include the fee increases that are going to be put on the American people. We should not increase those taxes to expand government.

We should put Social Security first. I agree with the President. Let us not expand government at a time that we have these huge challenges of saving Social Security and saving Medicare.

SCHOOL OVERCROWDING

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SANCHEZ) is recognized for 5 minutes.

Ms. SANCHEZ. Mr. Speaker, many of you know that my major legislative focus this past year has been to alleviate California's and the Nation's overcrowded schools. I have introduced a bill, the Expand & Rebuild America's Schools Act, to ensure that schools with high growth rates have a Federal incentive to pass local bond initiatives to help build new schools and new classrooms.

To highlight this legislation, I held a forum this past month in my hometown of Anaheim, California, a forum on school overcrowding, and it was attended by the gentleman from Missouri (Mr. GEPHARDT), our Democratic leader, and the gentlewoman from California (Ms. JUANITA MILLENDER-MCDONALD). She herself is a former teacher in California.

We held it and we had witnesses to talk to us about how they are affected by the overcrowding crisis. Students and teachers, administrators, education experts from my district, Sacramento and Washington, D.C. gave valuable testimony that shed light on what is going right, what is wrong, and what has to be done to help our kids.

And, yes, I did hear a 6th grade student talk about how she no longer has playground space because portable classrooms were needed to be placed on the school's blacktop; or the teacher's frustration who said she was using a coat closet as a workroom; or even the knowledge that I have of having returned to my elementary school there in Anaheim and to see the janitor's mop room now being used as a classroom for special education children. And I know that we need to solve this problem of school overcrowding.

The forum produced many good ideas about what must be done locally and in our State to build more schools, but what remains clear is through this we still need Federal help. I applaud the President for stepping up to the plate and offering two major bond programs to encourage renovation of schools and new school construction. His bond program could be, in my view, more focused on alleviating the crowding of our most impacted schools, and I look forward to working with the administration to ensure that some exception or preference can be given to schools suffering from both high growth rates and little space. For example, the elementary schools in Anaheim were built for 500 students, yet each of them has almost 1100 students attending. And, of course, they are now on year-round schedule.

My legislation, which offers a similar bond financing program, is a good example of getting local people to take on the responsibility of financing their schools with an incentive that if they do this, we will help them, not by creating more Federal bureaucracy or a new spending program, but by offering interest free rates on bonds because the Federal Government will provide a tax credit to the lenders in the amount of the interest. Therefore, these local agencies will only have to repay the principal. Only schools which are highly impacted by overcrowding can qualify for these bonds.

School overcrowding is not only just a problem in Orange County or in California, but States such as Nevada and Arizona, Florida, and Pennsylvania are experiencing the same challenges. If my colleagues would like additional information about the forum and the information we have received there, please contact me. And I hope that we can work together to ensure that our children can get all the space that they need.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2:00 p.m.

Accordingly (at 1 o'clock and 14 minutes p.m.), the House stood in recess until 2:00 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GOODLATTE) at 2 p.m.

PRAYER

The Chaplain, Rev. James David FORD, D.D., offered the following prayer:

We admit, O gracious God, that we strive to know Your love, but we realize in our hearts that we miss the mark; we confess that we seek to do Your will in our lives, but we know in our hearts that we often fail; we acknowledge that we aspire to obey Your commandments, but in our hearts we can follow a selfish path. O God of Gods and Creator of all the world, breath into us a new spirit of faith and hope and love that we will be the people You would have us be and do those good works that honor You and serve people in their need. In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. NORWOOD) come forward and lead the House in the Pledge of Allegiance.

Mr. NORWOOD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 30, 1998.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, January 30, 1998 at 10:03 a.m.: that the Senate passed without amendment H.R. 3042.

With warm regards,

ROBIN H. CARLE, *Clerk.*

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 1998.

Hon. NEWT GINGRICH,
Speaker of the House,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: It is with very mixed feelings that I write to you to tender my resignation from the House of Representatives, effective at the close of business on Friday, February 6, 1998. After so many years of watching my family's sacrifice, in the interests of public service, I find that the requirements of being more available to them now press very hard upon me. Therefore, I will leave the House and turn my attention to these pressing matters.

Serving in the House has been a profound honor, both because it has allowed me to share in the traditions and history of the House and because of the incredible district that I was honored to represent in the House chamber. I will miss my many colleagues and the opportunity to contribute so directly to the governance of our nation. I leave with a sense of significant accomplishment, as well as with the optimism with which I entered the chamber for the first time in 1971. I will value our friendship and the challenging debate that we have engaged in over these many years.

Mr. Speaker, I wish you well and extend through you my very best wishes to all of our colleagues.

Sincerely yours,

RONALD V. DELLUMS,
Member of Congress.

HOUSE OF REPRESENTATIVES,
January 27, 1998.

Gov. PETE WILSON,
State Capitol,
Sacramento, CA.

DEAR GOVERNOR WILSON: I write to you pursuant to California law to advise you that I will resign my office, Representative in Congress, 9th California District, effective at the close of business on February 6, 1998. I have similarly advised the Speaker of the House of Representatives.

I appreciate and have been honored by the opportunity to have served the people of the State of California in the United States Congress.

Sincerely yours,

RONALD V. DELLUMS,
Member of Congress.

COMMUNICATION FROM THE HONORABLE HENRY BONILLA, MEMBER OF CONGRESS

The Speaker pro tempore laid before the House the following communication from the Honorable Henry Bonilla, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 2, 1998.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that my office has been served with a subpoena (for written testimony and documents) issued by the 63rd District Court for Val Verde County, Texas, and directed to the ''Custodian of Records, United States of Representatives.''

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the precedents and privileges of the House and, therefore, that the subpoena should be resisted.

Sincerely,

HENRY BONILLA,
Member of Congress.

A LEOPARD CANNOT CHANGE HIS SPOTS

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, it is often said that a leopard cannot change his spots. It must also be said of Bill Clinton that he cannot stop his bad habits, the most obvious of those habits being his propensity to tax and spend.

The President's budget submission is a reaffirmation of this administration's commitment to a bigger government and a heavier tax burden for working Americans. The President's budget includes close to $100 billion in new taxes to pay for close to $100 billion in bigger government.

The American people do not want new taxes and they do not want new government programs. They want a smaller and smarter government that takes less of their money and works more effectively for their families. This is not the time to increase taxes. This is the time to cut taxes. The President's budget is a disappointment, but not a surprise. One cannot expect a leopard to change its spots and one cannot expect President Clinton to embrace the concepts of a smaller and smarter Federal Government.

KARLA FAYE TUCKER DESERVES THE DEATH PENALTY

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Karla Faye Tucker, who is scheduled to be executed tonight, has asked for clemency. This is the same Karla Faye Tucker who brutally murdered two helpless victims with a pick ax, no less. At that trial, Karla Faye testified, and I quote, that she ''enjoyed every single killing stroke'' and that she knowingly did not pay any attention to the screams and pleas of her dying victims.

But now, Karla Faye has found the Lord and she begs for mercy. Beam me up, Mr. Speaker. Who now speaks for the innocent victims of Karla Faye Tucker? I say good night, sweet princess. Karla Faye Tucker has deserved the death penalty. She earned it with every single enjoyable killing stroke on those helpless victims.

Think about it. An America that tolerates and coddles murderers will continue to have them.

COMPETITION IN COMMUNICATIONS

(Mr. NORWOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NORWOOD. Mr. Speaker, there are critics of Congress and the Communications Act of 1996 who say our efforts to bring competition to the American people have failed. Now, Mr. Speaker, we know that Rome was not built in one day. We also know, thanks to this act, we are seeing competition in this industry sprout like a budding flower on a spring morning.

This act is working, Mr. Speaker. Almost 300 companies have been certified as local carriers in the territory just covered by Bell South. What we need now is for industry to completely honor the intent of the act and for the regulators, both Federal and as well as local regulators, to move as quickly as possible to implement this act the way Congress intended it to be.

Mr. Speaker, let us bring real choice, cheaper prices, and one-stop shopping to all consumers as soon as possible.

ARLINGTON NATIONAL CEMETERY INTEGRITY ACT

(Mr. KLECZKA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLECZKA. Mr. Speaker, today I rise to offer legislation that will restore the integrity of the final resting place for many of our veterans at Arlington National Cemetery. In recent months we have heard about 69 nonveterans who were granted waivers by the Secretary of the Army to be buried in Arlington over the last 6 years. We also heard allegations that campaign donations may have influenced the waiver process.

While an investigation by the GAO found no wrongdoing, the need for tightened standards has become evident.

That is why today I am introducing the Arlington National Cemetery Integrity Act, which will put into law the current regulations allowing veterans, certain family members, and a few distinguished government officials who

have served on active duty to be interred at the cemetery. This bill will end the practice of granting waivers and legally clarify once and for all who may be buried at Arlington Cemetery.

Being laid to rest at Arlington is the last honor we can bestow upon our veterans. The Arlington National Cemetery Integrity Act will provide this honor for veterans for years and years to come.

THE CLINTON BUDGET: A RETURN TO BIG GOVERNMENT

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, remember when President Clinton told us that the era of big government is over? Well, apparently he has had a change of heart, because his latest budget proposal is a true monument to big government excess. Billions and billions and billions in new taxes, and billions and billions and billions in new Federal spending. So much for presidential promises, welcome back, big government.

This Congress cannot and will not accept a return to the tax and spend days of old. Because the taxpayers in 1994 installed a new majority in Congress, family income is up, interest rates are down, unemployment is down, and tax relief is finally on the way. And the budget will soon show a surplus for the first time in a generation. It is no time to turn back the clock.

Mr. Speaker, the President's budget completely ignores last year's balanced budget agreement by creating a variety of new spending programs and a host of new taxes. That is not what the taxpayers had in mind. Let us balance the budget. Let us cut taxes, let us do it now.

DEATH PENALTY

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, tonight Karla Faye Tucker may well be executed. But whether Ms. Tucker lives or dies, her case is making the country think more reflectively about the death penalty.

The moral bankruptcy of adopting death and violence to conquer death and violence has not been lost on our moral leaders, such as the Catholic Church, and the American people are beginning to appreciate the futility of execution. Given a choice, most people would choose life without parole, plus restitution to the victim's family, over the death penalty.

In the Senate, there is a bill that few Americans would condone to impose the death penalty on the District despite a referendum and a council vote to the contrary.

Karla Faye Tucker's Christian conversion has drawn her much support. May her faith convert us all from selective Christianity when it comes to the death penalty.

AN ORDINARY HERO

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTKNECHT. Mr. Speaker, Ronald Reagan said, we all have the right to dream heroic dreams. Those who say we are in a time when there are no heroes just do not now where to look. We can see heroes every day going in and out of factory gates. Others, a handful of them, produce enough food to feed all of us and then the world beyond. We meet heroes across the counter and they are on both sides of that counter. They are entrepreneurs with faith in themselves and faith in a new idea who create jobs, new wealth, new opportunity. They are individuals and families whose taxes support the government and whose voluntary gifts support church, charity, art and education. Their patriotism is quiet, but deep. Their values sustain our national life.

Mr. Speaker, Ronald Reagan believed in us, in our capacity to perform great deeds. He was the American President in the American century. It is altogether fitting that we rename our National Airport after him.

THE AMERICAN DREAM FOR ALL

(Ms. JACKSON-LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am not sure if my colleagues on the other side of the aisle heard the same message that I heard and the American people heard at the State of the Union, and as well, at the budget presentation that was made by the President just yesterday; that is, that we have the first balanced budget in the history of this Nation in the last 30 years.

In addition, let me offer to say to my colleagues that the point is how the American people perceive the next decade and the 21st century. Are my colleagues to tell me that the American people do not want real, viable and trustworthy child care; that we are not suffering from the crumbling schools around the Nation; that we do not want to emphasize education and opportunities for higher education for those moving from welfare to work? I think not.

Mr. Speaker, a 79 percent approval rating after the State of the Union indicates that the American people want action. Yes, they want a balanced budget, but they also want to go into the future, standing tall. They want an increase in the minimum wage. Yes, they want the same things that those who make $200,000 and up have in this country. They want the American dream.

So I say to my colleagues, follow the American people, and if you cannot, get out of the way, because we have a balanced budget and we have a vision for the 21st century.

☐ 1415

RENAMING NATIONAL AIRPORT FOR PRESIDENT RONALD REAGAN

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, former President Ronald Reagan never lobbied personally for his place in history. This kind of self-confident leadership style is often missed in Washington, today more than ever.

It is a travesty that partisan politics has entered into what should be a bipartisan tribute to this great man. Whether my colleagues agree or disagree with Ronald Reagan's philosophy, I doubt that anyone can question Reagan's great love for this Nation and his dedication to his role as the leader of the free world.

People from around the world visit our Nation's capital each year. We need to show them the enormous sense of pride that all America takes in honoring his legacy. In an era where partisan politics have so often replaced open and honest debate, the time has come to say enough is enough. For once, just once, let us put aside our egos and with this simple but grand gesture pay tribute to this great man who is so deserving.

I urge my colleagues to support H.R. 2625 when it comes before the House Floor tomorrow.

MEDICARE VENIPUNCTURE SENIORS PROTECTION ACT

(Mr. ADERHOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADERHOLT. Mr. Speaker, today I am introducing the Medicare Venipuncture Seniors Protection Act. This bill will delay the implementation of a section in the Balanced Budget Act which changes the Medicare coverage for venipuncture, or the drawing of blood.

By delaying the implementation of this provision for 18 months, we will be able to study the impact of this change on the elderly and the frail more closely. I fear that, without closer examination, we may make a rash decision which could be devastating to the health care needs of many of our country's seniors.

I fully support eliminating waste, fraud, and abuse from the Medicare program, but throwing the baby out with the bath water is not the answer, and that is exactly what the change in venipuncture coverage may do.

Mr. Speaker, I urge my colleagues to join with me in fighting to make sure

that our seniors are protected during this change and that no one who depends on this home health care service is left out in the cold.

RONALD REAGAN'S LEGACY

(Mr. ROGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGAN. Mr. Speaker, there are those who still turn a blind eye to the legacy of President Ronald Reagan. Although he left office in 1989 as one of the most beloved presidents of this century, there are some academicians and members of the political left who still want to denigrate his place in history.

When we look at the opening of the Soviet archives over the last few years, and the testimony of former Soviet leaders themselves, we see that President Reagan's strong foreign policy and defense buildup were responsible for the fall of the communist empire.

The transformation of the American economy under his stewardship into a low-tax, deregulated economy has now made our country the envy of the world.

Mr. Speaker, there is no better way to honor his achievement than to rename Washington National Airport after President Ronald Reagan, one of the truly great presidents in American history.

ON THE 200TH ANNIVERSARY OF THE DEATH OF GEORGE WASHINGTON

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, today, along with Speaker GINGRICH, I will be introducing a concurrent resolution remembering the life of George Washington and his significant contributions to our Nation.

As my colleagues will recall, December 14, 1999, will be the 200th anniversary of the death of George Washington, the founder of our Nation and protector of our liberties. Throughout his life, George Washington projected selfless bravery and astute decision-making, all of which helped to formulate our great Nation into what it is today.

Today, the Mount Vernon Ladies Association of the Union, which maintains the Mount Vernon estate and directs research education programs relating to George Washington, will be on Capitol Hill to demonstrate their support for this resolution.

Accordingly, I invite my colleagues to join me and the Speaker and the Mount Vernon Ladies Association in supporting this concurrent resolution in observation of the 200th anniversary of the death of George Washington, commemorating this notable public servant, an outstanding president, and a courageous general and a splendid human being.

LAOTIAN GOVERNMENT SHOULD RELEASE PRISONERS

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUTCHINSON. Mr. Speaker, Jerry Canfield, long-time city attorney in Ft. Smith, and his wife Meg have been held in custody by the Laotian government since last Friday. They were arrested along with one other American and 40 Laotians.

What was their crime? They were helping Laotians build water systems. But could it also be that they were peacefully assembling to exercise freedom of religion, freedoms that we in a democratic Nation exercise routinely?

The Americans have been released, but what about the 40 Laotians who are still in custody? It is my hope and prayer that these Laotians will be released as well and that the Laotian government recognize that freedom works, not just in America but throughout the world.

PRESIDENT'S BUDGET NOT ALL THAT IS PROMISED

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, yesterday the President sent to Congress his budget. He claims that this is the first balanced budget in 30 years. Is that true? Only in Washington could this be called a balanced budget.

The President proposes to borrow an additional $185 billion this year in this budget. That is right. The national debt this year would go up another $185 billion. As a matter of fact, the President's plan over the next 6 years would increase the national debt by $1 trillion. And they say that is balanced.

The President claims that the surpluses in this budget would go to make Social Security solvent. That is not quite accurate either, Mr. Speaker. The President's budget continues, repeat continues, the practice of raiding the Social Security Trust Fund.

To top it all off, the President is proposing to increase taxes. As a matter of fact, under this plan, the President's plan, taxes would be at the third highest level than they have ever been in the history of the United States.

So this budget increases taxes, it adds more debts, and it raids the Social Security Trust Fund. This is business as usual, Mr. Speaker. Shame on the President. And if Congress adopts this budget, shame on Congress.

PRESIDENT'S BUDGET IS BUSINESS AS USUAL

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, a year ago the President proclaimed the era of big government is over. And then recently he said, it is now the end of an era, meaning we have a surplus and we had a lot of ways to spend it. So I guess the era that big government was over was only about an 11-month period of history in the United States. Now we are back to the government spending as usual.

The President came on like gangbusters, Santa Claus on Christmas morning, with all kinds of high taxes, new spending programs, old Democrat stuff, tried and true methods of buying blocs of voters one at a time.

One thing the President forgot in his speech, he said the deficit had 11 zeros. Actually, the debt has more zeros than the deficit. I believe the President confused the debt with the deficit, and he thinks we have paid off the debt.

Mr. Speaker, the children of the United States of America, and all others, are faced with over a $5 trillion debt. We have got to pay down the debt. That should be the highest priority with the surplus.

COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. GOODLATTE) laid before the House the following communication from the President of the United States:

THE WHITE HOUSE,
Washington, February 2, 1998.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to 31 U.S.C. 1105, attached is the Budget of the United States Government for Fiscal Year 1999.

Sincerely,

WILLIAM J. CLINTON.

BUDGET OF THE UNITED STATES GOVERNMENT, FISCAL YEAR 1999—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–177)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

The 1999 Budget, which I am submitting to you with this message, is a balanced Federal budget, marking the first such budget in 30 years and bringing an era of exploding deficits to an end.

By reaching balance, my budget represents a remarkable turnaround in our fiscal policy over the last five years. It brings to an end three decades of fiscal chaos, a period in which Americans had lost confidence in their Government and the ability of their leaders to do the people's business.

This budget is not just balanced, it is balanced the right way. It not only ends the deficit, it reflects the values

that Americans hold dear—the values of opportunity, responsibility, and community. The budget reflects my commitment to continue helping working families with their basic needs—to raise their children, send them to college, and pay for health care.

The budget invests in education and training and in research to raise the standard of living for average Americans. It invests in the environment and in law enforcement to raise the quality of life across our Nation. It invests in our communities at home while providing the resources to maintain a strong defense and conduct the international relations that have become so important to our future.

In the public and private sectors, prospects for a budget surplus are spurring a wide array of ideas about how to spend it. At this point, the Government has not yet reached the surplus milestone, and I continue to believe strongly that we should not spend a surplus that we don't yet have.

More specifically, I believe that the Administration and Congress should not spend a budget surplus for any reason until we have a solution to the long-term financing challenge facing Social Security. With that in mind, my budget proposes a reserve for the projected surpluses for 1999 and beyond.

PREPARING THE NATION FOR A NEW AMERICAN CENTURY

Five years ago, my Administration took office determined to restore the American Dream for every American. We were determined to turn the economy around, to rein in a budget that was out of control, and to create a Government that once again would focus on its customers, the American people.

Five years later, we have made enormous progress. Our economy is strong, our budget is headed toward balance, and our Government is making noticeable progress in providing better service to Americans.

We are beginning to bring Americans together again, to repair the social fabric that has frayed so badly in recent decades. All across America, crime is down, poverty is down, and welfare is down. Incomes are rising at all levels, and a new spirit of optimism is sweeping through many of our urban and rural communities that are rebounding from decades of lost jobs and lost hope.

Now that we have turned the economy around, our task is to spread the benefits of our economic well-being to more Americans, to ensure that every American has the chance to live out his or her dreams. As we move confidently ahead as a Nation, we want to ensure that nobody is left behind.

A century ago, the economy shifted from agriculture to manufacturing, changing the way that Americans lived, the way they worked, the way they related to one another. Today, the economy is shifting once more, this time from manufacturing to services, information, technology, and global commerce.

We can ensure that every American fully enjoys the benefits of this exciting new age, but only if we continue to give people the tools they need and create the conditions in which they can prosper. That is what my budget is designed to do.

CREATING A BRIGHT ECONOMIC FUTURE

When my Administration took office, the Nation was mired in economic problems. The economy had barely grown over four years, creating few jobs. Interest rates were high. Incomes remained stagnant for all but the most well-off. The budget deficit, which had exploded in size in the early 1980s, had reached a record $290 billion and was headed higher. Clearly, the Nation needed a new course.

We launched an economic policy with three central features that had never before been tried together: We set out to reduce the deficit, invest in the American people, and open up markets abroad. Only by pursuing all three elements could we restore the economy and build for the future.

My 1993 budget plan, the centerpiece of our economic strategy, was a balanced plan that cut hundreds of billions of dollars of Federal spending while raising income taxes only on the top 1.2 percent of Americans. By cutting unnecessary and lower-priority spending, we found the resources to cut taxes for 15 million working families while investing in education and training, the environment, and other priorities.

Five years later, we have cut the deficit dramatically, and this budget will finish the job by reaching balance and keeping the budget in balance for the foreseeable future. We have invested in the education and skills of our people, giving them the tools they need to raise their children and get good jobs in an increasingly competitive economy. We have expanded trade through global as well as bilateral agreements, generating record exports that create high-wage jobs for millions of Americans.

The economy responded almost immediately to our policies. When I announced my 1993 budget plan, interest rates fell, and they fell even more as I worked successfully with Congress to put the plan into law. These lower interest rates helped to spur the steady economic growth and strong business investment that we have enjoyed for the last five years. Our policies have helped create over 14 million jobs, while interest rates have remained low and inflation has stayed under control.

As we move ahead, I am determined to ensure that we stick with the policies that are working. We must maintain our fiscal discipline so that we not only reach balance, but also keep the budget in balance.

IMPROVING PERFORMANCE THROUGH BETTER MANAGEMENT

We are balancing the budget the right way, by reducing the size and scope of our Government.

We have done more than just eliminate hundreds of Federal programs and projects. We have cut the civilian Federal work force by over 316,000 employees, giving us the smallest work force in 35 years. In fact, as a share of our total civilian employment, we have the smallest work force since 1931.

But we set out to do more than just cut Government. Under the leadership of the Vice President's National Performance Review, we set out to make Government work, to create a Government that is more efficient and effective, to create a Government focused on its customers, the American people.

We have made real progress, but we still have much work to do. We have reinvented parts of departments and agencies, but now we are determined to turn our agencies around from top to bottom. For 1999, the Vice President will lead an effort to improve the performance of agencies that interact most with the American people. We want to enable Americans not only to quickly enjoy better service from our Government, but to regain confidence in Government as well.

At the same time, I am determined that we will solve the very real management challenges before us. A good example is the challenge of ensuring that our computer systems can accurately process the year 2000 date change. I have directed my Administration to take the necessary steps to meet the problem head-on.

PREPARING FOR THE 21ST CENTURY

Nothing is more important to our future than education. It has become the dividing line between those who are moving ahead and those who are lagging behind. That is why I have devoted so much effort to ensure that we have a world-class system of education and training in place for Americans of all ages. Over the last five years, we have worked hard to ensure that every boy and girl is prepared to learn, that our schools focus on high standards and achievement, that anyone who wants to go to college can get the financial help to attend, and that those who need a second chance at education and training or a chance to improve or learn new skills can do so. My budget significantly increases funds to help children, especially in the poorest communities, reach challenging academic standards and makes further progress in implementing voluntary national tests. It proposes to build more classrooms and pay for 100,000 more teachers so that we can reduce class sizes. For higher education and training, my budget increases Pell Grants and other college scholarships from the record levels that we have already achieved; expands College Work-Study to a record one million students; streamlines student loan programs and cuts student fees; and expands access to job placement services, training, and related services for dislocated workers and others. Now that anyone who wants to attend college can find the means through Hope scholarships, Pell Grants, and other assistance that we worked so hard to enact, I want to provide the same universal opportunity

for job training and re-training to those who need it.

Over the last five years, we have worked hard to help working families. We cut taxes for 15 million working families, provided a tax credit to help families raise their children, ensured that 25 million Americans a year can change jobs without losing their health insurance, made it easier for the self-employed and those with pre-existing conditions to get health insurance, provided health care coverage for up to five million uninsured children, raised the minimum wage, and provided guaranteed time off for workers who need to care for a newborn or address the health needs of a family member. Now, with my new Child Care Initiative, I am determined to provide the help that families need when it comes to finding safe, high-quality, affordable child care. Parents should know that, when they go to work, their children are in safe, healthy environments. I also propose to address the problems faced by a particular group of working families—legal immigrants. In signing the 1996 welfare reform law, I said that I would try to restore the cuts in benefits for legal immigrants that were not only harsh and unnecessary but that had nothing to do with the fundamental goal of welfare reform—to move people from welfare to work while protecting children. My budget restores Food Stamps to 730,000 legal immigrants and lets States provide health insurance to the children of legal immigrants.

This past year, we continued to improve health care for millions of Americans. we strengthened Medicare by extending the life of the trust fund until at least 2010, while we also invested in preventive benefits, introduced more choice of health plans, and strengthened our expanding array of activities to combat fraud and abuse. We extended health care coverage to up to five million uninsured children. We created the Advisory Commission on Consumer Protection and Quality in the Health Care Industry and we later endorsed its Health Care Consumer Bill of Rights. With this budget, I propose that we build on our achievements on a host of important fronts. I want to work with Congress to enact national bipartisan tobacco legislation; nothing is more potentially important to the health of our people, particularly children. My budget also proposes to expand health care coverage for some of the most vulnerable Americans aged 55 to 65, to enroll more eligible children in Medicaid, to provide for unprecedented levels of investment in health research, to expand access to powerful AIDS therapies, to expand access to cancer clinical trials, to increase funds for substance abuse treatment and prevention, and to help reduce health-related disparities across racial and ethnic groups.

Last year was a remarkable one for the environment, and I am determined to build on our progress. Led by the Vice President, the Administration reached an historic international agreement in Kyoto that calls for cuts in greenhouse gas emissions. We also issued new, more protective air quality standards to better safeguard public health, and we strengthened our citizens' right to know about toxic chemical releases. We continued to protect our natural treasures, such as Yellowstone National Park and Florida's Everglades, and to make further progress toward my goal of cleaning up 900 hazardous waste sites under the Superfund by the end of the year 2001. With this budget, I am proposing an Environmental Resources Fund for America that will support increases for many of our key environmental programs. It provides for more construction, maintenance, and land acquisition for national parks, forests, refuges, and other public lands; for a new effort to improve the quality of our water; for improvements to community drinking water and wastewater facilities; and for continuing our efforts to clean up abandoned hazardous waste sites. My budget also includes a new, five-year, $6 billion program to prevent global warming, and more resources to protect endangered species, control pollution, and preserve the global environment.

I am proposing a Transportation Fund for America, reflecting my commitment to provide the resources to ensure that our transportation infrastructure remains safe, integrated, and efficient enough to serve our growing needs. Investment in infrastructure is good for America because it helps grow the economy, improve safety and public health, strengthen our competitiveness abroad, support our national security, and increase the mobility, access, and choice for Americans who need to travel. We must build upon our vast network of roads, highways, and bridges to meet the demands of the next century for a system that links our various modes of travel, that is cleaner and safer, and that helps bring together and support our urban and rural communities. My budget maintains the Administration's record support for transportation, and the Fund includes all of the Transportation Department's highway, highway safety, transit, and air transportation programs.

Scientific and technological advances have created a world vastly different from the one our grandparents knew. They have helped generate huge leaps in the speed and economy of transportation, enormous increases in farm productivity, lightning-fast flows of information and services across national borders, and advances in treating and preventing diseases and protecting the environment. Because I am committed to America's continued leadership in science and technology, I am proposing a Research Fund for America, from which many of our important investments will flow. It includes record increases for the National Institutes of Health, higher funding for the National Science Foundation, new resources to address global climate change, and a wide variety of investments in basic and applied research. These investments are vital; they help to create new knowledge, train more workers, spur new jobs and industries, address our health care challenges, strengthen our understanding of environmental problems, better educate our children, and maintain a strong national defense.

Our anti-crime strategy is working. Serious crime is down five years in a row and, in 1996, we witnessed the largest drop in violent crime in 35 years. But, because crime remains unacceptably high, we must go further. My budget expands our community policing (COPS) program, which is already putting 83,000 more police on the streets toward my goal of 100,000 by the year 2000. The budget also proposes a new Community Prosecutors Initiative to help prosecutors prevent crimes from occurring, rather than simply prosecuting criminals after the fact. And it provides the necessary funds to prevent violence against women, to help States and Indian Tribes build prisons, and to address the growing law enforcement crisis on Indian lands. To boost our efforts to control illegal immigration, the budget provides the resources to strengthen border enforcement in the South and West, to remove illegal aliens, and to expand our efforts to verify whether newly hired non-citizens are eligible for jobs. To combat drug use, particularly among young people, my budget expands programs that stress treatment and prevention, law enforcement, international assistance, and interdiction. It continues to build on our innovative Drug Courts initiative, proposes School Drug Prevention Coordinators for our schools, supports local efforts that target drug-using offenders, expands drug testing, and strengthens our efforts to make our ports and borders more secure from drugs while disrupting drug trafficking organizations overseas.

Most Americans are enjoying the fruits of our strong economy. But while many urban and rural areas are doing better, too many others have grown disconnected from our values of opportunity, responsibility, and community. Working with State and local governments and with the private sector, I am determined to help bring our distressed areas back to life, to replace despair with hope. My budget expands my national service program, giving more Americans the chance to serve their country and help solve problems at the local level while earning money for college. I am proposing to create more Empowerment Zones and Enterprise Communities that offer tax incentives and direct spending to encourage the kind of private investment that creates jobs, and to provide more capital for lending through my Community Development Financial Institutions program. My budget also expands

opportunities for homeownership, provides more funds to enforce the Nation's civil rights laws, maintains our Government-to-Government commitment to Native Americans, and strengthens the partnership we have begun with the District of Columbia.

Because America continues to have a tremendous stake in world affairs, my budget proposes the necessary funds to maintain national security, to conduct our diplomacy, to promote democracy and free markets abroad, and to increase exports. Last year, my Administration worked with Congress to increase international affairs spending. But, Congress faces an unfinished agenda to provide financial support for, and fulfill America's obligations to, a number of international organizations that benefit our economy and serve other objectives, including the International Monetary Fund (IMF), the United Nations system, and the multilateral development banks. Congress should continue to support the decisive action of the IMF as well as our leadership in that institution by providing the supplementary contingent IMF funding that the Administration has sought and replenishing the IMF's basic financial resources. Congress also should give the President traditional trade negotiating authority to help fuel our surging exports into the next century. To enhance national security, my budget maintains large-scale funding to support the Middle East peace process, continues assistance to Bosnia to carry out the Dayton Accords, supports NATO expansion, and increases aid to the New Independent States of the former Soviet Union to support the development of democracy and free markets. I am also proposing a major initiative to provide critical, targeted assistance to African countries that are undertaking difficult economic reforms, and my budget increases counter-narcotics aid to Latin American countries and supports the Summit of the Americas.

Our military serves as the backbone of our national security strategy, and I am committed to maintain a strong and capable military that protects our freedoms and our global leadership role as we approach the 21st Century. The budget continues the Administration's plan to complete the careful resizing of our military forces, to fully support military readiness, to strengthen quality of life programs for our armed forces, and to provide increased funding to modernize our forces as new technologies become available after the turn of the century. My budget reflects the recommendations of the Quadrennial Defense Review and of the Defense Department's recent Defense Reform Initiative to achieve a leaner, more efficient, and more cost-effective organization by improving management and business practices. To implement these improvements, the Defense Department will send legislation to Congress in conjunction with this budget, including a request for two more rounds of base closures and realignments.

INVESTING IN THE COMMON GOOD

Our commitment to balance the budget, and to keep it in balance, will mean that the Administration and Congress must use taxpayer dollars as wisely as possible. If we are to continue funding Federal programs, they will have to show that they are reaching the goals set for them. That is, they will have to show that they are well-run and that they can produce results.

In 1993, I actively supported, and was eager to sign, the Government Performance and Results Act. With this budget, I am delighted to send Congress what the law envisioned—the first comprehensive, Government-wide Performance Plan.

In developing this budget, the Administration for the first time could rely on performance measures and annual performance goals that are now included in agency Annual Performance Plans. We have made a good start on the process that the Administration and Congress outlined in enacting the 1993 law.

As we continue to implement this law, my Administration will focus more and more attention on how programs work, whether they are meeting their goals, and what we should do to make them better. We look forward to working with Congress on our shared goal of improving Government performance.

WILLIAM J. CLINTON.

February 2, 1998.

□ 1445

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GOODLATTE). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on both motions to suspend the rules, but not before 5 p.m. today.

LAWS RELATING TO PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Mr. PEASE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1085) to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, ''Patriotic and National Observances, Ceremonies, and Organizations'', as amended.

The Clerk read as follows:

Suspend the Rules and Pass the Bill H.R. 1085, as amended

H.R. 1085

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

SECTION 1. TITLE 36, UNITED STATES CODE.

Certain general and permanent laws of the United States, related to patriotic and national observances, ceremonies, and organizations, are revised, codified, and enacted as title 36, United States Code, ''Patriotic and National Observances, Ceremonies, and Organizations'', as follows:

TITLE 36—PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

SUBTITLE		Sec.
I.	PATRIOTIC AND NATIONAL OBSERVANCES AND CEREMONIES	101
II.	PATRIOTIC AND NATIONAL ORGANIZATIONS	10101
III.	TREATY OBLIGATION ORGANIZATIONS	300101

SUBTITLE I—PATRIOTIC AND NATIONAL OBSERVANCES AND CEREMONIES

PART A—OBSERVANCES AND CEREMONIES

CHAPTER		Sec.
1.	PATRIOTIC AND NATIONAL OBSERVANCES	101
3.	NATIONAL ANTHEM, MOTTO, FLORAL EMBLEM, AND MARCH	301
5.	PRESIDENTIAL INAUGURAL CEREMONIES	501
7.	FEDERAL PARTICIPATION IN CARL GARNER FEDERAL LANDS CLEANUP DAY	701
9.	MISCELLANEOUS	901

PART B—UNITED STATES GOVERNMENT ORGANIZATIONS INVOLVED WITH OBSERVANCES AND CEREMONIES

21.	AMERICAN BATTLE MONUMENTS COMMISSION	2101
23.	UNITED STATES HOLOCAUST MEMORIAL COUNCIL	2301
25.	PRESIDENT'S COMMITTEE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES	2501

PART A—OBSERVANCES AND CEREMONIES

CHAPTER 1—PATRIOTIC AND NATIONAL OBSERVANCES

Sec.
101. American Heart Month.
102. Asian/Pacific American Heritage Month.
103. Cancer Control Month.
104. Carl Garner Federal Lands Cleanup Day.
105. Child Health Day.
106. Citizenship Day.
107. Columbus Day.
108. Constitution Week.
109. Father's Day.
110. Flag Day.
111. Gold Star Mother's Day.
112. Honor America Days.
113. Law Day, U.S.A.
114. Leif Erikson Day.
115. Loyalty Day.
116. Memorial Day.
117. Mother's Day.
118. National Aviation Day.
119. National Day of Prayer.
120. National Defense Transportation Day.
121. National Disability Employment Awareness Month.
122. National Flag Week.
123. National Forest Products Week.
124. National Freedom Day.
125. National Grandparents Day.
126. National Hispanic Heritage Month.
127. National Korean War Veterans Armistice Day.
128. National Maritime Day.
129. National Pearl Harbor Remembrance Day.
130. National Poison Prevention Week.

131. National Safe Boating Week.
132. National School Lunch Week.
133. National Transportation Week.
134. Pan American Aviation Day.
135. Parents' Day.
136. Peace Officers Memorial Day.
137. Police Week.
138. Save Your Vision Week.
139. Steelmark Month.
140. Stephen Foster Memorial Day.
141. Thomas Jefferson's birthday.
142. White Cane Safety Day.
143. Wright Brothers Day.

§ 101. American Heart Month

The President is requested to issue each year a proclamation—

(1) designating February as American Heart Month;

(2) inviting the chief executive officers of the States, territories, and possessions of the United States to issue proclamations designating February as American Heart Month; and

(3) urging the people of the United States to recognize the nationwide problem of heart and blood vessel diseases and to support all essential programs required to solve the problem.

§ 102. Asian/Pacific American Heritage Month

(a) DESIGNATION.—May is Asian/Pacific American Heritage Month.

(b) PROCLAMATIONS.—The President is requested to issue each year a proclamation calling on the people of the United States, and the chief executive officers of each State of the United States, the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, the Marshall Islands, Micronesia, and Palau are requested to issue each year proclamations calling on the people of their respective jurisdictions, to observe Asian/Pacific American Heritage Month with appropriate programs, ceremonies, and activities.

§ 103. Cancer Control Month

(a) GENERAL.—The President is requested—

(1) to issue each year a proclamation designating April as Cancer Control Month; and

(2) to invite each year the chief executive officers of the States, territories, and possessions of the United States to issue proclamations designating April as Cancer Control Month.

(b) CONTENTS OF PROCLAMATIONS.—As part of those proclamations, the chief executive officers and President are requested to invite the medical profession, the press, and all agencies and individuals interested in a national program for the control of cancer by education and other cooperative means to unite during Cancer Control Month in a public dedication to the program and in a concerted effort to make the people of the United States aware of the need for the program.

§ 104. Carl Garner Federal Lands Cleanup Day

(a) DESIGNATION.—The first Saturday after Labor Day is Carl Garner Federal Lands Cleanup Day.

(b) PROCLAMATION.—The President shall issue a proclamation calling on the people of the United States to observe Carl Garner Federal Lands Cleanup Day with appropriate programs, ceremonies, and activities. However, activities may be undertaken in individual States on a day other than the first Saturday after Labor Day if a manager of Federal land decides that an alternative date is more appropriate because of climatological or other factors.

§ 105. Child Health Day

The President is requested to issue each year a proclamation—

(1) designating the first Monday in October as Child Health Day; and

(2) inviting all agencies and organizations interested in child welfare to unite on Child Health Day in observing exercises that will make the people of the United States aware of the fundamental necessity of a year-round program to protect and develop the health of the children of the United States.

§ 106. Citizenship Day

(a) DESIGNATION.—September 17 is Citizenship Day.

(b) PURPOSE.—Citizenship Day commemorates the formation and signing on September 17, 1787, of the Constitution and recognizes all who, by coming of age or by naturalization, have become citizens.

(c) PROCLAMATION.—The President may issue each year a proclamation calling on United States Government officials to display the flag of the United States on all Government buildings on Citizenship Day and inviting the people of the United States to observe Citizenship Day, in schools and churches, or other suitable places, with appropriate ceremonies.

(d) STATE AND LOCAL OBSERVANCES.—The civil and educational authorities of States, counties, cities, and towns are urged to make plans for the proper observance of Citizenship Day and for the complete instruction of citizens in their responsibilities and opportunities as citizens of the United States and of the State and locality in which they reside.

§ 107. Columbus Day

The President is requested to issue each year a proclamation—

(1) designating the 2d Monday in October as Columbus Day;

(2) calling on United States Government officials to display the flag of the United States on all Government buildings on Columbus Day; and

(3) inviting the people of the United States to observe Columbus Day, in schools and churches, or other suitable places, with appropriate ceremonies that express the public sentiment befitting the anniversary of the discovery of America.

§ 108. Constitution Week

The President is requested to issue each year a proclamation—

(1) designating September 17–September 23 as Constitution Week; and

(2) inviting the people of the United States to observe Constitution Week, in schools, churches, and other suitable places, with appropriate ceremonies and activities.

§ 109. Father's Day

(a) DESIGNATION.—The 3d Sunday in June is Father's Day.

(b) PROCLAMATION.—The President is requested to issue a proclamation—

(1) calling on United States Government officials to display the flag of the United States on all Government buildings on Father's Day;

(2) inviting State and local governments and the people of the United States to observe Father's Day with appropriate ceremonies; and

(3) urging the people of the United States to offer public and private expressions of Father's Day to the abiding love and gratitude they have for their fathers.

§ 110. Flag Day

(a) DESIGNATION.—June 14 is Flag Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation—

(1) calling on United States Government officials to display the flag of the United States on all Government buildings on Flag Day; and

(2) urging the people of the United States to observe Flag Day as the anniversary of the adoption on June 14, 1777, by the Continental Congress of the Stars and Stripes as the official flag of the United States.

§ 111. Gold Star Mother's Day

(a) DESIGNATION.—The last Sunday in September is Gold Star Mother's Day.

(b) PROCLAMATION.—The President is requested to issue a proclamation calling on United States Government officials to display the flag of the United States on all Government buildings, and the people of the United States to display the flag and hold appropriate meetings at homes, churches, or other suitable places, on Gold Star Mother's Day as a public expression of the love, sorrow, and reverence of the people for Gold Star Mothers.

§ 112. Honor America Days

(a) DESIGNATION.—The 21 days from Flag Day through Independence Day is a period to honor America.

(b) CONGRESSIONAL DECLARATION.—Congress declares that there be public gatherings and activities during that period at which the people of the United States can celebrate and honor their country in an appropriate way.

§ 113. Law Day, U.S.A.

(a) DESIGNATION.—May 1 is Law Day, U.S.A.

(b) PURPOSE.—Law Day, U.S.A., is a special day of celebration by the people of the United States—

(1) in appreciation of their liberties and the reaffirmation of their loyalty to the United States and of their rededication to the ideals of equality and justice under law in their relations with each other and with other countries; and

(2) for the cultivation of the respect for law that is so vital to the democratic way of life.

(c) PROCLAMATION.—The President is requested to issue a proclamation—

(1) calling on all public officials to display the flag of the United States on all government buildings on Law Day, U.S.A.; and

(2) inviting the people of the United States to observe Law Day, U.S.A., with appropriate ceremonies and in other appropriate ways, through public entities and private organizations and in schools and other suitable places.

§ 114. Leif Erikson Day

The President may issue each year a proclamation designating October 9 as Leif Erikson Day.

§ 115. Loyalty Day

(a) DESIGNATION.—May 1 is Loyalty Day.

(b) PURPOSE.—Loyalty Day is a special day for the reaffirmation of loyalty to the United States and for the recognition of the heritage of American freedom.

(c) PROCLAMATION.—The President is requested to issue a proclamation—

(1) calling on United States Government officials to display the flag of the United States on all Government buildings on Loyalty Day; and

(2) inviting the people of the United States to observe Loyalty Day with appropriate ceremonies in schools and other suitable places.

§ 116. Memorial Day

(a) DESIGNATION.—The last Monday in May is Memorial Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation—

(1) calling on the people of the United States to observe Memorial Day by praying, according to their individual religious faith, for permanent peace;

(2) designating a period of time on Memorial Day during which the people may unite in prayer for a permanent peace;

(3) calling on the people of the United States to unite in prayer at that time; and

(4) calling on the media to join in observing Memorial Day and the period of prayer.

§ 117. Mother's Day

(a) DESIGNATION.—The 2d Sunday in May is Mother's Day.

(b) PROCLAMATION.—The President is requested to issue a proclamation calling on United States Government officials to display the flag of the United States on all Government buildings, and on the people of the United States to display the flag at their homes or other suitable places, on Mother's Day as a public expression of love and reverence for the mothers of the United States.

§ 118. National Aviation Day

The President may issue each year a proclamation—

(1) designating August 19 as National Aviation Day;

(2) calling on United States Government officials to display the flag of the United States on all Government buildings on National Aviation Day; and

(3) inviting the people of the United States to observe National Aviation Day with appropriate exercises to further stimulate interest in aviation in the United States.

§ 119. National Day of Prayer

The President shall issue each year a proclamation designating the first Thursday in May as a National Day of Prayer on which the people of the United States may turn to God in prayer and meditation at churches, in groups, and as individuals.

§ 120. National Defense Transportation Day

The President is requested to issue each year a proclamation—

(1) designating the 3d Friday in May as National Defense Transportation Day; and

(2) urging the people of the United States, including labor, management, users, and investors, in all communities served by the various forms of transportation to observe National Defense Transportation Day by appropriate ceremonies that will give complete recognition to the importance to each community and its people of the transportation system of the United States and the maintenance of the facilities of the system in the most modern state of adequacy to serve the needs of the United States in times of peace and in national defense.

§ 121. National Disability Employment Awareness Month

(a) DESIGNATION.—October is National Disability Employment Awareness Month.

(b) CEREMONIES.—Appropriate ceremonies shall be held throughout the United States during National Disability Employment Awareness Month to enlist public support for, and interest in, the employment of workers with disabilities who are otherwise qualified. Governors, mayors, heads of other governmental entities, and interested organizations and individuals are invited to participate in the ceremonies.

(c) PROCLAMATION.—The President is requested to issue each year a suitable proclamation.

§ 122. National Flag Week

The President is requested to issue each year a proclamation—

(1) designating the week in which June 14 falls as National Flag Week; and

(2) calling on citizens to display the flag of the United States during National Flag Week.

§ 123. National Forest Products Week

(a) DESIGNATION.—The week beginning on the 3d Sunday in October is National Forest Products Week.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe National Forest Products Week with appropriate ceremonies and activities.

§ 124. National Freedom Day

The President may issue each year a proclamation designating February 1 as National Freedom Day to commemorate the signing by Abraham Lincoln on February 1, 1865, of the joint resolution adopted by the Senate and the House of Representatives that proposed the 13th amendment to the Constitution.

§ 125. National Grandparents Day

The President is requested to issue each year a proclamation—

(1) designating the first Sunday in September after Labor Day as National Grandparents Day; and

(2) calling on the people of the United States and interested groups and organizations to observe National Grandparents Day with appropriate ceremonies and activities.

§ 126. National Hispanic Heritage Month

The President is requested to issue each year a proclamation—

(1) designating September 15–October 15 as National Hispanic Heritage Month; and

(2) calling on the people of the United States, especially the educational community, to observe National Hispanic Heritage Month with appropriate ceremonies and activities.

§ 127. National Korean War Veterans Armistice Day

(a) DESIGNATION.—July 27 of each year until 2003 is National Korean War Veterans Armistice Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on—

(1) the people of the United States to observe National Korean War Veterans Armistice Day with appropriate ceremonies and activities; and

(2) all departments, agencies, and instrumentalities of the United States Government, and interested organizations, groups, and individuals, to fly the flag of the United States at halfstaff on July 27 of each year until 2003 in honor of the individuals who died as a result of their service in Korea.

§ 128. National Maritime Day

(a) DESIGNATION.—May 22 is National Maritime Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on—

(1) the people of the United States to observe National Maritime Day by displaying the flag of the United States at their homes or other suitable places; and

(2) United States Government officials to display the flag on all Government buildings on National Maritime Day.

§ 129. National Pearl Harbor Remembrance Day

(a) DESIGNATION.—December 7 is National Pearl Harbor Remembrance Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on—

(1) the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities; and

(2) all departments, agencies, and instrumentalities of the United States Government, and interested organizations, groups, and individuals, to fly the flag of the United States at halfstaff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor.

§ 130. National Poison Prevention Week

The President is requested to issue each year a proclamation designating the 3d week in March as National Poison Prevention Week to aid in encouraging the people of the United States to learn of the dangers of accidental poisoning and to take preventive measures that are warranted by the seriousness of the danger.

§ 131. National Safe Boating Week

The President is requested to issue each year a proclamation designating the 7-day period ending on the last Friday before Memorial Day as National Safe Boating Week.

§ 132. National School Lunch Week

(a) DESIGNATION.—The week beginning on the 2d Sunday in October is National School Lunch Week.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe National School Lunch Week with appropriate ceremonies and activities.

§ 133. National Transportation Week

The President is requested to issue each year a proclamation—

(1) designating the week that includes the 3d Friday of May as National Transportation Week; and

(2) inviting the people of the United States to observe National Transportation Week with appropriate ceremonies and activities as a tribute to the men and women who, night and day, move goods and individuals throughout the United States.

§ 134. Pan American Aviation Day

The President may issue each year a proclamation—

(1) designating December 17 as Pan American Aviation Day; and

(2) calling on all officials of the United States Government, the chief executive offices of the States, territories, and possessions of the United States, and all citizens to participate in the observance of Pan American Aviation Day to further, and stimulate interest in, aviation in the American countries as an important stimulus to the further development of more rapid communications and a cultural development between the countries of the Western Hemisphere.

§ 135. Parents' Day

(a) DESIGNATION.—The 4th Sunday in July is Parents' Day.

(b) RECOGNITION.—All private citizens, organizations, and Federal, State, and local governmental and legislative entities are encouraged to recognize Parents' Day through proclamations, activities, and educational efforts in furtherance of recognizing, uplifting, and supporting the role of parents in bringing up their children.

§ 136. Peace Officers Memorial Day

The President is requested to issue each year a proclamation—

(1) designating May 15 as Peace Officers Memorial Day in honor of Federal, State, and local officers killed or disabled in the line of duty;

(2) directing United States Government officials to display the flag of the United States at halfstaff on all Government buildings on Peace Officers Memorial Day, as provided by section 7(m) of title 4; and

(3) inviting State and local governments and the people of the United States to observe Peace Officers Memorial Day with appropriate ceremonies and activities, including the display of the flag at halfstaff.

§ 137. Police Week

The President is requested to issue each year a proclamation—

(1) designating the week in which May 15 occurs as Police Week in recognition of the service given by men and women who stand guard to protect the people of the United States through law enforcement; and

(2) inviting State and local governments and the people of the United States to observe Police Week with appropriate ceremonies and activities, including the display of the flag at halfstaff.

§ 138. Save Your Vision Week

The President is requested to issue each year a proclamation—

(1) designating the first week in March as Save Your Vision Week;

(2) inviting the governors and mayors of State and local governments to issue proclamations designating the first week in March as Save Your Vision Week;

(3) inviting the communications media, health care professions, and other agencies and individuals concerned with programs for the improvement of vision to unite during Save Your Vision Week in public activities to convince the people of the United States of the importance of vision to their welfare and the welfare of the United States; and

(4) urging the media, health care professions, and other agencies and individuals to support programs to improve and protect the vision of the people of the United States.

§ 139. Steelmark Month

(a) DESIGNATION.—May is Steelmark Month.

(b) PURPOSE.—Steelmark Month recognizes the tremendous contribution made by the steel industry in the United States to national security and defense.

(c) PROCLAMATION.—The President is requested to issue a proclamation calling on the people of the United States to observe Steelmark Month with appropriate ceremonies and activities.

§ 140. Stephen Foster Memorial Day

The President may issue each year a proclamation—

(1) designating January 13 as Stephen Foster Memorial Day; and

(2) calling on the people of the United States to observe Stephen Foster Memorial Day with appropriate ceremonies, pilgrimages to his shrines, and musical programs featuring his compositions.

§ 141. Thomas Jefferson's birthday

The President shall issue each year a proclamation—

(1) calling on officials of the United States Government to display the flag of the United States on all Government buildings on April 13; and

(2) inviting the people of the United States to observe April 13 in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of Thomas Jefferson's birthday.

§ 142. White Cane Safety Day

The President may issue each year a proclamation—

(1) designating October 15 as White Cane Safety Day; and

(2) calling on the people of the United States to observe White Cane Safety Day with appropriate ceremonies and activities.

§ 143. Wright Brothers Day

(a) DESIGNATION.—December 17 is Wright Brothers Day.

(b) PURPOSE.—Wright Brothers Day commemorates the first successful flights in a heavier than air, mechanically propelled airplane, that were made by Orville and Wilbur Wright on December 17, 1903, near Kitty Hawk, North Carolina.

(c) PROCLAMATION.—The President is requested to issue each year a proclamation inviting the people of the United States to observe Wright Brothers Day with appropriate ceremonies and activities.

CHAPTER 3—NATIONAL ANTHEM, MOTTO, FLORAL EMBLEM, AND MARCH

Sec.

301. National anthem.
302. National motto.
303. National floral emblem.
304. National march.

§ 301. National anthem

(a) DESIGNATION.—The composition consisting of the words and music known as the Star-Spangled Banner is the national anthem.

(b) CONDUCT DURING PLAYING.—During a rendition of the national anthem—

(1) when the flag is displayed—

(A) all present except those in uniform should stand at attention facing the flag with the right hand over the heart;

(B) men not in uniform should remove their headdress with their right hand and hold the headdress at the left shoulder, the hand being over the heart; and

(C) individuals in uniform should give the military salute at the first note of the anthem and maintain that position until the last note; and

(2) when the flag is not displayed, all present should face toward the music and act in the same manner they would if the flag were displayed.

§ 302. National motto

''In God we trust'' is the national motto.

§ 303. National floral emblem

The flower commonly known as the rose is the national floral emblem.

§ 304. National march

The composition by John Philip Sousa entitled ''The Stars and Stripes Forever'' is the national march.

CHAPTER 5—PRESIDENTIAL INAUGURAL CEREMONIES

Sec.

501. Definitions.
502. Regulations, licenses, and registration tags.
503. Use of reservations, grounds, and public spaces.
504. Installation and removal of electrical facilities.
505. Extension of wires along parade routes.
506. Duration of regulations and licenses and publication of regulations.
507. Application to other property.
508. Enforcement.
509. Penalty.
510. Authorization of appropriations.

§ 501. Definitions

For purposes of this chapter—

(1) ''Inaugural Committee'' means the committee appointed by the President-elect to be in charge of the Presidential inaugural ceremony and functions and activities connected with the ceremony.

(2) ''inaugural period'' means the period that includes the day on which the Presidential inaugural ceremony is held, the 5 calendar days immediately preceding that day, and the 4 calendar days immediately following that day.

§ 502. Regulations, licenses, and registration tags

(a) REGULATIONS AND LICENSES.—For each inaugural period, the Council of the District of Columbia shall—

(1) prescribe reasonable regulations necessary to preserve public order and protect life, health, and property;

(2) prescribe special regulations related to the standing, movement, and operation of vehicles; and

(3) grant special licenses to peddlers and vendors to sell merchandise in places the Council considers proper, subject to conditions and fees for the licenses the Council considers proper.

(b) REGISTRATION TAGS.—The Mayor of the District of Columbia may issue, for any motor vehicle made available for the use of the Inaugural Committee, special registration tags, valid for not more than 90 days, designed to celebrate the inauguration of the President and Vice President.

§ 503. Use of reservations, grounds, and public spaces

(a) PERMIT FOR USE.—With the approval of the officer having jurisdiction over any of the Federal reservations or grounds in the District of Columbia, the Secretary of the Interior may grant to the Inaugural Committee a permit to use the reservations or grounds during the inaugural period, including a reasonable time before and after the inaugural period. The Mayor of the District of Columbia may grant a similar permit to use public space under the Mayor's jurisdiction. Each permit granted under this subsection is subject to conditions the grantor of the permit prescribes.

(b) REVIEWING STANDS AND COMMERCIAL STANDS AND STRUCTURES.—A reviewing stand or a stand or structure for the sale of merchandise, food, or drink may be built on public grounds in the District of Columbia only if approved by the Inaugural Committee and by the Secretary or the Mayor, as appropriate.

(c) RESTORATION AFTER INAUGURAL PERIOD.—After the inaugural period, the reservation, ground, or public space occupied by a stand or structure shall be restored promptly to its prior condition.

(d) INDEMNIFICATION.—The Inaugural Committee shall indemnify and save harmless the District of Columbia and the appropriate department, agency, or instrumentality of the United States Government against any loss or damage to, and against any liability arising from the use of, the reservation, ground, or public space, by the Inaugural Committee or a licensee of the Inaugural Committee.

§ 504. Installation and removal of electrical facilities

(a) INSTALLATION.—The Mayor of the District of Columbia may allow the Inaugural Committee to install suitable overhead conductors and electrical facilities, with adequate supports. The official in charge of a park or reservation in the District of Columbia in which it is necessary to place wires shall supervise the placing and removal of those wires.

(b) REMOVAL.—The conductors and supports shall be removed not later than 5 days after the end of the inaugural period.

(c) INDEMNIFICATION.—The United States Government and the District of Columbia may not incur any expense or damage from the installation, operation, or removal of a temporary overhead conductor or electrical facility. The Inaugural Committee shall indemnify and hold harmless the District of Columbia and the appropriate department, agency, or instrumentality of the Government against any loss or damage, and against any liability arising, from any act of the Inaugural Committee or any agent, licensee, servant, or employee of the Inaugural Committee in connection with the installation, operation, or removal of a temporary overhead conductor or electrical facility.

§ 505. Extension of wires along parade routes

The Mayor of the District of Columbia, the Secretary of the Interior, and the Inaugural Committee may allow communications companies to extend overhead wires to places along a parade route that are considered convenient for use in connection with the parade and other inaugural purposes. The wires shall be removed not later than 10 days after the inaugural period ends.

§ 506. Duration of regulations and licenses and publication of regulations

Regulations prescribed and licenses authorized under this chapter are effective only during the inaugural period. The regulations shall be published in at least one daily newspaper published in the District of Columbia. A penalty prescribed for violating such a regulation may not be enforced until 5 days after publication.

§ 507. Application to other property

This chapter does not apply to the United States Capitol Buildings or Grounds or other property under the jurisdiction of Congress or a committee, commission, or officer of Congress. A service or facility authorized by or under this chapter is available for the property on request or approval of the joint committee of the Senate and House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives to arrange for the inauguration of the President-elect and the Vice President-elect.

§ 508. Enforcement

The Mayor of the District of Columbia, or other official having jurisdiction in the premises, shall enforce this chapter, take necessary precautions to protect the public, and ensure that the pavement of any street, sidewalk, avenue, or alley disturbed or damaged is restored to its prior condition.

§ 509. Penalty

A person violating a regulation prescribed under this chapter shall be fined under title 18 or imprisoned for not more than 30 days. A separate violation occurs under this section for each day the violation continues.

§ 510. Authorization of appropriations

(a) AUTHORIZATION.—Necessary amounts are authorized to be appropriated—

(1) to enable the Mayor of the District of Columbia to provide additional municipal services in the District of Columbia during the inaugural period, including—

(A) employment of personal services without regard to chapters 33 and 51 and subchapter III of chapter 53 of title 5;

(B) travel expenses of enforcement personnel, including sanitarians, from other jurisdictions;

(C) the hiring of the means of transportation;

(D) meals for policemen, firemen, and other municipal employees;

(E) the cost of removing and relocating streetcar loading platforms, construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; and

(F) other incidental expenses in the discretion of the Mayor; and

(2) to enable the Secretary of the Interior to provide meals for the members of the United States Park Police during the inaugural period.

(b) PAYMENT.—Amounts appropriated under—

(1) subsection (a)(1) of this section are payable in the same way as other appropriations for the expenses of the District of Columbia; and

(2) subsection (a)(2) of this section are payable in the same way as other appropriations for the expenses of the Department of the Interior.

CHAPTER 7—FEDERAL PARTICIPATION IN CARL GARNER FEDERAL LANDS CLEAN-UP DAY

Sec.
701. Findings.
702. Definition.
703. Duties of Federal land management agency.
704. Activities.

§ 701. Findings

Congress finds that—

(1) Federal lands, parks, recreation areas, and waterways provide recreational opportunities for millions of Americans each year;

(2) Federal lands administered by Federal land management agencies contain valuable wildlife, scenery, natural and historic features, and other resources which may be damaged by litter and misuse;

(3) it is in the best interest of the United States and its citizens to maintain and preserve the beauty, safety, and availability of these Federal lands;

(4) these Federal land management agencies have been designated as the caretakers of these Federal lands and are responsible for maintaining and preserving those areas and facilities;

(5) there is great value in volunteer involvement in maintaining and preserving Federal lands for recreational use;

(6) the Federal land management agencies should be concerned with promoting a sense of pride and ownership among citizens toward these lands;

(7) the use of citizen volunteers in a national cleanup effort promotes these goals and encourages the thoughtful use of these Federal lands and facilities;

(8) the positive impact of annual cleanup events held at various recreation sites has already been proven by steadily declining levels of litter at these sites; and

(9) a national program for cleaning and maintaining Federal lands using volunteers will save millions of tax dollars.

§ 702. Definition

For purposes of this chapter, ''Federal land management agency'' includes—

(1) the Forest Service of the Department of Agriculture;

(2) the Bureau of Land Management of the Department of the Interior;

(3) the National Park Service of the Department of the Interior;

(4) the Fish and Wildlife Service of the Department of the Interior;

(5) the Bureau of Reclamation of the Department of the Interior; and

(6) the Army Corps of Engineers.

§ 703. Duties of Federal land management agency

To observe Carl Garner Federal Lands Cleanup Day at the Federal level, each Federal land management agency shall organize, coordinate, and participate with citizen volunteers and State and local authorities in cleaning and providing for the maintenance of Federal public land, recreation areas, and waterways within the jurisdiction of the agency.

§ 704. Activities

In cooperation with appropriate State and local government authorities, each Federal land management agency shall plan for and carry out activities on Carl Garner Federal Lands Cleanup Day that—

(1) encourage continuing public and private sector cooperation in preserving the beauty and safety of areas within the jurisdiction of the agency;

(2) increase citizens' sense of ownership and community pride in those areas;

(3) reduce litter on Federal lands, along trails and waterways, and within those areas; and

(4) maintain and improve trails, recreation areas, waterways, and facilities.

CHAPTER 9—MISCELLANEOUS

Sec.
901. Service flag and service lapel button.
902. National League of Families POW/MIA flag.

§ 901. Service flag and service lapel button

(a) INDIVIDUALS ENTITLED TO DISPLAY SERVICE FLAG.—A service flag approved by the Secretary of Defense may be displayed in a window of the place of residence of individuals who are members of the immediate family of an individual serving in the armed forces of the United States during any period of war or hostilities in which the armed forces of the United States are engaged.

(b) INDIVIDUALS ENTITLED TO DISPLAY SERVICE LAPEL BUTTON.—A service lapel button approved by the Secretary may be worn by members of the immediate family of an individual serving in the armed forces of the United States during any period of war or hostilities in which the armed forces of the United States are engaged.

(c) LICENSE TO MANUFACTURE AND SELL SERVICE FLAGS AND SERVICE LAPEL BUTTONS.—Any person may apply to the Secretary for a license to manufacture and sell the approved service flag, or the approved service lapel button, or both. Any person that manufactures a service flag or service lapel button without having first obtained a license, or otherwise violates this section is liable to the United States Government for a civil penalty of not more than $1,000.

(d) REGULATIONS.—The Secretary may prescribe regulations necessary to carry out this section.

§ 902. National League of Families POW/MIA Flag

(a) DESIGNATION.—The National League of Families POW/MIA flag is designated as the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation.

(b) DISPLAY.—The flag shall be displayed—

(1) at each national cemetery and at the National Vietnam Veterans Memorial each year on Memorial Day and Veterans Day and on any day designated by law as National POW/MIA Recognition Day; and

(2) on, or on the grounds of, the buildings containing the primary offices of the Secretaries of State, Defense, and Veterans Affairs, and the Director of the Selective Service System on any day designated by law as National POW/MIA Recognition Day.

(c) TERMINATION OF FLAG DISPLAY REQUIREMENT.—Subsection (b) of this section ceases to apply when the President decides that the fullest possible accounting has been made of all members of the armed forces and civilian employees of the United States Government who have been identified as prisoners of war or missing in action in Southeast Asia.

PART B—UNITED STATES GOVERNMENT ORGANIZATIONS INVOLVED WITH OBSERVANCES AND CEREMONIES

CHAPTER 21—AMERICAN BATTLE MONUMENTS COMMISSION

Sec.
2101. Membership.
2102. Employment of personnel.
2103. Administrative.
2104. Military cemeteries in foreign countries.
2105. Monuments built by the United States Government.
2106. War memorials not built by the United States Government.
2107. National Memorial Cemetery of the Pacific.
2108. Pacific War Memorial and other historical and memorial sites on Corregidor.
2109. Foreign Currency Fluctuations Account.
2110. Claims against the Commission.
2111. Presidential duties and powers.

2112. Care and maintenance of Surrender Tree site.

§ 2101. Membership

(a) COMPOSITION AND TERMS.—The American Battle Monuments Commission has not more than 11 members appointed by the President. The President also shall appoint one officer of the Regular Army to serve as secretary of the Commission. The members and secretary serve at the pleasure of the President. The President shall fill any vacancies that occur. Notwithstanding any other law, members of the armed forces may be appointed members of the Commission.

(b) PAY AND EXPENSES.—The members of the Commission serve without compensation. However, the members of the Commission may receive, from an amount appropriated to carry out this chapter or acquired by another authorized way—

(1) their actual expenses related to the work of the Commission;

(2) when in a travel status outside the continental United States, a per diem at the rate authorized to be paid for members of the uniformed services under section 405 of title 37, instead of subsistence; and

(3) when in a travel status in the continental United States, a per diem at the rate authorized to be paid under sections 5702 and 5703 of title 5, instead of subsistence.

(c) EXPENSES OF OFFICERS OF ARMED FORCES SERVING ON COMMISSION.—An officer of the armed forces serving as a member or as secretary of the Commission may be reimbursed for expenses when traveling on business of the Commission in the same way as civilian members of the Commission.

§ 2102. Employment of personnel

(a) GENERAL.—Within the limits of an appropriation made to employ personnel, the American Battle Monuments Commission may employ personnel necessary to carry out this chapter. To ensure adequate care and maintenance of cemeteries, monuments, and memorials, the Commission, subject to the availability of appropriations, shall employ—

(1) at least 50 individuals in the competitive service (as defined in section 2102 of title 5), of whom at least 43 shall be assigned to duty in foreign countries where the cemeteries, monuments, and memorials are located; and

(2) at least 348 individuals who are citizens of the countries where the cemeteries, monuments, and memorials are located.

(b) DETAILED PERSONNEL.—On request of the Commission, the heads of departments, agencies, and instrumentalities of the United States Government may make available to the Commission their personnel and facilities to assist in carrying out this chapter, and may expend for that purpose amounts appropriated to the department, agency, and instrumentality. The Commission shall reimburse the department, agency, or instrumentality for the pay and allowances of designated personnel.

(c) STATION ALLOWANCE FOR OFFICERS ASSIGNED TO THE COMMISSION.—For officers of the armed forces assigned to the Commission, the same station allowance shall be authorized for serving at foreign stations as the Secretary of the Army has authorized for officers of the Army.

(d) CITIZENSHIP REQUIREMENT.—An individual may be employed as the superintendent, or as an assistant superintendent, of a cemetery operated by the Commission only if the individual is a citizen of the United States.

§ 2103. Administrative

(a) GENERAL AUTHORITY.—Subject to appropriations made to carry out this chapter, the American Battle Monuments Commission may—

(1) acquire land or an interest in land in a foreign country to carry out the purposes of this chapter, or an executive order conferring duties and powers on the Commission, without submission to the Attorney General under section 355 of the Revised Statutes (40 U.S.C. 255);

(2) maintain, repair, and operate motor-propelled passenger-carrying vehicles and other property that another department, agency, or instrumentality of the United States Government provides to the Commission;

(3) establish offices in the District of Columbia and elsewhere in or outside the United States;

(4) rent office and garage space, which may be paid for in advance, in foreign countries; and

(5) procure printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information on United States activities, battlefields, memorials, and cemeteries with respect to which the Commission may exercise any duties and powers.

(b) DISPOSITION OF LAND.—Under conditions and in the manner the Commission decides is proper, the Commission may dispose of land or an interest in land in a foreign country that the Commission acquires in connection with its work.

(c) CONTRACTING OUT.—Notwithstanding the requirements of existing laws or regulations, the Commission, under conditions the Commission decides are necessary and proper, may contract for work, supplies, materials, and equipment outside or for use outside the United States and engage the services of architects and other technical and professional personnel.

(d) DELEGATION.—Under conditions the Commission may prescribe, the Commission may delegate to its Chairman, secretary, or officials in charge of any of its offices any of its authority it considers necessary and proper.

(e) AUTHORITY TO RECEIVE STATE, LOCAL, OR PRIVATE AMOUNTS.—The Commission may receive State, local, or private amounts to carry out this chapter. The Commission shall deposit the amounts with the Treasurer of the United States. The Treasurer shall keep the amounts in separate accounts and shall disburse the amounts on vouchers approved by the Chairman.

(f) LIMITATION ON USE OF CONTRIBUTIONS.—The Commission may not obligate, withdraw, or expend amounts received as contributions before March 1, 1998.

(g) STATEMENTS TO PRESIDENT.—The Commission shall transmit to the President on October 1 of each year a statement of all its financial and other transactions during the prior fiscal year.

(h) FINANCIAL STATEMENTS AND AUDITS.—(1) The Commission shall have a system of financial controls to enable the Commission to comply with the requirements of paragraph (2) of this subsection and with section 2106(d)(4) of this title.

(2) The Commission shall—

(A) by March 1 of each year (beginning with 1998)—

(i) prepare a financial statement which covers all accounts and associated activities of the Commission for the prior fiscal year and is consistent with the requirements of section 3515 of title 31; and

(ii) submit the financial statement, together with a narrative summary, to the Committees on Veterans' Affairs of the Senate and House of Representatives; and

(B) obtain an audit by the Comptroller General of each financial statement prepared under subparagraph (A) of this paragraph, which shall be conducted in accordance with applicable generally accepted government auditing standards and shall be in lieu of any audit otherwise required by law.

(i) DISPOSITION OF RECORDS AND ARCHIVES.—When no longer required by the Commission, the records and archives of the Commission shall be deposited with the National Archives in accordance with section 2107 of title 44.

(j) SEAL.—The Commission shall have a seal that shall be judicially noticed.

(k) DISBURSEMENTS OUTSIDE CONTINENTAL UNITED STATES.—Disbursements for expenditures outside the continental United States may be made by a special disbursing agent designated by the Commission under regulations it prescribes.

§ 2104. Military cemeteries in foreign countries

When, as a result of combat operations, the armed forces establish military cemeteries in zones of operations outside the United States and the territories and possessions of the United States, the American Battle Monuments Commission and the Secretary of the Army, immediately on the cessation of hostilities, shall decide which of the cemeteries will become permanent cemeteries or, if they decide it is desirable, shall select new sites for the cemeteries at any other location. The Commission is solely responsible for the design and construction of the permanent cemeteries, and of all buildings, plantings, headstones, and other permanent improvements incidental to the cemeteries, except that—

(1) the armed forces are responsible for maintaining the permanent cemeteries until the Commission declares its readiness to assume the authorized administrative duties and powers;

(2) all construction undertaken by the armed forces in establishing and maintaining the cemetery prior to its transfer to the Commission shall be nonpermanent;

(3) burials and reburials by the armed forces shall be carried out in accordance with plans prepared by the Commission; and

(4) the armed forces have the right to reenter a cemetery transferred to the Commission to exhume or reinter a body if they decide it is necessary.

§ 2105. Monuments built by the United States Government

(a) MEMORIALS.—The American Battle Monuments Commission shall prepare plans and estimates to build suitable memorials commemorating the service of American armed forces, and shall build and maintain memorials in the United States and, as the Commission decides, at any place outside the United States where the armed forces have served since April 6, 1917.

(b) ARCHITECTURE AND ART.—The Commission shall build and maintain works of architecture and art in United States cemeteries located outside the United States and the territories and possessions of the United States that are permanent cemeteries. The Secretary of Veterans Affairs shall maintain works of architecture and art built by the Commission in the National Cemetery System, as described in section 2400(b) of title 38.

(c) CONTROL AND SUPERVISION OF MATERIALS, DESIGN, AND BUILDING.—(1) The Commission shall control the materials and design and prescribe regulations for, and supervise the building of, all memorial monuments and buildings in United States cemeteries located outside the United States and the territories and possessions of the United States.

(2) The Commission shall control the design and prescribe regulations for the building of all memorial monuments and buildings commemorating the service of American armed forces that are built in a foreign

country or political division of the foreign country that authorizes the Commission to carry out those duties and powers.

(d) APPROVAL BY NATIONAL COMMISSION OF FINE ARTS.—A design for a memorial must be approved by the National Commission of Fine Arts before the Commission can accept it.

§ 2106. War memorials not built by the United States Government

(a) COOPERATION WITH OTHERS.—The American Battle Monuments Commission may cooperate with citizens of the United States, States, municipalities, or associations desiring to build war memorials outside the continental limits of the United States in the way the Commission decides. An administrative agency of the United States Government may give assistance to build the memorial only if a plan for the memorial has been approved under this chapter.

(b) CONTROL, ADMINISTRATION, AND MAINTENANCE OF WAR MEMORIALS.—(1) The Commission may assume responsibility for the control, administration, and maintenance of any war memorial built outside the United States by a citizen of the United States, a State, a political subdivision of a State, a governmental authority (except a department, agency, or instrumentality of the United States Government), a foreign agency, or a private association to commemorate the services of any of the armed forces in hostilities occurring since April 6, 1917, if—

(A) the memorial is not built on the territory of the applicable former enemy; and

(B) the sponsors of the memorial consent to the Commission assuming those responsibilities and transfer to the Commission all their rights and interests in the memorial.

(2) If reasonable effort fails to locate the sponsors of a memorial, the Commission may assume responsibility for the memorial under this subsection by agreement with the appropriate foreign authorities. A decision of the Commission to assume responsibility for a war memorial under this subsection is final.

(3) Sponsors of a war memorial for which the Commission assumes responsibility under this subsection may transfer amounts accumulated to maintain and repair the memorial to the Commission for use in carrying out this chapter. Except as provided in subsection (c) of this section, the Commission shall deposit transferred amounts as provided in section 2103(e) of this title.

(c) ARRANGEMENTS FOR REPAIR OR LONG-TERM MAINTENANCE OF MEMORIALS.—In assuming responsibility for a war memorial under subsection (b)(1) or (2) of this section, the Commission may arrange with the sponsors of the memorial to provide for repair or long-term maintenance of the memorial. An amount transferred to the Commission for the purpose of this subsection shall be deposited by the Commission in the fund established under subsection (d) of this section.

(d) FUND FOR ARRANGEMENTS FOR REPAIR OR LONG-TERM MAINTENANCE OF MEMORIALS.—(1) There is a fund in the Treasury that is available to the Commission for expenses of repair and long-term maintenance of memorials for which the Commission has made arrangements under subsection (c) of this section. The fund consists of—

(A) amounts deposited into, and interest and proceeds credited to, the fund under paragraph (2) of this subsection; and

(B) obligations obtained under paragraph (3) of this subsection.

(2) The Commission shall deposit into the fund the amounts that are accepted under subsection (c) of this section. The Secretary of the Treasury shall credit to the fund the interest on, and the proceeds from the sale or redemption of, obligations held in the fund.

(3) The Secretary shall invest any part of the fund that the Commission decides is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States Government, or an obligation that has its principal and interest guaranteed by the Government, that the Commission decides has a maturity suitable for the fund.

(4) The Commission shall separately account for all amounts deposited in and expended from the fund for each war memorial for which an arrangement for repair or long term maintenance is made under subsection (c) of this section.

(e) DEMOLITION OF WAR MEMORIAL BUILT IN A FOREIGN COUNTRY AND DISPOSITION OF SITE.—The Commission may take necessary action to demolish any war memorial built outside the United States by a citizen of the United States, a State, a political subdivision of a State, a governmental authority (except a department, agency, or instrumentality of the United States Government), a foreign agency, or a private association and to dispose of the site of the memorial in a way the Commission decides is proper, if—

(1) the appropriate foreign authorities agree to the demolition; and

(2)(A) the sponsor of the memorial consents to the demolition; or

(B) the memorial has fallen into disrepair and a reasonable effort by the Commission has failed—

(i) to persuade the sponsor to maintain the memorial at a standard acceptable to the Commission; or

(ii) to locate the sponsor.

§ 2107. National Memorial Cemetery of the Pacific

With the consent of the Secretary of Veterans Affairs, the American Battle Monuments Commission may build works of architecture and art in the National Memorial Cemetery of the Pacific.

§ 2108. Pacific War Memorial and other historical and memorial sites on Corregidor

(a) GENERAL.—After an agreement is made between the government of the Republic of the Philippines and the United States Government, the American Battle Monuments Commission shall restore, operate, and maintain the Pacific War Memorial and other historical and memorial sites on Corregidor.

(b) PERSONNEL.—The Commission may employ necessary personnel to carry out this section.

(c) USE OF OTHER DEPARTMENTS, AGENCIES, AND INSTRUMENTALITIES.—Departments, agencies, and instrumentalities of the United States Government may assist the Commission, on a reimbursable basis, in carrying out this section.

(d) AUTHORITY TO SOLICIT CONTRIBUTIONS.—To carry out this section, the Commission may solicit and accept private contributions and shall deposit the contributions in the fund established by subsection (f) of this section.

(e) USE OF PRIVATE AMOUNTS.—The Commission shall carry out this section with private amounts except to the extent amounts are appropriated under subsection (g) of this section.

(f) FUND.—(1) There is a fund in the Treasury that is available to the Commission only to carry out this section. The fund consists of—

(A) amounts deposited into, and interest and proceeds credited to, the fund under paragraph (2) of this subsection; and

(B) obligations obtained under paragraph (3) of this subsection.

(2) The Chairman of the Commission shall deposit into the fund the amounts that are accepted under subsection (d) of this section. The Secretary of the Treasury shall credit to the fund the interest on, and the proceeds from the sale or redemption of, obligations held in the fund.

(3) The Secretary shall invest any part of the fund that the Chairman decides is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States Government, or an obligation that has its principal and interest guaranteed by the Government, that the Chairman decides has a maturity suitable for the fund.

(4) Amounts in the fund exceeding the cost of carrying out this section, as decided by the Chairman, shall be deposited in the Treasury as miscellaneous receipts to reimburse the United States Government for amounts appropriated under subsection (g) of this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) $6,000,000 for site preparation, design, planning, construction, and associated administrative costs for the restoration of the Memorial and other historical and memorial sites referred to in subsection (a) of this section; and

(2) amounts necessary to operate and maintain the Memorial and those other historical and memorial sites.

§ 2109. Foreign Currency Fluctuations Account

(a) ESTABLISHMENT AND PURPOSE.—There is an account in the Treasury known as the ''Foreign Currency Fluctuations, American Battle Monuments Commission, Account''. The Account shall be used to provide amounts, in addition to amounts appropriated for salaries and expenses of the Commission, to pay the cost of salaries and expenses that exceeds the amount appropriated for salaries and expenses because of fluctuations in currency exchange rates of foreign countries occurring after a budget request for the Commission is submitted to Congress. The Account may not be used for any other purpose.

(b) INCREASE IN PERMISSIBLE OBLIGATIONS OF AMOUNTS.—A provision of law limiting the amounts the Commission may obligate in a fiscal year shall be increased to the extent necessary to reflect fluctuations in exchange rates from those used in preparing the budget submission.

(c) TRANSFERRED AMOUNTS.—(1) Amounts in the Account may be transferred to amounts appropriated for salaries and expenses of the Commission. Transferred amounts shall be merged with, and are available for the same time period as, the appropriation to which they are applied.

(2) Amounts transferred from the Account may be transferred back—

(A) if the amounts are not needed to pay obligations incurred because of fluctuations in currency exchange rates of foreign countries in the appropriation to which the amounts were originally transferred; or

(B) because of subsequent favorable fluctuations in the rates or because other amounts are, or become, available to pay the obligations.

(3) Amounts transferred to an appropriation under this subsection may not be transferred back to the Account after the end of the 2d fiscal year after the fiscal year in which the appropriation was available for obligation.

(d) RECORDING OF OBLIGATIONS AND FLUCTUATIONS IN EXCHANGE RATES.—An obligation of the Commission payable in the currency of a foreign country may be recorded as an obligation based on exchange rates used in preparing a budget submission. A change reflecting fluctuations in exchange rates may be recorded as a disbursement is made.

(e) UNOBLIGATED BALANCES.—The unobligated balance of an appropriation for salaries and expenses may be transferred to the Account not later than the end of the 2d fiscal year following the fiscal year for which the appropriation was made. The unobligated balance shall be merged with, and be available for the same period and purposes as, the Account.

(f) ANNUAL REPORT.—The Commission each year shall submit to the appropriate committees of Congress a report on amounts transferred under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $3,000,000 to the Account.

§ 2110. Claims against the Commission

A claim against the American Battle Monuments Commission that is similar to a claim described in section 2734 of title 10, that is based on damage to, or loss or destruction of, property, or personal injury or death of an individual, and that is caused by the negligent or wrongful act or omission of an officer or civilian employee of the Commission acting within the scope of the officer's or employee's office or employment, may be settled, decided, and paid as provided in section 2734 for the settlement of Army claims. However, the Secretary of the Army may appoint an officer or employee of the Commission to a claims commission or as an officer to approve settlements of claims made by the claims commission. All payments in settlement of a claim shall be made out of appropriations made to carry out this chapter.

§ 2111. Presidential duties and powers

(a) ARRANGEMENTS WITH FOREIGN COUNTRIES.—The President is requested to make the necessary arrangements with the proper authorities of the appropriate foreign countries to enable the American Battle Monuments Commission to carry out this chapter.

(b) TRANSFER OF ADMINISTRATIVE DUTIES AND POWERS AND SUPPLIES, MATERIAL, AND EQUIPMENT TO COMMISSION.—(1) The President by executive order may transfer to the Commission—

(A) the same administrative duties and powers related to a permanent military cemetery located outside the United States and the territories and possessions of the United States that were transferred to the Commission by Executive Order 6614, February 26, 1934, and Executive Order 10057, May 14, 1949, as amended by Executive Order 10087, December 3, 1949; and

(B) supplies, material, and equipment located in the permanent military cemetery or in a military depot overseas that—

(i) the Department of Defense does not need; and

(ii) the Commission requests to carry out the duties and powers specified in clause (A) of this paragraph.

(2) After a transfer under this subsection, the Commission shall maintain the cemetery and all improvements in it.

§ 2112. Care and maintenance of Surrender Tree site

The American Battle Monuments Commission is responsible for the care and maintenance of the Surrender Tree site in Santiago, Cuba.

CHAPTER 23—UNITED STATES HOLOCAUST MEMORIAL COUNCIL

Sec.
2301. Establishment and purposes.
2302. Membership.
2303. Executive Director.
2304. Gifts, bequests, and devises of property.
2305. Memorial museum.
2306. Audits.
2307. Administrative.
2308. Annual report.
2309. Authorization of appropriations.

§ 2301. Establishment and purposes

The United States Holocaust Memorial Council is an independent establishment of the United States Government. The Council shall—

(1) provide for appropriate ways for the Nation to commemorate the Days of Remembrance as an annual, national, civic commemoration of the Holocaust;

(2) encourage and sponsor appropriate observances of the Days of Remembrance throughout the United States;

(3) plan, construct, and operate a permanent living memorial museum to the victims of the holocaust in cooperation with the Secretary of the Interior and other departments, agencies, and instrumentalities of the United States Government as provided in section 2305 of this title; and

(4) develop a plan for carrying out the recommendations of the President's Commission on the Holocaust in its report to the President of September 27, 1979, to the extent the recommendations are not otherwise provided for in this chapter.

§ 2302. Membership

(a) COMPOSITION.—(1) The United States Holocaust Memorial Council consists of 65 voting members and the following ex officio nonvoting members:

(A) one appointed by the Secretary of the Interior.

(B) one appointed by the Secretary of State.

(C) one appointed by the Secretary of Education.

(2) Of the 65 voting members—

(A) the President of the United States appoints 55;

(B) the Speaker of the House of Representatives appoints 5 from among members of the House of Representatives; and

(C) the President pro tempore of the Senate appoints 5, on the recommendation of the majority and minority leaders, from among members of the Senate.

(b) TERMS OF OFFICE.—(1) Except as provided in this subsection, Council members serve for terms of 5 years.

(2) The terms of the 5 members of the House of Representatives and the 5 members of the Senate appointed during a term of Congress expire at the end of that term of Congress.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The President of the United States shall appoint the Chairperson and Vice Chairperson of the Council from among the members of the Council. The Chairperson and Vice Chairperson serve for terms of 5 years.

(d) VACANCIES.—(1) A vacancy on the Council shall be filled in the same manner as the original appointment was made.

(2) A member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of the term. A member, except a Member of Congress appointed by the Speaker of the House of Representatives or the President pro tempore of the Senate, may serve after the expiration of a term until a successor takes office.

(3) The President of the United States fills a vacancy in the offices of the Chairperson and Vice Chairperson.

(e) REAPPOINTMENT.—A member whose term expires may be reappointed. The Chairperson and Vice Chairperson may be reappointed to those offices.

(f) PAY AND EXPENSES.—(1) Except as provided in paragraph (2) of this subsection, members of the Council may be paid the daily equivalent of the maximum annual rate of basic pay payable under section 5376 of title 5 for each day (including traveltime) during which they perform duties of the Council. A member is entitled to travel expenses, including a per diem allowance, as provided under section 5703 of title 5.

(2) Members who are full-time officers or employees of the United States Government or Members of Congress may not receive additional pay because of their service on the Council.

(g) ASSOCIATED COMMITTEES.—Subject to appointment by the Chairperson, an individual who is not a member of the Council may be designated as a member of a committee associated with the Council. The individual serves without cost to the Government.

§ 2303. Executive Director

(a) APPOINTMENT AND PAY.—The Chairperson of the United States Holocaust Memorial Council shall appoint an Executive Director, subject to confirmation by the Council. The Executive Director may be paid with nonappropriated funds. However, if the Executive Director is paid with appropriated funds, the rate of pay shall be a rate that is not more than the maximum rate of basic pay payable under section 5376 of title 5. The Executive Director serves at the pleasure of the Council.

(b) DUTIES AND POWERS.—The Executive Director may—

(1) appoint employees in the competitive service subject to chapter 51 and subchapter III of chapter 53 of title 5;

(2) appoint and fix the compensation (at a rate that is not more than the maximum rate of basic pay payable under section 5376 of title 5) of not more than 3 employees, notwithstanding any other law; and

(3) implement decisions of the Council, in the manner the Council directs, and carry out other functions the Council, the Executive Committee of the Council, or the Chairperson assigns.

§ 2304. Gifts, bequests, and devises of property

(a) GENERAL.—The United States Holocaust Memorial Council may solicit, accept, own, administer, invest, and use gifts, bequests, and devises of property to aid or facilitate the construction, maintenance, and operation of the memorial museum. The property and the proceeds of the property shall be used as nearly as possible in accordance with the terms of the gift, bequest, or devise donating the property. Funds donated to and accepted by the Council under this section are not considered appropriated funds and are not subject to any requirements or restrictions applicable to appropriated funds.

(b) TAX TREATMENT.—For the purposes of Federal income, estate, and gift taxes, property accepted under this section is deemed to be a gift, bequest, or devise to the United States Government.

§ 2305. Memorial museum

(a) TRANSFER OR PURCHASE OF REAL PROPERTY IN THE DISTRICT OF COLUMBIA.—For the purpose of establishing the memorial museum, and with the approval of the Secretary of the Interior in consultation with the Commission of Fine Arts and the National Capital Planning Commission—

(1) a department, agency, or instrumentality of the United States Government may transfer to the administrative jurisdiction of the United States Holocaust Memorial Council, any real property in the District of Columbia that is under the administrative jurisdiction of the department, agency, or instrumentality and that the Council considers suitable for the memorial museum; and

(2) the Council may purchase, with the consent of the owner, any real property within the District of Columbia that the

Council considers suitable for the memorial museum.

(b) ARCHITECTURAL DESIGN APPROVAL.—The architectural design for the memorial museum is subject to the approval of the Secretary of the Interior, in consultation with the Commission of Fine Arts and the National Capital Planning Commission.

(c) INSURANCE.—The Council shall maintain insurance on the memorial museum to cover the risks, in the amount, and containing the terms the Council considers necessary.

§ 2306. Audits

When requested by Congress, the Comptroller General shall audit financial transactions of the United States Holocaust Memorial Council, including those involving donated funds, under generally accepted auditing standards. The Council shall make available for an audit under this section all records, items, or property used by the Council that are necessary for the audit. The Council shall provide facilities for verifying transactions with the balances.

§ 2307. Administrative

(a) BYLAWS.—(1) The United States Holocaust Memorial Council shall adopt bylaws to carry out its functions under this chapter.

(2) The Chairperson of the Council may waive a bylaw when the Chairperson decides the waiver is in the best interest of the Council. Immediately after waiving a bylaw, the Chairperson shall send written notice to every voting member of the Council. The waiver becomes final 30 days after the notice is sent unless a majority of Council members disagrees in writing before the end of the 30-day period.

(b) QUORUM.—One-third of the members of the Council is a quorum. A vacancy in the Council does not affect its power to function.

(c) EXPERTS AND CONSULTANTS.—The Council may procure the temporary or intermittent services of experts or consultants under section 3109 of title 5, at rates that are not more than the daily equivalent of the maximum annual rate of basic pay payable under section 5376 of title 5.

(d) CONTRACT AUTHORITY.—In accordance with applicable law, the Council may make contracts or other arrangements with public agencies or authorities and with private organizations and persons and may make payments necessary to carry out its functions under this chapter.

(e) ASSISTANCE FROM OTHER UNITED STATES GOVERNMENT DEPARTMENTS, AGENCIES, AND INSTRUMENTALITIES.—The Secretary of the Smithsonian Institution, the Library of Congress, and all departments, agencies, and instrumentalities in the executive branch of the United States Government may assist the Council in carrying out its functions under this chapter.

(f) ADMINISTRATIVE SERVICES AND SUPPORT.—The Secretary of the Interior may provide administrative services and support to the Council on a reimbursable basis.

§ 2308. Annual report

Each year, the Executive Director of the United States Holocaust Memorial Council shall submit to Congress a report on the Executive Director's stewardship of the authority to construct, maintain, and operate the memorial museum, including an accounting of all financial transactions involving donated funds.

§ 2309. Authorization of appropriations

(a) GENERAL.—Amounts necessary to carry out this chapter are authorized to be appropriated for each of the fiscal years ending September 30, 1997–2000. Notwithstanding any other law, necessary amounts are authorized to be appropriated to the Council to obtain, from a private insurance carrier, insurance against loss in connection with the memorial museum and related property and exhibits.

(b) USE OF AMOUNTS FOR CONSTRUCTION BARRED.—Amounts authorized under this chapter may not be used for construction.

(c) PRIOR AUTHORITY REQUIRED.—Authority to make contracts and to make payments under this chapter, using amounts authorized to be appropriated under this section, are effective only to the extent, and in amounts, provided in advance in an appropriations law.

CHAPTER 25—PRESIDENT'S COMMITTEE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES

Sec.
2501. Acceptance of voluntary services and money or property.
2502. Authorization of appropriations.

§ 2501. Acceptance of voluntary services and money or property

The President's Committee on Employment of People With Disabilities—

(1) notwithstanding section 1342 of title 31, may accept voluntary and uncompensated services; and

(2) may accept, use, and dispose of any money or property the Committee receives.

§ 2502. Authorization of appropriations

(a) GENERAL.—Amounts necessary for the work of the President's Committee on Employment of People With Disabilities are authorized to be appropriated for the fiscal year ending September 30, 1997, to be expended in the manner and by agencies the President may direct.

(b) USES.—Amounts appropriated under this section are to be used to carry out the purposes of National Disability Employment Awareness Month and to enable the President to provide the Committee with adequate personnel to assist in its activities, and otherwise to provide the Committee with the means of carrying out a program to promote the employment of individuals with disabilities, by—

(1) creating interest throughout the United States in the rehabilitation and employment of such individuals; and

(2) obtaining and maintaining cooperation from all public and private groups in the field.

SUBTITLE II—PATRIOTIC AND NATIONAL ORGANIZATIONS

PART A—GENERAL

CHAPTER		Sec.
101.	GENERAL	10101

PART B—ORGANIZATIONS

201.	AGRICULTURAL HALL OF FAME	20101
203.	AMERICAN ACADEMY OF ARTS AND LETTERS	20301
205.	AMERICAN CHEMICAL SOCIETY	20501
207.	AMERICAN COUNCIL OF LEARNED SOCIETIES	20701
209.	AMERICAN EX-PRISONERS OF WAR	20901
211.	AMERICAN GOLD STAR MOTHERS, INCORPORATED	21101
213.	AMERICAN HISTORICAL ASSOCIATION	21301
215.	AMERICAN HOSPITAL OF PARIS	21501
217.	THE AMERICAN LEGION	21701
219.	THE AMERICAN NATIONAL THEATER AND ACADEMY	21901
221.	THE AMERICAN SOCIETY OF INTERNATIONAL LAW	22101
223.	AMERICAN SYMPHONY ORCHESTRA LEAGUE	22301
225.	AMERICAN WAR MOTHERS	22501
227.	AMVETS (AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM)	22701
229.	ARMY AND NAVY UNION OF THE UNITED STATES OF AMERICA	22901
231.	AVIATION HALL OF FAME	23101
301.	BIG BROTHERS—BIG SISTERS OF AMERICA	30101
303.	BLINDED VETERANS ASSOCIATION	30301
305.	BLUE STAR MOTHERS OF AMERICA, INC.	30501
307.	BOARD FOR FUNDAMENTAL EDUCATION	30701
309.	BOY SCOUTS OF AMERICA	30901
311.	BOYS & GIRLS CLUBS OF AMERICA	31101
401.	CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA, INCORPORATED	40101
403.	CIVIL AIR PATROL	40301
405.	CONGRESSIONAL MEDAL OF HONOR SOCIETY OF THE UNITED STATES OF AMERICA	40501
407.	CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY	40701
501.	DAUGHTERS OF UNION VETERANS OF THE CIVIL WAR 1861–1865	50101
503.	DISABLED AMERICAN VETERANS	50301
601.	82ND AIRBORNE DIVISION ASSOCIATION, INCORPORATED	60101
701.	FLEET RESERVE ASSOCIATION	70101
703.	FORMER MEMBERS OF CONGRESS	70301
705.	THE FOUNDATION OF THE FEDERAL BAR ASSOCIATION	70501
707.	FREDERICK DOUGLASS MEMORIAL AND HISTORICAL ASSOCIATION	70701
709.	FUTURE FARMERS OF AMERICA	70901
801.	GENERAL FEDERATION OF WOMEN'S CLUBS	80101
803.	GIRL SCOUTS OF THE UNITED STATES OF AMERICA	80301
805.	GOLD STAR WIVES OF AMERICA	80501
901.	[RESERVED]	90101
1001.	ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES	100101
1101.	JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA, INCORPORATED	110101
1103.	JEWISH WAR VETERANS, U.S.A., NATIONAL MEMORIAL, INCORPORATED	110301
1201.	[RESERVED]	120101
1301.	LADIES OF THE GRAND ARMY OF THE REPUBLIC	130101
1303.	LEGION OF VALOR OF THE UNITED STATES OF AMERICA, INCORPORATED	130301
1305.	LITTLE LEAGUE BASEBALL, INCORPORATED	130501
1401.	MARINE CORPS LEAGUE	140101
1403.	THE MILITARY CHAPLAINS ASSOCIATION OF THE UNITED STATES OF AMERICA	140301
1405.	MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA, INCORPORATED	140501
1407.	MILITARY ORDER OF THE WORLD WARS	140701
1501.	NATIONAL ACADEMY OF PUBLIC ADMINISTRATION	150101
1503.	NATIONAL ACADEMY OF SCIENCES	150301
1505.	NATIONAL CONFERENCE OF STATE SOCIETIES, WASHINGTON, DISTRICT OF COLUMBIA	150501
1507.	NATIONAL CONFERENCE ON CITIZENSHIP	150701
1509.	NATIONAL COUNCIL ON RADIATION PROTECTION AND MEASUREMENTS	150901
1511.	NATIONAL EDUCATION ASSOCIATION OF THE UNITED STATES	151101
1513.	NATIONAL FALLEN FIREFIGHTERS FOUNDATION	151301
1515.	NATIONAL FEDERATION OF MUSIC CLUBS	151501
1517.	NATIONAL FILM PRESERVATION FOUNDATION	151701
1519.	NATIONAL FUND FOR MEDICAL EDUCATION	151901
1521.	NATIONAL MINING HALL OF FAME AND MUSEUM	152101
1523.	NATIONAL MUSIC COUNCIL	152301
1525.	NATIONAL SAFETY COUNCIL	152501
1527.	NATIONAL SKI PATROL SYSTEM, INCORPORATED	152701
1529.	NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN COLONISTS	152901

1531. THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION 153101
1533. NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION 153301
1535. NATIONAL TROPICAL BOTANICAL GARDEN 153501
1537. NATIONAL WOMAN'S RELIEF CORPS, AUXILIARY TO THE GRAND ARMY OF THE REPUBLIC 153701
1539. THE NATIONAL YOEMEN F ... 153901
1541. NAVAL SEA CADET CORPS ... 154101
1543. NAVY CLUB OF THE UNITED STATES OF AMERICA 154301
1545. NAVY WIVES CLUBS OF AMERICA 154501
1547. NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA, INCORPORATED 154701
1601. [RESERVED] 160101
1701. PARALYZED VETERANS OF AMERICA 170101
1703. PEARL HARBOR SURVIVORS ASSOCIATION 170301
1705. POLISH LEGION OF AMERICAN VETERANS, U.S.A. 170501
1801. [RESERVED] 180101
1901. RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES 190101
1903. RETIRED ENLISTED ASSOCIATION, INCORPORATED 190301
2001. SOCIETY OF AMERICAN FLORISTS AND ORNAMENTAL HORTICULTURISTS 200101
2003. SONS OF UNION VETERANS OF THE CIVIL WAR 200301
2101. THEODORE ROOSEVELT ASSOCIATION 210101
2103. 369TH VETERANS' ASSOCIATION 210301
2201. UNITED SERVICE ORGANIZATIONS, INCORPORATED 220101
2203. UNITED STATES CAPITOL HISTORICAL SOCIETY 220301
2205. UNITED STATES OLYMPIC COMMITTEE 220501
2207. UNITED STATES SUBMARINE VETERANS OF WORLD WAR II 220701
2301. VETERANS OF FOREIGN WARS OF THE UNITED STATES .. 230101
2303. VETERANS OF WORLD WAR I OF THE UNITED STATES OF AMERICA, INCORPORATED 230301
2305. VIETNAM VETERANS OF AMERICA, INC. 230501
2401. WOMEN'S ARMY CORPS VETERANS' ASSOCIATION 240101
2501. [RESERVED] 250101
2601. [RESERVED] 260101
2701. [RESERVED] 270101

PART A—GENERAL

CHAPTER 101—GENERAL

Sec.
10101. Audits.
10102. Reservation of right to amend or repeal.

§ 10101. Audits

(a) GENERAL.—Except as otherwise provided, the financial statements of each corporation in part B of this subtitle shall be audited annually in accordance with generally accepted auditing standards by an independent certified public accountant or independent licensed public accountant, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted where the financial statements of the corporation normally are kept. The person conducting the audit shall be given access to—

(1) all records and property owned or used by the corporation necessary to facilitate the audit; and

(2) full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) REPORT.—(1) The corporation shall submit a report of the audit to Congress not later than 6 months after the close of the fiscal year for which the audit is made. The report shall describe the scope of the audit and include—

(A) statements necessary to present fairly the corporation's assets, liabilities, and surplus or deficit, and an analysis of the changes in those amounts during the year;

(B) a statement in reasonable detail of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor; and

(C) the independent auditor's opinion of those statements.

(2) The report may not be printed as a public document, except as part of proceedings authorized to be printed under section 1332 of title 44.

§ 10102. Reservation of right to amend or repeal

(a) GENERAL.—Congress reserves the right to amend or repeal the provisions of part B of this subtitle.

(b) NONAPPLICATION.—Subsection (a) of this section does not apply to chapters 213, 407, 801, 1403, 1503 (except section 150302(b)), 1513, 1517, 1531, and 1539 of this title.

PART B—ORGANIZATIONS

CHAPTER 201—AGRICULTURAL HALL OF FAME

Sec.
20101. Organization.
20102. Purposes.
20103. Membership.
20104. Governing body.
20105. Powers.
20106. Restrictions.
20107. Principal office.
20108. Records and inspection.
20109. Service of process.
20110. Liability for acts of officers and agents.
20111. Use of assets on dissolution or final liquidation.

§ 20101. Organization

(a) FEDERAL CHARTER.—Agricultural Hall of Fame (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 20102. Purposes

The purposes of the corporation are—

(1) to receive and maintain one or more funds and to use any part of the principal or interest only for charitable, scientific, literary, or educational purposes either directly or by contributing to organizations authorized to carry on similar activities;

(2) to honor farmers, farm women, farm leaders, teachers, scientists, inventors, governmental leaders, and other individuals who have helped make this Nation great by their outstanding contributions to the establishment, development, advancement, or improvement of agriculture in the United States;

(3) to perpetuate the memory of those individuals and record their contributions and achievements by the erection and maintenance of buildings and monuments as may be appropriate as a lasting memorial;

(4) to promote a greater sense of appreciation of the dignity and importance of agriculture, historically carried out through owner-operated farms, and the part it has played in developing those social, economic, and spiritual values which are essential in maintaining the free and democratic institutions of our Republic;

(5) to establish and maintain a library and museum for the collection and preservation for posterity of agricultural tools, implements, machines, vehicles, pictures, paintings, books, papers, documents, data, relics, mementos, artifacts, and other items relating to agriculture;

(6) to cooperate with other organizations interested in similar projects; and

(7) to engage in other activities appropriate to carry out its purposes.

§ 20103. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the bylaws.

(b) VOTING.—Each member given voting rights by the bylaws has one vote on each matter submitted to a vote at a meeting of the voting members. The vote may be cast in the manner provided in the bylaws.

§ 20104. Governing body

(a) BOARD OF GOVERNORS.—(1) The board of governors is the governing body of the corporation. Between meetings of the members of the corporation, the board is responsible for the general policies and program of the corporation and for the control of all funds of the corporation.

(2) The number of governors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the bylaws. However, the board shall have at least 15 members.

(3) The board may appoint committees. Each committee has the powers provided in the bylaws or by resolution of the board. The powers of a committee may include all the powers of the board.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more one vice presidents as provided in the bylaws, a secretary, a treasurer, one or more assistant secretaries and assistant treasurers, and other officers as provided in the bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the bylaws.

§ 20105. Powers

The corporation may—

(1) adopt and amend bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

§ 20106. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a governor, officer, employee, or member as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a governor, officer, or member as such

during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer or employee in an amount approved by the board of governors.

(d) LOANS.—The corporation may not make a loan or advance to a governor, officer, employee, or member. Governors who vote for or assent to making a loan or advance to a governor, officer, employee, or member, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

(e) CONTRIBUTIONS TO CERTAIN ORGANIZATIONS.—None of the principal or interest of a fund referred to in section 20102(1) of this title may be contributed to an organization if—

(1) a substantial part of its activities is carrying on propaganda or attempting to influence legislation; or

(2) any part of its net earnings benefits a private shareholder or individual.

§ 20107. Principal office

The principal office of the corporation shall be in Kansas City, Kansas, or another place decided by the board of governors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 20108. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of governors, and committees having any of the authority of its board of governors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 20109. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

§ 20110. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 20111. Use of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets of the corporation remaining after the discharge of all liabilities shall be distributed as provided by the board of governors, but in compliance with the charter and bylaws.

CHAPTER 203—AMERICAN ACADEMY OF ARTS AND LETTERS

Sec.
20301. Organization.
20302. Purpose.
20303. Membership.
20304. Powers.
20305. Annual meeting.
20306. Annual report.
20307. Nonapplication of audit requirements.

§ 20301. Organization

(a) FEDERAL CHARTER.—American Academy of Arts and Letters (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION.—The corporation is declared to be incorporated in the District of Columbia.

§ 20302. Purpose

The purpose of the corporation is to further the interests of literature and the fine arts.

§ 20303. Membership

The corporation may have not more than 50 regular members.

§ 20304. Powers

The corporation may—

(1) adopt bylaws and regulations;

(2) fill vacancies;

(3) provide for the election of foreign, domestic, or honorary associate members, and the division of those members into classes;

(4) receive bequests and donations of property, hold the property in trust, and invest the property to carry out the purpose of the corporation; and

(5) do any other act necessary or usual for such a corporation.

§ 20305. Annual meeting

The corporation shall hold an annual meeting at a place in the United States as may be designated.

§ 20306. Annual report

The corporation shall make an annual report to Congress, to be filed with the Librarian of Congress.

§ 20307. Nonapplication of audit requirements

The audit requirements of section 10101 of this title do not apply to the corporation.

CHAPTER 205—AMERICAN CHEMICAL SOCIETY

Sec.
20501. Organization.
20502. Purposes.
20503. Powers.
20504. Cooperation with the military.
20505. Annual meeting.
20506. Annual report.

§ 20501. Organization

American Chemical Society (in this chapter, the ''corporation'') is a federally chartered corporation.

§ 20502. Purposes

The purposes of the corporation are—

(1) to encourage in the broadest and most liberal manner the advancement of chemistry in all its branches;

(2) to promote research in chemical science and industry;

(3) to improve the qualifications and usefulness of chemists through high standards of professional ethics, education, and attainments;

(4) to increase and diffuse chemical knowledge; and

(5) by its meetings, professional contacts, reports, papers, discussions, and publications, to promote scientific interests and inquiry to foster public welfare and education, aid the development of our country's industries, and add to the material prosperity and happiness of our people.

§ 20503. Powers

The corporation may—

(1) adopt a constitution, bylaws, and regulations;

(2) fill vacancies;

(3) provide for the election of members and the division of those members into classes;

(4) receive property, hold the property absolutely or in trust, invest and manage the property, and use the property and income arising from it to carry out the purposes of the corporation; and

(5) do any other act necessary and proper to carry out the purposes of the corporation.

§ 20504. Cooperation with the military

(a) INVESTIGATIONS, EXAMINATIONS, EXPERIMENTS, AND REPORTS.—When requested by the Secretary of the Army, Air Force, or Navy, the corporation shall investigate, examine, experiment, and report on any subject in pure or applied chemistry connected with the national defense.

(b) PAYMENTS.—The actual expense of those investigations, examinations, experiments, and reports shall be paid from amounts appropriated for those purposes, but the corporation may not receive compensation for any services performed for the United States Government.

(c) TITLE AND LICENSE.—Title to inventions and discoveries made in the course of those investigations, examinations, and experiments that the appropriate Secretary believes involve the national defense vest in the Government. The Government shall have unlimited license under other inventions and discoveries made in the course of those investigations, examinations, and experiments.

§ 20505. Annual meeting

The corporation shall hold an annual meeting at a place in the United States as may from time to time be designated.

§ 20506. Annual report

Not later than December 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year, including a complete statement of its receipts and expenditures. The report may not be printed as a public document.

CHAPTER 207—AMERICAN COUNCIL OF LEARNED SOCIETIES

Sec.
20701. Definition.
20702. Organization.
20703. Purposes.
20704. Membership.
20705. Governing body.
20706. Powers.
20707. Restrictions.
20708. Duty to maintain tax-exempt status.
20709. Records and inspection.
20710. Service of process.
20711. Liability for acts of officers and agents.
20712. Annual report.

§ 20701. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 20702. Organization

American Council of Learned Societies (in this chapter, the ''corporation''), a nonprofit corporation incorporated in the District of Columbia, is a federally chartered corporation.

§ 20703. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include—

(1) the advancement of the humanistic studies in all fields of learning; and

(2) the maintenance and strengthening of relations among the national societies devoted to those studies.

§ 20704. Membership

Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

§ 20705. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 20706. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 20707. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 20708. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.). If the corporation does not maintain that status, the charter granted by this chapter expires.

§ 20709. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 20710. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 20711. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 20712. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 209—AMERICAN EX-PRISONERS OF WAR

Sec.
20901. Definition.
20902. Organization.
20903. Purposes.
20904. Membership.
20905. Governing body.
20906. Powers.
20907. Exclusive right to name and emblem.
20908. Restrictions.
20909. Duty to maintain corporate and tax-exempt status.
20910. Records and inspection.
20911. Service of process.
20912. Liability for acts of officers and agents.
20913. Annual report.

§ 20901. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 20902. Organization

(a) FEDERAL CHARTER.—American Ex-Prisoners of War (in this chapter, the ''corporation''), a nonprofit corporation incorporated in the State of Washington, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 20903. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include—

(1) encouraging fraternity for the common good;

(2) fostering patriotism and loyalty;

(3) assisting widows and orphans of deceased ex-prisoners of war;

(4) assisting ex-prisoners of war who have been injured or disabled as a result of their service;

(5) maintaining allegiance to the United States;

(6) preserving and defending the United States from all enemies; and

(7) maintaining historical records.

§ 20904. Membership

Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 20905. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 20906. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 20907. Exclusive right to name and emblem

The corporation has the exclusive right to use and to allow others to use the name ''American Ex-Prisoners of War'' and the official American Ex-Prisoners of War emblem or any colorable simulation of that emblem. This section does not affect any vested rights.

§ 20908. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board or directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 20909. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of Washington.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 20910. Records and inspection

(a) RECORDS.—The Corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 20911. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 20912. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 20913. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 211—AMERICAN GOLD STAR MOTHERS, INCORPORATED

Sec.
21101. Definition.
21102. Organization.
21103. Purposes.
21104. Membership.
21105. Governing body.
21106. Powers.
21107. Restrictions.
21108. Duty to maintain corporate and tax-exempt status.
21109. Records and inspection.
21110. Service of process.
21111. Liability for acts of officers and agents.
21112. Annual report.

§ 21101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 21102. Organization

(a) FEDERAL CHARTER.—American Gold Star Mothers, Incorporated (in this chapter, the ''corporation''), incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 21103. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include a continuing commitment, on a national basis, to—

(1) keep alive and develop the spirit that promoted world services;

(2) maintain the ties of fellowship born of that service, and assist and further all patriotic work;

(3) inculcate a sense of individual obligation to the community, State, and Nation;

(4) assist veterans of World War I, World War II, the Korean Conflict, Vietnam, and other strategic areas and their dependents in the presentation of claims to the Department of Veterans Affairs, and aid in any way in their power the men and women who served and died or were wounded or incapacitated during hostilities;

(5) perpetuate the memory of those whose lives were sacrificed in our wars;

(6) maintain true allegiance to the United States;

(7) inculcate lessons of patriotism and love of country in the communities in which we live;

(8) inspire respect for the Stars and Stripes in the youth of America;

(9) extend needful assistance to all Gold Star Mothers and, when possible, to their descendants; and

(10) promote peace and good will for the United States and all other Nations.

§ 21104. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, or national origin.

§ 21105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, or national origin.

§ 21106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 21107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 21108. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of each State in which it is incorporated.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 21109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 21110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 21111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 21112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 213—AMERICAN HISTORICAL ASSOCIATION

Sec.
21301. Organization.
21302. Purposes.
21303. Powers.
21304. Annual meeting.
21305. Principal office.
21306. Historical collections.
21307. Annual report.

§ 21301. Organization

American Historical Association (in this chapter, the ''corporation'') is a body corporate and politic in the District of Columbia.

§ 21302. Purposes

The purposes of the corporation are—

(1) to promote historical studies;

(2) to collect and preserve historical manuscripts; and

(3) other kindred purposes in the interest of American history and of history in America.

§ 21303. Powers

The corporation may—

(1) adopt a constitution and bylaws; and

(2) hold property in the District of Columbia necessary to carry out the purposes of the corporation.

§ 21304. Annual meeting

The corporation may hold its annual meeting in a place the members of the corporation select.

§ 21305. Principal office

The principal office of the corporation shall be in the District of Columbia.

§ 21306. Historical collections

The Regents of the Smithsonian Institution may allow the corporation to deposit its collections, manuscripts, books, pamphlets, and other historical material in the Smithsonian Institution or the National Museum on conditions and under regulations the Regents prescribe.

§ 21307. Annual report

The corporation shall submit an annual report to the Secretary of the Smithsonian Institution on the activities of the corporation and the condition of historical study in America. The Secretary shall submit to Congress any part of the report the Secretary decides is appropriate.

CHAPTER 215—AMERICAN HOSPITAL OF PARIS

Sec.
21501. Organization.
21502. Purpose.
21503. Governing body.
21504. Acquisition and management of property.
21505. Charges for medical services.
21506. Principal office.
21507. Nonapplication of audit requirements.

§ 21501. Organization

(a) FEDERAL CHARTER.—American Hospital of Paris (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION.—The corporation is declared to be incorporated in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 21502. Purpose

The purpose of the corporation is to maintain a hospital in the vicinity of Paris, France, to provide medical and surgical care to citizens of the United States.

§ 21503. Governing body

(a) GENERAL.—(1) The board of governors is the governing body of the corporation.

(2) The board shall have at least 12 governors, divided into 3 classes of equal numbers. One class of governors shall be elected each year for a term of 3 years or until their successors are elected. The corporation shall elect the governors at its annual meeting.

(b) QUORUM.—Five governors are a quorum for the transaction of business, except that a majority vote of the board is required for—

(1) the sale or alienation of any real or personal estate of the corporation; or

(2) the leasing of real estate of the corporation for a term of more than one year.

(c) POWERS.—The board may—

(1) adopt and amend bylaws, as may be necessary and proper, related to—

(A) elections and meetings;

(B) qualifications and duties of governors and officers;

(C) admission and qualifications of members; and

(D) management and disposition of the property, business, and concerns of the corporation;

(2) conduct all business of the corporation;

(3) fill, until the next annual election, a vacancy on the board; and

(4) appoint attending and resident physicians and surgeons, agents, assistants, and attendants as may be necessary, set their compensation, and discharge them.

§ 21504. Acquisition and management of property

The corporation may acquire, own, lease, encumber, and transfer property, in the United States and France, to carry out the purposes of the corporation.

§ 21505. Charges for medical services

The corporation may charge a reasonable compensation for providing medical and surgical services or may provide those services without charge. Amounts received under this section shall be used to carry out the purposes of the corporation.

§ 21506. Principal office

The principal office of the corporation shall be in the District of Columbia. However, offices may be maintained and meetings of the board of governors and committees may be held elsewhere.

§ 21507. Nonapplication of audit requirements

The audit requirements of section 10101 of this title do not apply to the corporation.

CHAPTER 217—THE AMERICAN LEGION

Sec.
21701. Organization.
21702. Purposes.
21703. Membership.
21704. Powers.
21705. Exclusive right to name, emblems, and badges.
21706. Political activities.
21707. Service of process.
21708. Annual report.

§ 21701. Organization

(a) FEDERAL CHARTER.—The American Legion (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 21702. Purposes

The purposes of the corporation are—

(1) to uphold and defend the Constitution of the United States;

(2) to promote peace and good will among the peoples of the United States and all the nations of the Earth;

(3) to preserve the memories and incidents of the 2 World Wars and the other great hostilities fought to uphold democracy;

(4) to cement the ties and comradeship born of service; and

(5) to consecrate the efforts of its members to mutual helpfulness and service to their country.

§ 21703. Membership

An individual is eligible for membership in the corporation only if the individual—

(1) has served in the armed forces of—

(A) the United States at any time during any period from—

(i) April 6, 1917, through November 11, 1918;

(ii) December 7, 1941, through December 31, 1946;

(iii) June 25, 1950, through January 31, 1955;

(iv) December 22, 1961, through May 7, 1975;

(v) August 24, 1982, through July 31, 1984;

(vi) December 20, 1989, through January 31, 1990; or

(vii) August 2, 1990, through the date of cessation of hostilities, as decided by the United States Government; or

(B) a government associated with the United States during a period referred to in subclause (A) of this clause and was a citizen of the United States when the individual entered that service; and

(2) was honorably discharged or separated from that service or continues to serve honorably after that period.

§ 21704. Powers

The corporation may—

(1) adopt a constitution, bylaws, and regulations to carry out the purposes of the corporation;

(2) adopt and alter a corporate seal;

(3) establish and maintain offices to conduct its activities;

(4) establish State and territorial organizations and local chapter or post organizations;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) publish a magazine and other publications;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 21705. Exclusive right to name, emblems, and badges

The corporation and its State and local subdivisions have the exclusive right to use the name ''The American Legion'' or ''American Legion''. The corporation has the exclusive right to use, manufacture, and control the right to manufacture, emblems and badges the corporation adopts.

§ 21706. Political activities

The corporation shall be nonpolitical and may not promote the candidacy of an individual seeking public office.

§ 21707. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

§ 21708. Annual report

Not later than January 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.

CHAPTER 219—THE AMERICAN NATIONAL THEATER AND ACADEMY

Sec.
21901. Organization.
21902. Purposes.
21903. Powers.
21904. Exclusive right to name.
21905. Restrictions.
21906. Headquarters and meetings.
21907. Service of process.
21908. Annual report.

§ 21901. Organization

(a) FEDERAL CHARTER.—The American National Theater and Academy (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 21902. Purposes

The purposes of the corporation include—

(1) the presentation of theatrical productions of the highest type;

(2) the stimulation of public interest in the drama as an art belonging both to the theater and to literature and to be enjoyed both on the stage and in the study;

(3) the advancement of interest in the drama throughout the United States by furthering the production of the best plays, interpreted by the best actors at a minimum cost;

(4) the further development of the study of drama of the present and past in our universities, colleges, schools, and elsewhere; and

(5) the sponsoring, encouraging, and developing of the art and technique of the theater through a school within the National Academy.

§ 21903. Powers

The corporation may—

(1) adopt a constitution, bylaws, and regulations;

(2) adopt and alter a corporate seal;

(3) establish and maintain offices and buildings to conduct its activities;

(4) establish State and territorial organizations and local branches;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation, subject to its constitution and instructions of donors;

(6) sue and be sued; and

(7) do any other act necessary and proper to carry out the purposes of the corporation.

§ 21904. Exclusive right to name

The corporation and its State and local branches and subdivisions have the exclusive right to use the name ''The American National Theater and Academy''.

§ 21905. Restrictions

(a) PROFIT AND STOCK.—The corporation shall be nonprofit and may not issue stock.

(b) POLITICAL ACTIVITIES.—The corporation shall be nonpolitical and nonsectarian, and may not promote the candidacy of an individual seeking public office.

(c) HONORARY MEMBERS.—The corporation may not have honorary members.

§ 21906. Headquarters and meetings

The corporation may have its headquarters and hold its meetings at places the corporation decides are best.

§ 21907. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of the District of Columbia or of each State, territory, or possession of the United States in which its headquarters, branches, or subdivisions are located, the name and address of an agent in that jurisdiction on whom legal process or demands against the corporation may be served.

§ 21908. Annual report

Not later than January 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year, including a complete report of its receipts and expenditures. The report may not be printed as a public document.

CHAPTER 221—THE AMERICAN SOCIETY OF INTERNATIONAL LAW

Sec.
22101. Organization.
22102. Purposes.
22103. Governing body.
22104. Powers.
22105. Restrictions.
22106. Principal office.
22107. Records and inspection.
22108. Service of process.
22109. Liability for acts of officers and agents.

§ 22101. Organization

(a) FEDERAL CHARTER.—The American Society of International Law (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 22102. Purposes

The purposes of the corporation are—

(1) to foster the study of international law; and

(2) to promote the establishment and maintenance of international relations on the basis of law and justice.

§ 22103. Governing body

(a) EXECUTIVE COUNCIL.—(1) The executive council is the governing body of the corporation. However, the council is subject to the directions of the corporation at its annual meetings and at any other meeting called under the constitution, bylaws, or regulations of the corporation.

(2) The council consists of a president, an honorary president, a number of vice presidents and honorary vice presidents as provided in the constitution, a secretary, a treasurer, and at least 24 additional individuals.

(b) ELECTION AND TERMS.—The officers of the corporation and one-third of the other members of the council shall be elected at each annual meeting of the corporation. However, the constitution may authorize the council—

(1) to elect the secretary and the treasurer of the corporation for specified terms; and

(2) to fill vacancies until the next annual meeting.

§ 22104. Powers

The corporation may—

(1) adopt and amend a constitution, bylaws, and regulations for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) publish a journal and other publications;

(8) sue and be sued; and

(9) do any other act necessary and proper to carry out the purposes of the corporation.

§ 22105. Restrictions

(a) PROFIT.—The corporation may not operate for profit.

(b) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(c) POLITICAL ACTIVITIES.—The corporation or an officer or member of the executive council as such may not contribute to, support, or assist a political party or candidate for elective public office.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a member of the corporation or an officer or member of the executive council, except on the dissolution or final liquidation of the corporation.

(e) LOANS.—The corporation may not make a loan or advance to an officer or member of the executive council. Members of the council who vote for or assent to making a loan or advance to an officer or member of the council, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 22106. Principal office

The principal office of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but may be conducted throughout the United States.

§ 22107. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, executive council, and committees having any of the authority of its executive council; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 22108. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 22109. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

CHAPTER 223—AMERICAN SYMPHONY ORCHESTRA LEAGUE

Sec.

22301. Organization.
22302. Purposes.
22303. Membership.
22304. Governing body.
22305. Powers.
22306. Exclusive right to name, insignia, emblems, and badges.
22307. Restrictions.
22308. Principal office.
22309. Records and inspection.
22310. Service of process.
22311. Liability for acts of officers and agents.
22312. Distribution of assets on dissolution or final liquidation.

§ 22301. Organization

(a) FEDERAL CHARTER.—American Symphony Orchestra League (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 22302. Purposes

The purposes of the corporation are—

(1) to serve as a coordinating, research, and educational agency and clearinghouse for symphony orchestras to help strengthen the work in their local communities;

(2) to assist in the formation of new symphony orchestras;

(3) to encourage and recognize the work of America's musicians, conductors, and composers, through suitable means; and

(4) to aid the expansion of the musical and cultural life of the United States through suitable educational and service activities.

§ 22303. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member (except an honorary, sustaining, or associate member) has one vote on each matter submitted to a vote at a meeting of the members.

§ 22304. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the members of the corporation, the board is responsible for the general policies and program of the corporation and for the control of contributions raised by the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws of the corporation.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, a treasurer, and one or more assistant secretaries and assistant treasurers as provided in the constitution and bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 22305. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

§ 22306. Exclusive right to name, insignia, emblems, and badges

The corporation has the exclusive right to use the name ''American Symphony Orchestra League'' and distinctive insignia, emblems and badges, descriptive or designating marks, and words or phrases required to carry out the duties and powers of the corporation. This section does not affect any vested rights.

§ 22307. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan or advance to a director, officer, or employee. Directors who vote for or assent to making a loan or advance to a director, officer, or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 22308. Principal office

The principal office of the corporation shall be in Charleston, West Virginia, or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 22309. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 22310. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 22311. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 22312. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 225—AMERICAN WAR MOTHERS

Sec.
22501. Organization.
22502. Purposes.
22503. Membership.
22504. Powers.
22505. Exclusive right to name.
22506. Restrictions.
22507. Tax-exempt status.
22508. Meetings.
22509. Service of process.
22510. Annual report.

§ 22501. Organization

(a) FEDERAL CHARTER.—American War Mothers (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION.—The corporation is declared to be incorporated in the District of Columbia.

(c) PERIOD OF EXISTENCE.—The corporation may continue to exist until there are no individuals who qualify for membership.

§ 22502. Purposes

The purposes of the corporation are—

(1) to keep alive and develop the spirit that promoted world service;

(2) to maintain the ties of fellowship born of that service and to assist and further any patriotic work;

(3) to inculcate a sense of individual obligation to the community, State, and Nation;

(4) to work for the welfare of the Army and Navy;

(5) to assist, in any way in their power, men and women who served and were wounded or incapacitated in World War I; and

(6) to foster and promote friendship and understanding between America and the Allies in World War I.

§ 22503. Membership

Eligibility for membership in the corporation is limited to women—

(1) who are citizens of the United States; and

(2) whose natural son or daughter, legally adopted son or daughter, or stepson or stepdaughter—

(A) served in the armed forces of the United States or its allies in World War I, World War II, the Korean conflict, or any subsequent war or conflict involving the United States; and

(B) was honorably discharged from that service or continues in the service.

§ 22504. Powers

The corporation may—

(1) adopt a constitution, bylaws, and regulations;

(2) adopt and alter a corporate seal;

(3) adopt emblems and badges;

(4) establish and maintain offices to conduct its activities;

(5) establish State, territorial, and local subdivisions;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation, subject to section 22506(b) of this title;

(7) publish a magazine and other publications;

(8) sue and be sued; and

(9) do any other act necessary and proper to carry out its purposes.

§ 22505. Exclusive right to name

The corporation and its State, territorial, and local subdivisions have the exclusive right to use the name ''American War Mothers''.

§ 22506. Restrictions

(a) GENERAL.—The corporation shall be nonprofit, nonpolitical, nonsectarian, and nonpartisan, and may not promote the candidacy of an individual seeking public office.

(b) OWNERSHIP AND USE OF PROPERTY.—The corporation may not accept, own, or hold, directly or indirectly, any property not reasonably necessary to carry out the purposes of the corporation.

§ 22507. Tax-exempt status

The personal property and funds of the corporation, whether principal or income, so long as held or used only to carry out the purposes of the corporation, are exempt from taxation by the United States Government, the District of Columbia, and the territories and possessions of the United States.

§ 22508. Meetings

The corporation may hold its meetings at any place the corporation decides.

§ 22509. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

§ 22510. Annual report

Not later than January 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.

CHAPTER 227—AMVETS (AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM)

Sec.
22701. Organization.
22702. Purposes.
22703. Membership.
22704. Governing body.
22705. Powers.
22706. Exclusive right to name, seals, emblems, and badges.
22707. Restrictions.
22708. Headquarters and principal place of business.
22709. Records and inspection.
22710. Service of process.
22711. Liability for acts of officials, representatives, and agents.
22712. Distribution of assets on dissolution or final liquidation.

§ 22701. Organization

(a) FEDERAL CHARTER.—AMVETS (American Veterans of World War II, Korea, and Vietnam) (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 22702. Purposes

The purposes of corporation are—

(1) to preserve for ourselves and our posterity the great and basic truths and enduring principles upon which this Nation was founded;

(2) to maintain a continuing interest in the welfare and rehabilitation of the disabled veterans of World War II, the Korean conflict, and the Vietnam era and to establish facilities for the assistance of all veterans and to represent them in their claims before the Department of Veterans Affairs and other organizations without charge;

(3) to dedicate ourselves to the service and best interests of the community, State, and Nation to the end that our country shall be and remain forever a whole, strong, and free Nation;

(4) to aid and encourage the abolition of prejudice, ignorance, and disease;

(5) to encourage universal exercise of the voting franchise to the end that there shall be elected and maintained in public office men and women who hold public office as a public trust administered in the best interests of all the people;

(6) to advocate the development and means by which all Americans may become enlightened and informed citizens and thus participate fully in the functions of our democracy;

(7) to encourage and support an international organization of all peace-loving nations to the end that not again shall any nation be permitted to breach their national peace;

(8) to continue to serve the best interests of our Nation in peace as in war;

(9) to develop to the utmost the human, mental, spiritual, and economical resources of our Nation;

(10) to perpetuate and preserve the friendships and comradeship born on the battle front and nurtured in the common experience of service to our Nation during time of war; and

(11) to honor the memory of those men and women who gave their lives that a free America and a free world might live by the creation of living memorials in the form of additional educational, cultural, and recreational facilities.

§ 22703. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member has one vote in the conduct of official business at the post level.

(c) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, or national origin.

§ 22704. Governing body

(a) DELEGATES TO NATIONAL CONVENTIONS.—Each post may elect delegates to national conventions of the corporation. The delegates each have one vote in the conduct of business of the convention to which they are elected.

(b) EXECUTIVE COMMITTEE.—The executive committee of the corporation consists of—

(1) one member elected to represent each department; and

(2) the officers of the corporation as ex officio members.

(c) OFFICERS.—(1) The officers of the corporation are a national commander, 7 national vice commanders, one of whom shall be a woman, a finance officer, an adjutant, a judge advocate, and a provost marshal.

(2) The officers shall be elected by the delegates at the annual national convention.

(d) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, sex, or national origin.

§ 22705. Powers

(a) GENERAL.—The corporation may—

(1) adopt bylaws and regulations for the management of its property and the regulation of its affairs;

(2) adopt seals, emblems, and badges;

(3) choose officers, representatives, and agents as necessary to carry out the purposes of the corporation;

(4) make contracts;

(5) establish State and regional organizations and local posts;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) publish a magazine, newspaper, and other publications consistent with the purposes of the corporation;

(9) sue and be sued; and

(10) do any other act necessary and proper to carry out the purposes of the corporation.

(b) POWERS GRANTED TO OTHER ORGANIZATIONS.—The provisions, privileges, and prerogatives granted before July 24, 1947, to other national veterans' organizations because of their incorporation by Congress are granted to the corporation.

§ 22706. Exclusive right to name, seals, emblems, and badges

The corporation and its State, regional, and local subdivisions have the exclusive right to use the name ''AMVETS (American Veterans of World War II, Korea, and Vietnam)'' and seals, emblems, and badges the corporation adopts.

§ 22707. Restrictions

(a) PROFIT.—The corporation shall operate as a not-for-profit corporation, exclusively for charitable, educational, patriotic, and civic improvement purposes.

(b) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(c) POLITICAL ACTIVITIES.—The corporation or an officer of the corporation or member of its executive committee as such may not contribute to, support, or assist a political party or candidate for elective public office. The corporation may not carry on propaganda.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member of the corporation, except on dissolution or final liquidation of the corporation.

(e) LOANS.—The corporation may not make a loan or advance to a director or officer. Directors who vote for or assent to making a loan or advance to a director or officer, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 22708. Headquarters and principal place of business

The headquarters and principal place of business of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but may be conducted throughout the States, territories, and possessions of the United States.

§ 22709. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, executive committee, and committees having any of the authority of its executive committee; and

(3) at its registered or principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 22710. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(b) STATES.—As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

§ 22711. Liability for acts of officials, representatives, and agents

The corporation is liable for the acts of its officials, representatives, and agents acting within the scope of their authority.

§ 22712. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge or satisfactory provision for discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs to be applied to the care and comfort of disabled veterans of World War II, the Korean conflict, and the Vietnam era.

CHAPTER 229—ARMY AND NAVY UNION OF THE UNITED STATES OF AMERICA

Sec.
22901. Definition.
22902. Organization.
22903. Purposes.
22904. Membership.
22905. Governing body.
22906. Powers.
22907. Restrictions.
22908. Duty to maintain corporate and tax-exempt status.
22909. Records and inspection.
22910. Service of process.
22911. Liability for acts of officers and agents.
22912. Annual report.

§ 22901. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 22902. Organization

(a) FEDERAL CHARTER.—Army and Navy Union of the United States of America (in this chapter, the ''corporation''), incorporated in Ohio, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 22903. Purposes

The purposes of the corporation are as provided in its articles of incorporation and include—

(1) holding true allegiance to the United States Government and fidelity to its Constitution, laws, and institutions;

(2) serving our Nation under God in peace as well as in war by fostering the ideals of faith and patriotism, loyalty, justice, and liberty, by inculcating in the hearts of young and old, through precept and practice, the spirit of true Americanism, and by participating in civic activities for the good of our country and our community;

(3) uniting in fraternal fellowship those who have served, or are now serving, honorably in the armed forces of the United States;

(4) protecting and advancing their civic, social, and economic welfare;

(5) aiding them in sickness and distress;

(6) assisting in the burial and commemoration of their dead and providing help for their widows and orphans; and

(7) perpetuating the memory of patriotic deeds performed by the defenders of our country.

§ 22904. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 22905. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 22906. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 22907. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 22908. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of Ohio.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 22909. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 22910. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 22911. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 22912. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 231—AVIATION HALL OF FAME

Sec.
23101. Organization.
23102. Purposes.
23103. Membership.
23104. Governing body.
23105. Powers.
23106. Restrictions.
23107. Principal office.
23108. Records and inspection.

23109. Statement required in audit report.
23110. Service of process.
23111. Liability for acts of officers and agents.
23112. Distribution of assets on dissolution or final liquidation.

§ 23101. Organization

(a) FEDERAL CHARTER.—Aviation Hall of Fame (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 23102. Purposes

The purposes of the corporation are—

(1) to receive and maintain one or more funds and to use any part of the principal and income only for charitable, scientific, literary, or educational purposes, either directly or by contributing to organizations authorized to carry on similar activities;

(2) to honor citizens, aviation leaders, pilots, teachers, scientists, engineers, inventors, governmental leaders, and other individuals who have helped to make this Nation great by their outstanding contributions to the establishment, development, advancement, or improvement of aviation in the United States;

(3) to perpetuate the memory of those individuals and record their contributions and achievements by the erection and maintenance of buildings and monuments as may be appropriate as a lasting memorial;

(4) to promote a better sense of appreciation of the origins and growth of aviation, especially in the United States, and the part aviation has played in changing the economic, social, and scientific aspects of our Nation;

(5) to establish and maintain a library and museum for the collection and preservation for posterity of the history of those honored by the organization, together with a documentation of their accomplishments and contributions to aviation, including items such as aviation pictures, paintings, books, papers, documents, scientific data, relics, mementos, artifacts, and other items related to that history;

(6) to cooperate with other recognized aviation organizations actively engaged and interested in similar projects; and

(7) to engage in any other activities appropriate to carry out the purposes of the corporation.

§ 23103. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the bylaws.

(b) VOTING.—Each member given voting rights by the bylaws has one vote on each matter submitted to a vote at a meeting of the voting members. The vote may be cast in the manner provided in the bylaws.

§ 23104. Governing body

(a) BOARD OF TRUSTEES.—(1) The board of trustees is the governing body of the corporation. Between meetings of the members of the corporation, the board is responsible for the general policies and program of the corporation and for the control of all funds of the corporation.

(2) The number of trustees, their manner of selection (including the filling of vacancies), and their term of office are as provided in the bylaws. However, the board shall have at least 18 members.

(3) The board may appoint committees. Each committee has the powers provided in the bylaws or by resolution of the board. The powers of a committee may include all the powers of the board.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more vice presidents as provided in the bylaws, a secretary, a treasurer, and other officers as provided in the bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the bylaws.

(c)(1) BOARD OF NOMINATIONS.—The board of trustees shall appoint a board of nominations, consisting of at least 24 members, from members of the corporation not concurrently serving as members of the board of trustees. Those individuals serve for the term provided in the bylaws.

(2) The board of nominations shall nominate United States citizens or residents to be honored by the corporation and recommend those persons to the board of trustees for consideration as provided in the bylaws.

§ 23105. Powers

The corporation may—

(1) adopt and amend bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, trustees, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

§ 23106. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a trustee, officer, employee, member of the board of nominations, or member of the corporation as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a trustee, officer, member of the board of nominations, or member of the corporation, as such, during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or employee in an amount approved by the board of trustees.

(d) LOANS.—The corporation may not make a loan or advance to a trustee, officer, employee, member of the board of nominations, or member of the corporation. Trustees who vote for or assent to making such a loan or advance, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

(e) CONTRIBUTIONS TO CERTAIN ORGANIZATIONS.—None of the principal or interest of a fund referred to in section 23102(1) of this title may be contributed to an organization if—

(1) a substantial part of its activities is carrying on propaganda or attempting to influence legislation; or

(2) any part of its net earnings benefits a private shareholder or individual.

§ 23107. Principal office

The principal office of the corporation shall be in Dayton, Ohio, or another place decided by the board of trustees. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 23108. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of trustees, board of nominations, and committees having any of the authority of its board of trustees; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 23109. Statement required in audit report

The corporation shall include in the audit report statement required under section 10101(b)(1)(B) of this title a schedule of all contracts requiring payments greater than $10,000 and all payments of compensation or fees at a rate greater than $10,000 a year.

§ 23110. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

§ 23111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 23112. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of trustees, but consistent with the purposes of the corporation and in compliance with the charter and bylaws.

CHAPTER 301—BIG BROTHERS—BIG SISTERS OF AMERICA

Sec.
30101. Organization.
30102. Purposes.
30103. Membership.
30104. Governing body.
30105. Powers.
30106. Exclusive right to names, seals, emblems, and badges.
30107. Restrictions.
30108. Principal office.
30109. Records and inspection.
30110. Service of process.
30111. Liability for acts of officers and agents.
30112. Distribution of assets on dissolution or final liquidation.

§ 30101. Organization

(a) FEDERAL CHARTER.—Big Brothers—Big Sisters of America (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 30102. Purposes

The purposes of the corporation are—

(1) to assist individuals throughout the United States in solving their social and economic problems and in their health and educational and character development;

(2) to promote the use, by other lay and professional agencies and workers, of the techniques of that assistance developed by the corporation; and

(3) to receive, invest, and disburse funds and hold property for the purposes of the corporation.

§ 30103. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member has one vote on each matter submitted to a vote at a meeting of the members.

§ 30104. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The powers, duties, and responsibilities of the board are as provided in the constitution and bylaws of the corporation.

(2) The number of directors is as provided in the constitution. Their manner of selection (including the filling of vacancies) and their term of office are as provided in the constitution and bylaws.

(b) OFFICERS.—(1) The officers of the corporation are a chairman of the board of directors, a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, and a treasurer.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 30105. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

§ 30106. Exclusive right to names, seals, emblems, and badges

The corporation and its subordinate divisions have the exclusive right to use the names ''The Big Brothers of America, Big Sisters International, Incorporated'', ''Big Sisters of America'', ''Big Brothers'', ''Big Sisters'', ''Big Brothers—Big Sisters of America'', and ''Big Sisters—Big Brothers'', and to use and to allow others to use seals, emblems, and badges the corporation adopts.

§ 30107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan or advance to a director, officer, or employee. Directors who vote for or assent to making a loan or advance to a director, officer, or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 30108. Principal office

The principal office of the corporation shall be in Philadelphia, Pennsylvania, or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 30109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 30110. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 30111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 30112. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 303—BLINDED VETERANS ASSOCIATION

Sec.
30301. Organization.
30302. Purposes.
30303. Membership.
30304. Governing body.
30305. Powers.
30306. Exclusive right to name, seals, emblems, and badges.
30307. Restrictions.
30308. Principal office.
30309. Records and inspection.
30310. Service of process.
30311. Liability for acts of officers and agents.
30312. Distribution of assets on dissolution or final liquidation.

§ 30301. Organization

(a) FEDERAL CHARTER.—Blinded Veterans Association (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 30302. Purposes

The purposes of the corporation are—

(1) to operate as a not-for-profit corporation exclusively for charitable, educational, patriotic, and civic improvement purposes;

(2) to promote the welfare of blinded veterans so that, notwithstanding their disabilities, they may take their rightful place in the community and work with their fellow citizens toward the creation of a peaceful world;

(3) to preserve and strengthen a spirit of fellowship among blinded veterans so that they may give mutual aid and assistance to one another; and

(4) to maintain and extend the institutions of American freedom and to encourage loyalty to the Constitution and laws of the United States and of the States in which they reside.

§ 30303. Membership

(a) GENERAL MEMBERSHIP.—An individual who served in the armed forces of the United States and who, in the line of duty in that service, sustained a substantial impairment of sight or vision as defined by the bylaws of the corporation is eligible for general membership in the corporation.

(b) HONORARY AND ASSOCIATE MEMBERSHIP.—In addition to general membership, the corporation shall have special classes of honorary and associate membership. Eligibility for, and the rights and obligations of, those special classes are as provided in the bylaws.

§ 30304. Governing body

(a) BOARD OF DIRECTORS.—(1) The number of directors of the corporation shall be at least 3 but not more than 15. The directors shall be divided into a specified number of classes. Each class shall hold office for a definite period of years as provided in the bylaws.

(2) A majority of the directors must be present at a meeting of directors to constitute a quorum. A majority vote of the directors present at a meeting at which there is a quorum is necessary for the transaction of business.

(3) A director may be removed at any time for just and proper cause by a majority vote of a quorum of directors present at a meeting called for that purpose.

(4) A vacancy in the office of director may be filled by a majority vote of a quorum of the remaining directors present at a meeting called for that purpose. A director elected to fill a vacancy serves until the next annual meeting of the corporation.

(b) OFFICERS.—The officers of the corporation and their manner of election, term of office, duties, and powers are as provided in the bylaws.

§ 30305. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, and agents as the activities of the corporation require;

(4) charge and collect membership dues;

(5) make contracts;

(6) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) sue and be sued; and

(9) do any other act necessary and proper to carry out the purposes of the corporation.

§ 30306. Exclusive right to name, seals, emblems, and badges

The corporation and its authorized regional groups and other local subdivisions have the exclusive right to use the name ''Blinded Veterans Association'' and seals, emblems, and badges the corporation adopts.

§ 30307. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for elective public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member as such during the life of the corporation or on its

dissolution or final liquidation. This section does not prevent the payment of—

(1) bona fide expenses of officers of the corporation in amounts approved by the board of directors; or

(2) appropriate aid to blinded veterans or their widows or children in carrying out the purposes of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors and officers who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

(e) IMMUNITY FROM LIABILITY.—Members and private individuals are not liable for the obligations of the corporation.

§ 30308. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 30309. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members, directors, and officers.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 30310. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 30311. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 30312. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs to be applied to the care and comfort of blinded veterans.

CHAPTER 305—BLUE STAR MOTHERS OF AMERICA, INC.

Sec.
30501. Definition.
30502. Organization.
30503. Purposes.
30504. Membership.
30505. Governing body.
30506. Powers.
30507. Exclusive right to name, seals, emblems, and badges.
30508. Restrictions.
30509. Principal office.
30510. Records and inspection.
30511. Service of process.
30512. Liability for acts of officers and agents.
30513. Annual report.
30514. Distribution of assets on dissolution or final liquidation.

§ 30501. Definition

For purposes of this chapter, ''armed forces'' includes the United States Army, United States Navy, United States Marines, United States Air Force, United States Coast Guard, National Guard, United States Army Reserves, United States Navy Reserves, United States Marine Reserves, United States Air Force Reserves, United States Coast Guard Reserves, United States Naval Militia, merchant marines, and armed home guards who have served on active duty.

§ 30502. Organization

(a) FEDERAL CHARTER.—Blue Star Mothers of America, Inc. (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 30503. Purposes

The purposes of the corporation are patriotic, educational, social, and for service, and include—

(1) perpetuating the Blue Star Mothers of America, Inc., and the memory of all the men and women who have served our country as members of the armed forces;

(2) maintaining true allegiance to the Government of the United States;

(3) educating members of the corporation and others not to divulge military, naval, or other Government information;

(4) assisting in veterans' ceremonies;

(5) attending patriotic rallies and meetings;

(6) fostering true democracy;

(7) caring for unsupported mothers who gave their sons to the service of the Nation;

(8) aiding in bringing about recognition of the need for permanent civilian defense in each community and the need to be always alert against invasion of un-American activities;

(9) upholding the American institutions of freedom, justice, and equal rights; and

(10) defending the United States from all enemies.

§ 30504. Membership

An individual is eligible for membership in the corporation if—

(1) she is a mother, adoptive mother, or stepmother (who has given a mother's care at least since the stepchild was age 13) of a son or daughter who—

(A) is serving in the armed forces; or

(B) has served in, or has been honorably discharged from, the armed forces in World War II or the Korean hostilities; and

(2) she is living in the United States.

§ 30505. Governing body

(a) NATIONAL CONVENTION.—(1) The national convention is the supreme governing authority of the corporation.

(2) The national convention is composed of officers and elected representatives from the States and other local subdivisions of the corporation as provided in the constitution and bylaws. However, the form of government of the corporation must be representative of the membership at large and may not permit concentration of control in a limited number of members or in a self-perpetuating group not representative of the membership at large.

(3) The meetings of the national convention may be held in the District of Columbia or any State, territory, or possession of the United States.

(b) OFFICERS.—The officers of the corporation and their manner of selection, term of office, and duties are as provided in the constitution and bylaws of the corporation.

§ 30506. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, employees, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 30507. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate divisions have the exclusive right to use the name ''Blue Star Mothers of America, Inc.''. The corporation has the exclusive right to use, and to allow others to use, seals, emblems, and badges the corporation adopts.

§ 30508. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or an officer or agent as such may not contribute to a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, an officer or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(d) LOANS.—The corporation may not make a loan or advance to an officer or employee. Members of the council of administration who vote for or assent to making a loan or advance to an officer or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 30509. Principal office

The principal office of the corporation shall be in the District of Columbia.

§ 30510. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account; and

(2) minutes of the proceedings of its national conventions and council of administration.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 30511. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process, notice, or demand for the corporation. Designation of the agent shall be filed in the office of the Mayor of the District of Columbia or another office designated by the Mayor. Notice to or service on the agent is notice to or service on the corporation.

§ 30512. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 30513. Annual report

Not later than March 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation

during the prior fiscal year. The report may consist of a report of the proceedings of the national convention. The report may not be printed as a public document.

§ 30514. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the national executive board, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 307—BOARD FOR FUNDAMENTAL EDUCATION

Sec.
30701. Organization.
30702. Purpose.
30703. Membership.
30704. Governing body.
30705. Powers.
30706. Exclusive right to name, seals, emblems, and badges.
30707. Restrictions.
30708. Principal office.
30709. Records and inspection.
30710. Service of process.
30711. Liability for acts of officers and agents.
30712. Distribution of assets on dissolution or final liquidation.

§ 30701. Organization

(a) FEDERAL CHARTER.—Board for Fundamental Education (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 30702. Purpose

The purpose of the corporation is to foster the development of fundamental education through programs and projects such as—

(1) giving citizens (children, youth, and adults) an opportunity to acquire the understandings and skills necessary to relate the resources of the community to the needs and interests of the community;

(2) demonstrating programs of fundamental education and measuring results; and

(3) training men and women as leaders in fundamental education by providing internships and other experiences.

§ 30703. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in constitution and bylaws of the corporation.

(b) VOTING.—Each member has one vote in the conduct of official business of the corporation.

§ 30704. Governing body

(a) BOARD OF DIRECTORS.—The board of directors is the governing body of the corporation. The board shall consist of at least 15 directors elected annually by the members.

(b) OFFICERS.—The officers of the corporation are a chairman of the board, a president, one or more vice presidents, a secretary, a treasurer, and any assistant officers designated by the board. The officers have the powers and shall carry out the duties provided in the bylaws or prescribed by the board.

§ 30705. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) use corporate funds to give prizes, awards, loans, scholarships, and grants to deserving students to carry out the purpose of the corporation;

(8) publish a magazine and other publications;

(9) sue and be sued; and

(10) do any other act necessary and proper to carry out the purpose of the corporation.

§ 30706. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name ''Board for Fundamental Education'' and seals, emblems, and badges the corporation adopts.

§ 30707. Restrictions

(a) PROFIT.—The corporation may not engage in business for profit.

(b) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(c) POLITICAL ACTIVITIES.—The corporation or a director, officer, or member as such may not contribute to, support, or assist a political party or candidate for elective public office.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation.

(e) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 30708. Principal office

The principal office of the corporation shall be in a place the board of directors decides is appropriate. However, the activities of the corporation may be conducted throughout the States, territories, and possessions of the United States.

§ 30709. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation at any reasonable time.

§ 30710. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Designation of the agent shall be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(b) STATES, TERRITORIES, AND POSSESSIONS.—As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which the corporation does business, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

§ 30711. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 30712. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be used by the board of directors for the purpose stated in section 30702 of this title or be transferred to a recognized educational foundation.

CHAPTER 309—BOY SCOUTS OF AMERICA

Sec.
30901. Organization.
30902. Purposes.
30903. Governing body.
30904. Powers.
30905. Exclusive right to emblems, badges, marks, and words.
30906. Restrictions.
30907. Annual and special meetings.
30908. Annual report.

§ 30901. Organization

(a) FEDERAL CHARTER.—Boy Scouts of America (in this chapter, the ''corporation'') is a body corporate and politic of the District of Columbia.

(b) DOMICILE.—The domicile of the corporation is the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 30902. Purposes

The purposes of the corporation are to promote, through organization, and cooperation with other agencies, the ability of boys to do things for themselves and others, to train them in scoutcraft, and to teach them patriotism, courage, self-reliance, and kindred virtues, using the methods that were in common use by boy scouts on June 15, 1916.

§ 30903. Governing body

(a) EXECUTIVE BOARD.—An executive board composed of citizens of the United States is the governing body of the corporation. The number, qualifications, and term of office of members of the board are as provided in the bylaws. A vacancy on the board shall be filled by a majority vote of the remaining members of the board.

(b) QUORUM.—The bylaws may prescribe the number of members of the board necessary for a quorum. That number may be less than a majority of the entire board.

(c) COMMITTEES.—(1) The board, by resolution passed by a majority of the entire board, may designate 3 or more members of the board as an executive or governing committee. A majority of the committee is a quorum. The committee, to the extent provided in the resolution or bylaws, may—

(A) exercise the powers of the executive board in managing the activities of the corporation; and

(B) authorize the seal of the corporation to be affixed to papers that may require it.

(2) The board, by majority vote of the entire board, may appoint other standing committees. The standing committees may exercise powers as provided in the bylaws.

§ 30904. Powers

(a) GENERAL.—The corporation may—

(1) adopt and amend bylaws and regulations, including regulations for the election of associates and successors;

(2) adopt and alter a corporate seal;

(3) have offices and conduct its activities in the District of Columbia and the States,

territories, and possessions of the United States;

(4) acquire and own property as necessary to carry out the purposes of the corporation;

(5) sue and be sued within the jurisdiction of the United States; and

(6) do any other act necessary to carry out this chapter and promote the purpose of the corporation.

(b) LIMITATIONS ON EXERCISING CERTAIN POWERS.—(1) The corporation may execute mortgages and liens on the property of the corporation only if approved by a two-thirds vote of the entire executive board at a meeting called for that purpose.

(2) The corporation may dispose in any manner of the whole property of the corporation only with the written consent and affirmative vote of a majority of the members of the corporation.

§ 30905. Exclusive right to emblems, badges, marks, and words

The corporation has the exclusive right to use emblems, badges, descriptive or designating marks, and words or phrases the corporation adopts. This section does not affect any vested rights.

§ 30906. Restrictions

(a) PROFIT.—The corporation may not operate for pecuniary profit to its members.

(b) STOCKS AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

§ 30907. Annual and special meetings

(a) ANNUAL MEETINGS.—The corporation shall hold an annual meeting at a time and place as provided in the bylaws. At the meeting, the annual reports of the officers and executive board shall be presented, and members of the board shall be elected for the next year.

(b) SPECIAL MEETINGS.—Special meetings of the corporation may be called on notice as provided in the bylaws.

(c) QUORUM.—The number of members necessary for a quorum at an annual or special meeting shall be prescribed in the bylaws.

(d) LOCATIONS.—The members and the executive board may hold meetings and keep the seal and records of the corporation in or outside the District of Columbia.

§ 30908. Annual report

Not later than April 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year.

CHAPTER 311—BOYS & GIRLS CLUBS OF AMERICA

Sec.
31101. Organization.
31102. Purposes.
31103. Membership.
31104. Governing body.
31105. Powers.
31106. Restrictions.
31107. Principal office.
31108. Records and inspection.
31109. Service of process.
31110. Liability for acts of officers and agents.
31111. Distribution of assets on dissolution or final liquidation.

§ 31101. Organization

(a) FEDERAL CHARTER.—Boys & Girls Clubs of America (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 31102. Purposes

The purposes of the corporation are—

(1) to promote the health, social, educational, vocational, and character development of youth throughout the United States; and

(2) to receive, invest, and disburse funds and to hold property for the purposes of the corporation.

§ 31103. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member has one vote on each matter submitted to a vote at a meeting of the members.

(c) BENEFITS OF MEMBER ORGANIZATIONS.—Each organization that is a member of the corporation as provided in the constitution of the corporation is entitled to all the benefits of incorporation under this chapter. Those benefits cease immediately on termination of membership, whether by—

(1) resignation from the corporation; or

(2) termination of its membership by the board of directors of the corporation as provided in the constitution.

§ 31104. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The powers, duties, and responsibilities of the board are as provided in the constitution and bylaws of the corporation.

(2) The number of directors is as provided in the constitution of the corporation. Their manner of selection (including the filling of vacancies) and their term of office are as provided in the constitution and bylaws.

(b) OFFICERS.—(1) The officers of the corporation are a chairman of the board of directors, a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, a treasurer, and one or more assistant secretaries and assistant treasurers as provided in the constitution and bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 31105. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

§ 31106. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan or advance to a director, officer, or employee. Directors who vote for or assent to making a loan or advance to a director, officer, or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 31107. Principal office

The principal office of the corporation shall be in New York, New York, or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 31108. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 31109. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 31110. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 31111. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 401—CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA, INCORPORATED

Sec.
40101. Definition.
40102. Organization.
40103. Purposes.
40104. Membership.
40105. Governing body.
40106. Powers.
40107. Restrictions.
40108. Duty to maintain tax-exempt status.
40109. Records and inspection.
40110. Service of process.
40111. Liability for acts of officers and agents.
40112. Annual report.

§ 40101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 40102. Organization

(a) FEDERAL CHARTER.—Catholic War Veterans of the United States of America, Incorporated (in this chapter, the ''corporation''), incorporated in New York, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 40103. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include a continuing commitment, on a national basis, to—

(1) preserve, protect, and defend the Constitution of the United States and the laws of the States;

(2) commemorate the wars, campaigns, and military actions of the United States to reflect profound respect, high honor, and great tribute on the glorious dead and the surviving veterans of those wars, campaigns, and actions and to give all Americans a greater understanding of and appreciation for the sacrifices of those who participated in them for all Americans;

(3) stimulate to the highest degree possible the interests of the entire Nation in the problems of veterans, their widows, and orphans;

(4) cooperate to the fullest extent and in a harmonious manner with all veterans' organizations in common projects designed to serve the interests of all veterans of all wars in which the United States has participated;

(5) collate, preserve, and encourage the study of historical episodes, chronicles, mementos, and events pertaining to the wars, campaigns, and military actions of the United States;

(6) inculcate an enduring love of country, a deep and abiding sense of patriotism, and a profound commitment to Americanism among all the people of the United States;

(7) encourage, among the youth of our Nation, respect for our national flag, our anthem, and the traditions of America;

(8) preserve the freedoms of all the people, national peace, prosperity, tranquility, good will, the permanence of free institutions, and the defense of the United States;

(9) foster the association of veterans of the Catholic faith who have served in the armed forces of the United States;

(10) encourage morality in government, labor, management, economic, social, fraternal, and all other phases of American life;

(11) promote the realization that the family is the basic unit of society;

(12) increase our love, honor, and service to God and to our fellow man without regard to race, creed, color, or national origin; and

(13) function as a veterans' and patriotic organization as authorized by the laws of the each State in which it is incorporated.

§ 40104. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 40105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 40106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 40107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or employee in an amount approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 40108. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 40109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 40110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 40111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 40112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 403—CIVIL AIR PATROL

Sec.
40301. Organization.
40302. Purposes.
40303. Membership.
40304. Powers.
40305. Restrictions.
40306. Exclusive right to name, insignia, copyrights, emblems, badges, marks, and words.
40307. Annual report.

§ 40301. Organization

(a) FEDERAL CHARTER.—Civil Air Patrol (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 40302. Purposes

The purposes of the corporation are to—

(1) provide an organization to—

(A) encourage and aid citizens of the United States in contributing their efforts, services, and resources in developing aviation and in maintaining air supremacy; and

(B) encourage and develop by example the voluntary contribution of private citizens to the public welfare;

(2) provide aviation education and training especially to its senior and cadet members;

(3) encourage and foster civil aviation in local communities; and

(4) provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies.

§ 40303. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

§ 40304. Powers

The corporation may—

(1) adopt and amend a constitution, bylaws, and regulations;

(2) adopt and alter a corporate seal;

(3) establish and maintain offices in the District of Columbia and the States, territories, and possessions of the United States to conduct its affairs;

(4) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(5) sue and be sued; and

(6) do any other act necessary and proper to carry out the purposes of the corporation.

§ 40305. Restrictions

The corporation may not engage in business for profit or issue stock.

§ 40306. Exclusive right to name, insignia, copyrights, emblems, badges, marks, and words

The corporation has the exclusive right to use the name ''Civil Air Patrol'' and all insignia, copyrights, emblems, badges, descriptive or designating marks, words, and phrases the corporation adopts. This section does not affect any vested rights.

§ 40307. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year.

CHAPTER 405—CONGRESSIONAL MEDAL OF HONOR SOCIETY OF THE UNITED STATES OF AMERICA

Sec.
40501. Organization.
40502. Purposes.
40503. Membership.
40504. Governing body.
40505. Powers.
40506. Restrictions.
40507. Principal office.
40508. Records and inspection.
40509. Service of process.
40510. Liability.
40511. Distribution of assets on dissolution or final liquidation.

§ 40501. Organization

(a) FEDERAL CHARTER.—Congressional Medal of Honor Society of the United States of America (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 40502. Purposes

The purposes of the corporation are—

(1) to form a bond of friendship and comradeship among all holders of the Medal of Honor as presented by Congress;

(2) to protect, uphold, and preserve the dignity and honor of the medal at all times and on all occasions;

(3) to protect the name of the medal and individual holders of the medal from exploitation;

(4) to provide appropriate aid to all persons to whom the medal has been awarded, their widows, or their children;

(5) to serve our country in peace as in war;

(6) to inspire and stimulate our youth to become worthy citizens of our country; and

(7) to foster and perpetuate Americanism.

§ 40503. Membership

(a) ELIGIBILITY.—An individual who has been awarded the Medal of Honor as presented by Congress is eligible for membership in the corporation. An honorary membership may not be granted.

(b) VOTING.—Each member has one vote on each matter submitted to a vote at a meeting of the members. The vote may be cast in person or by proxy.

§ 40504. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The board may exercise, or provide for the exercise of, the powers of the corporation.

(2) The number of directors, their manner of election (including the filling of vacancies), and their term of office are as provided in the bylaws. However, the board shall have at least 9 directors.

(3) The board shall meet at least annually. Each director has one vote on matters decided by the board.

(4) The president of the corporation is the chairman of the board.

(b) OFFICERS.—(1) The officers of the corporation are a president, an executive vice president, a secretary, a treasurer, and 6 regional vice presidents as provided in the bylaws. The offices of secretary and treasurer may be combined and held by the same individual, but an individual holding those combined offices has only one vote as a director.

(2) The manner of election, term of office, duties, and powers of the officers are as provided in the bylaws.

§ 40505. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, and agents as the activities of the corporation require;

(4) charge and collect membership dues;

(5) make contracts;

(6) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) sue and be sued; and

(9) do any other act necessary and proper to carry out the purposes of the corporation.

§ 40506. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of—

(1) expenses of officers of the corporation in amounts approved by the board of directors; or

(2) appropriate aid to individuals to whom the Medal of Honor has been awarded, their widows, or their children, to carry out the purposes of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors and officers who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 40507. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 40508. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 40509. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 40510. Liability

(a) LIABILITY OF CORPORATION.—The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

(b) IMMUNITY OF INDIVIDUALS.—A member or private individual is not liable for the obligations of the corporation.

§ 40511. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the bylaws.

CHAPTER 407—CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY

SUBCHAPTER I—CORPORATION

Sec.
40701. Organization.
40702. Governing body.
40703. Powers.
40704. Restrictions.
40705. Duty to maintain tax-exempt status.
40706. Distribution of assets on dissolution.
40707. Nonapplication of audit requirements.

SUBCHAPTER II—CIVILIAN MARKSMANSHIP PROGRAM

40721. Responsibility of corporation.
40722. Functions.
40723. Eligibility for participation.
40724. Priority of youth participation.
40725. National Matches and small-arms firing school.
40726. Allowances for junior competitors.
40727. Army support.
40728. Transfer of firearms, ammunition, and parts.
40729. Reservation of firearms, ammunition, and parts.
40730. Surplus property.
40731. Issuance or loan of firearms and supplies.
40732. Sale of firearms and supplies.
40733. Applicability of other law.

SUBCHAPTER I—CORPORATION

§ 40701. Organization

(a) FEDERAL CHARTER.—Corporation for the Promotion of Rifle Practice and Firearms Safety (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) NON-GOVERNMENTAL STATUS.—The corporation is a private corporation, not a department, agency, or instrumentality of the United States Government. An officer or employee of the corporation is not an officer or employee of the Government.

§ 40702. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The board of directors may adopt bylaws, policies, and procedures for the corporation and may take any other action that it considers necessary for the management and operation of the corporation.

(2) The board shall have at least 9 directors.

(3) The term of office of a director is 2 years. A director may be reappointed.

(4) A vacancy on the board of directors shall be filled by a majority vote of the remaining directors.

(b) DIRECTOR OF CIVILIAN MARKSMANSHIP.—(1) The board of directors shall appoint the Director of Civilian Marksmanship.

(2) The Director is responsible for—

(A) the daily operation of the corporation; and

(B) the duties of the corporation under subchapter II of this chapter.

§ 40703. Powers

The corporation may—

(1) adopt, use, and alter a corporate seal, which shall be judicially noticed;

(2) make contracts;

(3) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the activities of the corporation;

(4) incur and pay obligations;

(5) charge fees to cover the corporation's costs in carrying out the Civilian Marksmanship Program; and

(6) do any other act necessary and proper to carry out the activities of the corporation.

§ 40704. Restrictions

(a) PROFIT.—The corporation may not operate for profit.

(b) USE OF AMOUNTS COLLECTED.—Amounts collected under section 40703(3) and (5) of this title, including proceeds from the sale of firearms, ammunition, repair parts, and other supplies, may be used only to support the Civilian Marksmanship Program.

§ 40705. Duty to maintain tax-exempt status

The corporation shall be operated in a manner and for purposes that qualify the corporation for exemption from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)) as an organization described in section 501(c)(3) of that Code (26 U.S.C. 501(c)(3)).

§ 40706. Distribution of assets on dissolution

(a) SECRETARY OF THE ARMY.—On dissolution of the corporation, title to the following items, and the right to possess the items, vest in the Secretary of the Army:

(1) firearms stored at Defense Distribution Depot, Anniston, Anniston, Alabama on the date of dissolution.

(2) M–16 rifles under control of the corporation.

(3) trophies received from the National Board for the Promotion of Rifle Practice through the date of dissolution.

(b) TAX-EXEMPT ORGANIZATIONS.—(1) On dissolution of the corporation, an asset not described in subsection (a) of this section may be distributed to an organization that—

(A) is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)) as an organization described in section 501(c)(3) of that Code (26 U.S.C. 501(c)(3)); and

(B) performs functions similar to the functions described in section 40722 of this title.

(2) An asset distributed under this subsection may not be distributed to an individual.

(c) TREASURY.—On dissolution of the corporation, any asset not distributed under subsection (a) or (b) of this section shall be sold and the proceeds shall be deposited in the Treasury.

§ 40707. Nonapplication of audit requirements

The audit requirements of section 10101 of this title do not apply to the corporation.

SUBCHAPTER II—CIVILIAN MARKSMANSHIP PROGRAM

§ 40721. Responsibility of corporation

The corporation shall supervise and control the Civilian Marksmanship Program.

§ 40722. Functions

The functions of the Civilian Marksmanship Program are—

(1) to instruct citizens of the United States in marksmanship;

(2) to promote practice and safety in the use of firearms;

(3) to conduct competitions in the use of firearms and to award trophies, prizes, badges, and other insignia to competitors;

(4) to secure and account for firearms, ammunition, and other equipment for which the corporation is responsible;

(5) to issue, loan, or sell firearms, ammunition, repair parts, and other supplies under sections 40731 and 40732 of this title; and

(6) to procure necessary supplies and services to carry out the Program.

§ 40723. Eligibility for participation

(a) CERTIFICATION.—(1) An individual shall certify by affidavit, before participating in an activity sponsored or supported by the corporation, that the individual—

(A) has not been convicted of a felony;

(B) has not been convicted of a violation of section 922 of title 18; and

(C) is not a member of an organization that advocates the violent overthrow of the United States Government.

(2) The Director of Civilian Marksmanship may require an individual to provide certification from law enforcement agencies to verify that the individual has not been convicted of a felony or a violation of section 922 of title 18.

(b) INELIGIBILITY.—An individual may not participate in an activity sponsored or supported by the corporation if the individual—

(1) has been convicted of a felony; or

(2) has been convicted of a violation of section 922 of title 18.

(c) LIMITING PARTICIPATION.—The Director may limit participation in the program as necessary to ensure—

(1) the safety of participants;

(2) the security of firearms, ammunition, and equipment; and

(3) the quality of instruction in the use of firearms.

§ 40724. Priority of youth participation

In carrying out the Civilian Marksmanship Program, the corporation shall give priority to activities that benefit firearms safety, training, and competition for youth and that reach as many youth participants as possible.

§ 40725. National Matches and small-arms firing school

(a) ANNUAL COMPETITION.—An annual competition called the ''National Matches'' and consisting of rifle and pistol matches for a national trophy, medals, and other prizes shall be held as prescribed by the Secretary of the Army.

(b) ELIGIBLE PARTICIPANTS.—The National Matches are open to members of the armed forces, National Guard, Reserve Officers' Training Corps, Air Force Reserve Officers' Training Corps, Citizens' Military Training Camps, Citizens' Air Training Camps, and rifle clubs, and to civilians.

(c) SMALL-ARMS FIRING SCHOOL.—A small-arms firing school shall be held in connection with the National Matches.

(d) OTHER COMPETITIONS.—Competitions for which trophies and medals are provided by the National Rifle Association of America shall be held in connection with the National Matches.

§ 40726. Allowances for junior competitors

(a) DEFINITION.—In this section, a ''junior competitor'' is a competitor at the National Matches, a small-arms firing school, a competition in connection with the National Matches, or a special clinic under section 40725 of this title who is—

(1) less than 18 years of age; or

(2) a member of a gun club organized for the students of a college or university.

(b) SUBSISTENCE ALLOWANCE.—A junior competitor may be paid a subsistence allowance in an amount prescribed by the Secretary of the Army.

(c) TRAVEL ALLOWANCE.—A junior competitor may be paid a travel allowance in an amount prescribed by the Secretary instead of travel expenses and subsistence while traveling. The travel allowance for the return trip may be paid in advance.

§ 40727. Army support

(a) LOGISTICAL SUPPORT.—The Secretary of the Army shall provide logistical support to the Civilian Marksmanship Program for competitions and other activities. The corporation shall reimburse the Secretary for incremental direct costs incurred in providing logistical support. The reimbursements shall be credited to the appropriations account of the Department of the Army that is charged to provide the logistical support.

(b) NATIONAL MATCHES.—(1) The National Matches may be held at Department of Defense facilities where the National Matches were held before February 10, 1996.

(2) The Secretary shall provide, without cost to the corporation, members of the National Guard and Army Reserve to support the National Matches as part of the annual training under title 10 and title 32.

(c) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.

§ 40728. Transfer of firearms, ammunition, and parts

(a) REQUIRED TRANSFERS.—In accordance with subsection (b) of this section, the Secretary of the Army shall transfer to the corporation all firearms and ammunition that, on February 9, 1996, were under the control of the director of civilian marksmanship (as that position existed under section 4307 of title 10 on February 9, 1996), including—

(1) all firearms on loan to affiliated clubs and State associations;

(2) all firearms in the possession of the Civilian Marksmanship Support Detachment; and

(3) all M–1 Garand and caliber .22 rimfire rifles stored at Defense Distribution Depot, Anniston, Anniston, Alabama.

(b) TIME FOR TRANSFERS.—The Secretary shall transfer firearms and ammunition under subsection (a) of this section as and when necessary to enable the corporation—

(1) to issue or loan firearms or ammunition under section 40731 of this title; or

(2) to sell firearms or ammunition under section 40732 of this title.

(c) VESTING OF TITLE IN TRANSFERRED ITEMS.—Title to an item transferred to the corporation under this section shall vest in the corporation—

(1) on the issuance of the item to an eligible recipient under section 40731 of this title; or

(2) immediately before the corporation delivers the item to a purchaser in accordance with a contract for sale of the item that is authorized under section 40732 of this title.

(d) STORAGE OF FIREARMS.—Firearms stored at Defense Distribution Depot, Anniston, Anniston, Alabama, before February 10, 1996, and used for the Civilian Marksmanship Program (as that program existed under section 4308(e) of title 10 before February 10, 1996), shall remain at that facility or another storage facility designated by the Secretary, without cost to the corporation, until the firearms are issued, loaned, or sold by the corporation, or otherwise transferred to the corporation.

(e) DISCRETIONARY TRANSFER OF PARTS.—The Secretary may transfer from the inventory of the Department of the Army to the corporation any part from a rifle designated to be demilitarized.

(f) LIMITATION ON DEMILITARIZATION OF M–1 RIFLES.—After February 10, 1996, the Secretary may not demilitarize an M–1 Garand rifle in the inventory of the Army unless the Defense Logistics Agency decides the rifle is unserviceable.

(g) COST OF TRANSFERS.—A transfer of firearms, ammunition, or parts to the corporation under this section shall be made without cost to the corporation, except that the corporation shall assume the cost of preparation and transportation of firearms and ammunition transferred under this section.

§ 40729. Reservation of firearms, ammunition, and parts

(a) RESERVATION.—The Secretary of the Army shall reserve for the corporation—

(1) firearms described in section 40728(a) of this title;

(2) ammunition for firearms described in 40728(a) of this title;

(3) M–16 rifles held by the Department of the Army on February 10, 1996, and used to support the small-arms firing school; and

(4) parts from, and other supplies for, surplus caliber .30 and caliber .22 rimfire rifles.

(b) EXCEPTION.—This section does not supersede the authority provided in section 1208 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 10 U.S.C. 372 note).

§ 40730. Surplus property

The corporation may obtain surplus property from the Defense Reutilization Marketing Service to carry out the Civilian Marksmanship Program. A transfer of property to the corporation under this section shall be made without cost to the corporation.

§ 40731. Issuance or loan of firearms and supplies

(a) ISSUANCE OR LOAN.—For purposes of training and competition, the corporation may issue or loan, with or without charges to recover
administrative costs, caliber .22 rimfire and caliber .30 surplus rifles, air rifles, caliber .22 and .30 ammunition, repair parts, and other supplies necessary for activities related to the Civilian Marksmanship Program to—

(1) organizations affiliated with the corporation that provide firearms training to youth;

(2) the Boy Scouts of America;

(3) 4–H Clubs;

(4) the Future Farmers of America; and

(5) other youth oriented organizations.

(b) SECURITY OF FIREARMS.—The corporation shall ensure adequate oversight and accountability for firearms issued or loaned under this section. The corporation shall prescribe procedures for the security of issued or loaned firearms in accordance with United States, State, and local laws.

§ 40732. Sale of firearms and supplies

(a) AFFILIATED ORGANIZATIONS.—The corporation may sell, at fair market value, caliber .22 rimfire and caliber .30 surplus rifles, air rifles, caliber .22 and .30 ammunition, repair parts, and other supplies to organizations affiliated with the corporation that provide training in the use of firearms.

(b) GUN CLUB MEMBERS.—(1) The corporation may sell, at fair market value, caliber .22 rimfire and caliber .30 surplus rifles, ammunition, repair parts and other supplies necessary for target practice to a citizen of the United States who is over 18 years of age and who is a member of a gun club affiliated with the corporation.

(2) Except as provided in section 40733 of this title, sales under this subsection are subject to applicable United States, State, and local law. In addition to any other requirement, the corporation shall establish procedures to obtain a criminal records check of the individual with United States Government and State law enforcement agencies.

(c) LIMITATION ON SALES.—(1) The corporation may not sell a repair part designed to convert a firearm to fire in a fully automatic mode.

(2) The corporation may not sell any item to an individual who has been convicted of—

(A) a felony; or

(B) a violation of section 922 of title 18.

§ 40733. Applicability of other law

Section 922(a)(1)–(3) and (5) of title 18 does not apply to the shipment, transportation, receipt, transfer, sale, issuance, loan, or delivery by the corporation, of an item that the corporation is authorized to issue, loan, sell, or receive under this chapter.

CHAPTER 501—DAUGHTERS OF UNION VETERANS OF THE CIVIL WAR 1861–1865

Sec.
50101. Definition.
50102. Organization.
50103. Purposes.
50104. Membership.
50105. Governing body.
50106. Powers.
50107. Restrictions.
50108. Duty to maintain tax-exempt status.
50109. Records and inspection.
50110. Service of process.
50111. Liability for acts of officers and agents.
50112. Annual report.

§ 50101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 50102. Organization

(a) FEDERAL CHARTER.—Daughters of Union Veterans of the Civil War 1861–1865 (in this chapter, the ''corporation''), a nonprofit corporation incorporated in Ohio, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 50103. Purposes

(a) PROVIDED IN ARTICLES OF INCORPORATION.—The purposes of the corporation are as provided in the articles of incorporation.

(b) PERPETUATING MEMORIES.—To perpetuate the memories of the fathers of the Daughters of Union Veterans of the Civil War 1861–1865, their loyalty to the Union, and their unselfish sacrifices for the preservation of the Union, the purposes of the corporation also include—

(1) encouraging the preservation of historic sites and the construction and preservation of monuments commemorating any aspect of the Civil War;

(2) building and maintaining a Museum of Civil War History, admission to which shall be free and open to the public, in the city of Springfield, Illinois, as a repository of Civil War documents, artifacts, and cultural relics;

(3) maintaining a library in connection with the Civil War museum, admission to which shall be open to the public, containing the official volumes of the War of the Rebellion Records, Civil War genealogical files, Adjutant General reports of the various States, military and biographical records and accounts of the individual service of Union soldiers, sailors, and marines, diaries, letters, relics, and other records;

(4) promulgating and teaching American history, particularly the history of the Civil War period, through the establishment of scholarship programs at the national and State levels, the presentation of American flags to youth groups and newly naturalized citizens, and the sponsorship of contests of educational merit;

(5) caring for veterans of all wars through volunteer programs in Department of Veterans Affairs medical centers and in homes and other institutions maintained by the States for the welfare of American veterans; and

(6) participating, in a spirit of cooperation and reciprocity, in programs with other societies devoted to American history, veterans' affairs, or community interests.

(c) VETERANS' AND PATRIOTIC ORGANIZATION.—The corporation shall function as a veterans' and patriotic organization as authorized by the laws of each State in which it is incorporated.

§ 50104. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

§ 50105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 50106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 50107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 50108. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.). If the corporation does not maintain that status, the charter granted by this chapter expires.

§ 50109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 50110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 50111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 50112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 503—DISABLED AMERICAN VETERANS

Sec.
50301. Organization.
50302. Purposes.
50303. Membership.
50304. Powers.
50305. Exclusive right to name.
50306. Restrictions.
50307. Service of process.
50308. Annual report.

§ 50301. Organization

(a) FEDERAL CHARTER.—Disabled American Veterans (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 50302. Purposes

The purposes of the corporation are—

(1) to uphold and maintain the Constitution and laws of the United States;

(2) to realize the true American ideals and aims for which those eligible to membership fought;

(3) to advance the interests, and work for the betterment, of all wounded, injured, and disabled American veterans;

(4) to cooperate with the Department of Veterans Affairs and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interests of all wounded, injured, and disabled veterans;

(5) to stimulate a feeling of mutual devotion, helpfulness, and comradeship among all wounded, injured, and disabled veterans;

(6) to serve our comrades, our communities, and our country; and

(7) to encourage in all people that spirit of understanding which will guard against future wars.

§ 50303. Membership

(a) ELIGIBILITY.—An individual is eligible for membership in the corporation if the individual—

(1)(A) was wounded, gassed, injured, or disabled in the line of duty during time of war while in the service of the military or naval forces of the United States; and

(B) was honorably discharged or separated from that service or is still in active service in the armed forces of the United States; or

(2)(A) was disabled while serving with any of the armed forces of a country associated

with the United States as an ally during any of its war periods;

(B) is a citizen of the United States; and

(C) was honorably discharged.

(b) NO HONORARY MEMBERSHIPS.—An honorary membership may not be granted.

§ 50304. Powers

The corporation may—

(1) adopt a constitution, bylaws, and regulations to carry out the purposes of the corporation;

(2) adopt and alter a corporate seal;

(3) adopt emblems and badges;

(4) establish and maintain offices to conduct its activities;

(5) establish State and territorial organizations and local chapter or post organizations;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(7) publish a newspaper and other publications devoted to the purposes of the corporation;

(8) sue and be sued; and

(9) do any other act necessary or proper to carry out the purposes of the corporation.

§ 50305. Exclusive right to name

The corporation and its State and local subdivisions have the exclusive right to use the name ''Disabled American Veterans''.

§ 50306. Restrictions

The corporation shall be nonpolitical and nonsectarian, and may not promote the candidacy of an individual seeking public office.

§ 50307. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State in which a chapter is organized, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

§ 50308. Annual report

Not later than January 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year.

CHAPTER 601—82ND AIRBORNE DIVISION ASSOCIATION, INCORPORATED

Sec.
60101. Definition.
60102. Organization.
60103. Purposes.
60104. Membership.
60105. Governing body.
60106. Powers.
60107. Restrictions.
60108. Duty to maintain tax-exempt status.
60109. Records and inspection.
60110. Service of process.
60111. Liability for acts of officers and agents.
60112. Annual report.

§ 60101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 60102. Organization

(a) FEDERAL CHARTER.—82nd Airborne Division Association, Incorporated (in this chapter, the ''corporation''), a nonprofit corporation incorporated in Illinois, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 60103. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include—

(1) perpetuating the memory of members of the 82nd Airborne Division who fought and died for this country;

(2) furthering the common bond between retired and active members of the 82nd Airborne Division;

(3) providing educational assistance in the form of college scholarships and grants to the qualified children of current and former members of the 82nd Airborne Division;

(4) promoting civic and patriotic activities; and

(5) promoting the indispensable role of airborne defense to the national security of the United States.

§ 60104. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, or national origin.

§ 60105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, sex, disability, or national origin.

§ 60106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 60107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual and necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 60108. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 60109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 60110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 60111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 60112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 701—FLEET RESERVE ASSOCIATION

Sec.
70101. Definition.
70102. Organization.
70103. Purposes.
70104. Membership.
70105. Governing body.
70106. Powers.
70107. Restrictions.
70108. Duty to maintain corporate and tax-exempt status.
70109. Records and inspection.
70110. Service of process.
70111. Liability for acts of officers and agents.
70112. Annual report.

§ 70101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 70102. Organization

(a) FEDERAL CHARTER.—Fleet Reserve Association (in this chapter, the ''corporation''), a nonprofit corporation incorporated in Delaware, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 70103. Purposes

(a) GENERAL.—The purposes of the corporation are as provided in its articles of incorporation and bylaws and include—

(1) upholding and defending the Constitution of the United States;

(2) aiding and maintaining an adequate naval defense for the United States;

(3) assisting the recruitment of the best personnel available for the United States Navy, United States Marine Corps, and United States Coast Guard;

(4) providing for the welfare of the personnel who serve in the United States Navy, United States Marine Corps, and United States Coast Guard;

(5) continuing to loyally serve the United States Navy, United States Marine Corps, and United States Coast Guard;

(6) preserving the spirit of shipmanship by providing assistance to shipmates and their families; and

(7) instilling love of the United States and its flag, and promoting soundness of mind and body, in the youth of the United States.

(b) CORPORATE FUNCTION.—The corporation shall function as an educational, patriotic, civic, historical, and research organization under the laws of the State of Delaware.

§ 70104. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the

corporation and the rights and privileges of members are as provided in the articles of incorporation and bylaws.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 70105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the bylaws and articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the bylaws and articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 70106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 70107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or employee or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, employee, or member.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 70108. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of Delaware.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 70109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 70110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 70111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 70112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 703—FORMER MEMBERS OF CONGRESS

Sec.
70301. Definition.
70302. Organization.
70303. Purposes.
70304. Membership.
70305. Governing body.
70306. Powers.
70307. Restrictions.
70308. Duty to maintain tax-exempt status.
70309. Records and inspection.
70310. Service of process.
70311. Liability for acts of officers and agents.
70312. Annual report.

§ 70301. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 70302. Organization

(a) FEDERAL CHARTER.—Former Members of Congress (in this chapter, the ''corporation''), a nonprofit corporation incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 70303. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include the promotion of the cause of good government at the national level by improving the public understanding of Congress as an institution and strengthening its support by the public. The corporation shall function as an educational, patriotic, civic, historical, and research organization as authorized by the laws of each State in which it is incorporated.

§ 70304. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 70305. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 70306. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 70307. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 70308. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 70309. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 70310. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 70311. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 70312. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 705—THE FOUNDATION OF THE FEDERAL BAR ASSOCIATION

Sec.
70501. Organization.
70502. Purposes.
70503. Membership.
70504. Governing body.
70505. Powers.
70506. Exclusive right to name.
70507. Restrictions.
70508. Principal office.
70509. Records and inspection.
70510. Service of process.
70511. Liability for acts of officers and agents.
70512. Deposit of assets on dissolution or final liquidation.

§ 70501. Organization

(a) FEDERAL CHARTER.—The Foundation of the Federal Bar Association (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 70502. Purposes

The purposes of the corporation are—

(1) to receive and hold property, including by gift, devise, or grant, and to invest, administer, and dispose of the property without restrictions applicable to trustees or trust funds;

(2) to apply its income and any part of its principal exclusively to educational, charitable, scientific, or literary purposes—

(A) to advance the science of jurisprudence;

(B) to uphold high standards for the Federal judiciary and attorneys representing the United States Government;

(C) to promote and improve the administration of justice, including the study of means for the improved handling of the legal business of the departments, agencies, and instrumentalities of the Government;

(D) to facilitate the cultivation and diffusion of knowledge and understanding of the law and the promotion of the study of the law and the science of jurisprudence and research in jurisprudence, through the maintenance of a law library, the establishment of seminars, lectures, and studies devoted to the law, and the publication of addresses, essays, treatises, reports and other literary works by students, practitioners, and teachers of the law; and

(E) to provide for the acquisition, preservation, and exhibition of rare books and documents, sculptures, paintings, and other objects of art and historical interest relating to the law, the courts, and the legal profession; and

(3) to do any other acts necessary or incident to the accomplishment of these purposes.

§ 70503. Membership

(a) MEMBERS.—The members of the corporation are—

(1) the members of the National Council of the Federal Bar Association, a nonprofit corporation incorporated in the District of Columbia, during their term of membership on that Council; and

(2) other individuals the corporation provides for in the bylaws or otherwise.

(b) VOTING.—Each member has one vote on each matter submitted to a vote of the members.

(c) GROUNDS FOR DISQUALIFICATION.—An individual may not be a member, director, or officer of the corporation if the individual—

(1) is a member of, or advocates the principles of, an organization believing in, or working for, the overthrow of the United States Government by force or violence; or

(2) refuses to uphold and defend the Constitution of the United States.

§ 70504. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The board may exercise, or provide for the exercise of, the powers of the corporation.

(2) The board shall consist of 12 individuals elected, and subject to removal at any time, by a majority vote of the members of the corporation. The term of office of an elected director is 6 years. A vacancy on the board shall be filled by a majority vote of the members of the corporation.

(3) The board shall meet at least annually. Each director has one vote on each matter decided by the board. The board may delegate its powers to a prudential committee subject to the direction of, and reporting to, the board.

(4) The president of the corporation is the chairman of the board and of the prudential committee.

(b) OFFICERS.—(1) The officers of the corporation are a president, a vice president, a secretary, a treasurer, a historian, and other officers provided for in the bylaws. The powers of the officers are as provided in the bylaws.

(2) The officers shall be elected by the board of directors at its annual meeting. The term of office of an officer is one year.

§ 70505. Powers

The corporation may—

(1) adopt and amend bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 70506. Exclusive right to name

The corporation has the exclusive right to use the name ''The Foundation of the Federal Bar Association''.

§ 70507. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—(1) The activities, funds, income, and property of the corporation may not be used to carry on political activity or attempt to influence legislation.

(2) The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for elective public office.

(c) DISTRIBUTION OF INCOME.—The income of the corporation may not inure to the benefit of a director, officer, member, or private individual.

(d) LOANS.—The corporation may not make a loan or advance to a director or officer. Directors and officers who vote for, assent to, or participate in making a loan or advance to a director or officer are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

(e) IMMUNITY FROM LIABILITY.—Members and private individuals are not liable for the obligations of the corporation.

§ 70508. Principal office

The corporation shall have its principal office in the District of Columbia, but may conduct its activities anywhere.

§ 70509. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 70510. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 70511. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 70512. Deposit of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be deposited in the Treasury of the United States as a miscellaneous receipt.

CHAPTER 707—FREDERICK DOUGLASS MEMORIAL AND HISTORICAL ASSOCIATION

Sec.
70701. Organization.
70702. Purposes.
70703. Governing body.
70704. Powers.
70705. Management of homestead and erection of monument.
70706. Property exempt from taxation.
70707. Misnomer not to affect transfer of property.
70708. Nonapplication of audit requirements.

§ 70701. Organization

(a) FEDERAL CHARTER.—Frederick Douglass Memorial and Historical Association (in this chapter, the ''corporation'') is a body corporate and politic in the District of Columbia.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 70702. Purposes

The purposes of the corporation are—

(1) to preserve to posterity the memory of the life and character of the late Frederick Douglass; and

(2) to collect, collate, and preserve a historical record of the inception, progress, and culmination of the antislavery movement in the United States, and to assemble in the homestead of the late Frederick Douglass, commonly called Cedar Hill, in the village of Anacostia, District of Columbia, all suitable exhibits of records or things illustrative or commemorative of the antislavery movement and history that are donated to, or acquired by, the corporation.

§ 70703. Governing body

(a) BOARD OF TRUSTEES.—(1) The board of trustees is the governing body of the corporation. The board shall exercise the powers granted to the corporation.

(2) The board shall consist of at least 9 but not more than 19 members. A vacancy on the board shall be filled by decision of the remaining members of the board.

(3) The board shall adopt a seal under which all acts of the corporation shall be passed and authenticated.

(b) OFFICERS.—(1) The board shall elect officers the board considers necessary, including a treasurer, for the term and at the compensation the board decides, as provided in the bylaws.

(2) The treasurer shall give a bond as provided in the bylaws.

(3) The board may remove an officer, employee, or agent of the corporation for a cause provided in the bylaws.

§ 70704. Powers

The corporation may—

(1) adopt and amend bylaws for the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) employ persons the corporation considers necessary;

(4) acquire, own, lease, encumber, and transfer property;

(5) sue and be sued; and

(6) do any other act to carry out the purposes of the corporation.

§ 70705. Management of homestead and erection of monument

After the corporation has acquired any part of the property occupied by the late Frederick Douglass as his homestead, commonly called Cedar Hill, in the village of Anacostia, District of Columbia, the corporation may—

(1) manage, repair, and improve the property to carry out the purposes of the corporation; and

(2) erect on the property a monument to the memory of the late Frederick Douglass.

§ 70706. Property exempt from taxation

Any property formerly occupied by the late Frederick Douglass as his homestead, commonly called Cedar Hill, in the village of Anacostia, District of Columbia, and owned by the corporation, is exempt from taxation as long as the property is used for the purposes of the corporation.

§ 70707. Misnomer not to affect transfer of property

A misnomer of the corporation does not affect any transfer of property to or from the corporation.

§ 70708. Nonapplication of audit requirements

The audit requirements of section 10101 of this title do not apply to the corporation.

CHAPTER 709—FUTURE FARMERS OF AMERICA

Sec.
70901. Organization.
70902. Purposes.
70903. Membership.
70904. Governing body.
70905. National officers.
70906. Powers.
70907. Exclusive right to name, seals, emblems, and badges.
70908. Restrictions.
70909. Availability of personnel, services, and facilities of Department of Education.
70910. Headquarters and principal office.
70911. Records and inspection.
70912. Service of process.
70913. Liability for acts of officers and agents.
70914. Distribution of assets on dissolution or final liquidation.

§ 70901. Organization

(a) FEDERAL CHARTER.—Future Farmers of America (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 70902. Purposes

The purposes of the corporation are—

(1) to create, foster, and assist subsidiary chapters composed of students and former students of vocational agriculture in public schools qualifying for Federal reimbursement under the Smith-Hughes Vocational Education Act (20 U.S.C. 11–15, 16–28) and associations of those chapters in the States, territories, and possessions of the United States;

(2) to develop character, train for useful citizenship, and foster patriotism, and thereby develop competent and aggressive rural and agricultural leadership;

(3) to create and nurture a love of country life by encouraging members to improve the farm home and its surroundings, to develop organized rural recreational activities, and to create more interest in the intelligent choice of farming occupations;

(4) to encourage the practice of thrift;

(5) to procure for and distribute to State associations, local chapters, and members all official supplies and equipment of the corporation;

(6) to publish an official magazine and other publications for the members of the corporation;

(7) to strengthen the confidence of young men and women in themselves and their work, to encourage members in the development of individual farming programs, and to promote their permanent establishment in farming by—

(A) encouraging improvement in scholarship;

(B) providing prizes and awards to deserving students who have achieved distinction in vocational agriculture, including farm mechanics activities on a local, State, or national basis; and

(C) assisting financially, through loans or grants, deserving students in all-day vocational agriculture classes and young farmers under 30 years of age who were former students in all-day vocational agriculture classes in becoming satisfactorily established in a farming occupation;

(8) to cooperate with others, including State boards for vocational education, in accomplishing these purposes; and

(9) to engage in other activities, consistent with these purposes, determined by the governing body to be for the best interests of the corporation.

§ 70903. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

(b) VOTING.—In matters of official business of a local chapter, each member has one vote. In matters of official business of a State association, each qualified delegate of a local chapter has one vote.

§ 70904. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The board shall exercise the powers granted to the corporation.

(2) The board consists of the Secretary of Education, 4 staff members in the Department of Education, and 4 State supervisors of agriculture education. The Secretary is chairman of the board.

(3) The term of office of the directors and the method of selecting the directors (except ex officio directors) are as provided in the bylaws.

(4) The board shall meet at least annually at the time and place provided in the bylaws. The annual report of the board shall be presented at that meeting. Special meetings of the board may be called at any time by the chairman.

(b) GOVERNING COMMITTEE.—The board may designate the chairman of the board and 2 members of the chairman's staff as a governing committee. When the board is not in session, the governing committee has the powers of the board subject to the board's direction and may authorize the seal of the corporation to be affixed to all papers that require it.

§ 70905. National officers

(a) COMPOSITION.—The national officers of the corporation are a student president, 4 student vice presidents (one from each of 4 regions of the United States established in the bylaws for purposes of administration of the corporation), a student secretary, an executive secretary, a treasurer, and a national advisor.

(b) BOARD OF STUDENT OFFICERS.—The national student officers of the corporation comprise a board of student officers. The board of student officers shall advise and make recommendations to the board of directors about the activities and business of the corporation.

(c) ELECTION.—The national officers of the corporation shall be elected annually by a majority vote of the delegates assembled in the annual national convention from among qualified members of the corporation, except that—

(1) the national advisor shall be the Secretary of Education;

(2) the executive secretary shall be a member of the Department of Education; and

(3) the treasurer shall be an employee or member of a State agency that directs or supervises a State program of agricultural education under the provisions of the Smith-Hughes Vocational Education Act (20 U.S.C. 11–15, 16–28).

(d) VOTE AT NATIONAL CONVENTION.—Each qualified delegate has one vote at the annual national convention.

§ 70906. Powers

The corporation may—

(1) adopt and amend bylaws and regulations for the management of its property and the regulation of its affairs, including the establishment and maintenance of local chapters and State associations of chapters;

(2) adopt and alter a corporate seal;

(3) adopt emblems and badges;

(4) choose officers, managers, agents, and employees as the activities of the corporation require;

(5) make contracts;

(6) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) use corporate funds to give prizes, awards, loans, and grants to deserving students and young farmers to carry out the purposes of the corporation;

(9) publish a magazine and other publications;

(10) procure for and distribute to State associations, local chapters, and members all official Future Farmers of America supplies and equipment;

(11) sue and be sued; and

(12) do any other act necessary and proper to carry out the purposes of the corporation.

§ 70907. Exclusive right to name, seals, emblems, and badges

The corporation and its authorized chapters and associations of chapters have the exclusive right to use the name ''Future Farmers of America'' and the initials FFA as representing an agricultural membership organization and seals, emblems, and badges the corporation adopts.

§ 70908. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director, officer, or member as such may not contribute to, support, or assist a political party or candidate for elective public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member, except on dissolution or final liquidation of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

(e) PRIZES, AWARDS, GRANTS, OR LOANS TO STUDENT OFFICERS AND MEMBERS MEETING CRITERIA.—This section does not preclude prizes, awards, grants, or loans to student officers and members meeting the criteria established by the board of directors for selecting recipients of those benefits.

§ 70909. Availability of personnel, services, and facilities of Department of Education

On request of the board of directors of the corporation, the Secretary of Education may make personnel, services, and facilities of the Department of Education available to administer or assist in the administration of the activities of the corporation. Personnel

of the Department may not receive compensation from the corporation for their services, except that travel and other legitimate expenses as defined by the Secretary and approved by the board may be paid. The Secretary also may cooperate with the State boards for vocational education to assist in the promotion of the activities of the corporation.

§ 70910. Headquarters and principal office

The headquarters and principal office of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but may be conducted throughout the States, territories, and possessions of the United States.

§ 70911. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation at any reasonable time.

§ 70912. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Designation of the agent shall be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(b) STATES, TERRITORIES, AND POSSESSIONS.—As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which a subordinate association or chapter is organized, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

§ 70913. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 70914. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be used by the board of directors for the benefit of students of vocational agriculture or be transferred to a recognized educational foundation.

CHAPTER 801—GENERAL FEDERATION OF WOMEN'S CLUBS

Sec.
80101. Organization.
80102. Purposes.
80103. Constitution and bylaws.
80104. Property.
80105. Principal office and meetings.
80106. Distribution of assets on dissolution.

§ 80101. Organization

(a) FEDERAL CHARTER.—General Federation of Women's Clubs (in this chapter, the ''corporation'') is a body corporate and politic of the District of Columbia.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 80102. Purposes

The corporation shall be organized and operated exclusively for charitable and educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and shall comply with the requirements for classification as an exempt organization under section 501(c)(3). The charitable purposes of the corporation shall be achieved through volunteer efforts by the members of the corporation, including arts programs, conservation programs, educational programs, homelife programs, international affairs, public affairs programs advancing information about public affairs, and community improvement programs.

§ 80103. Constitution and bylaws

The corporation shall have a constitution and may adopt bylaws for the admission and qualifications of members, the management of its property, and the regulation of its affairs. The corporation may amend its constitution and bylaws.

§ 80104. Property

The corporation may—

(1) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation; and

(2) issue instruments of indebtedness in relation to its real property.

§ 80105. Principal office and meetings

(a) PRINCIPAL OFFICE.—The principal office of the corporation shall be in the District of Columbia.

(b) MEETINGS.—The corporation may hold its meetings at places outside the District of Columbia.

§ 80106. Distribution of assets on dissolution

On dissolution of the corporation, the board of directors shall liquidate and distribute its assets to organizations qualified as exempt organizations under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) with purposes similar to those of the corporation.

CHAPTER 803—GIRL SCOUTS OF THE UNITED STATES OF AMERICA

Sec.
80301. Organization.
80302. Purposes.
80303. Governing body.
80304. Powers.
80305. Exclusive right to emblems, badges, marks, and words.
80306. Restrictions.
80307. Annual report.

§ 80301. Organization

(a) FEDERAL CHARTER.—Girl Scouts of the United States of America (in this chapter, the ''corporation'') is a body corporate and politic of the District of Columbia.

(b) DOMICILE.—The domicile of the corporation is the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 80302. Purposes

The purposes of the corporation are—

(1) to promote the qualities of truth, loyalty, helpfulness, friendliness, courtesy, purity, kindness, obedience, cheerfulness, thriftiness, and kindred virtues among girls, as a preparation for their responsibilities in the home and for service to the community;

(2) to direct and coordinate the Girl Scout movement in the United States and territories and possessions of the United States; and

(3) to fix and maintain standards for the movement that will inspire the rising generation with the highest ideals of character, patriotism, conduct, and attainment.

§ 80303. Governing body

(a) NATIONAL COUNCIL.—(1) There shall be a National Council of Girl Scouts. The number, qualifications, and term of office of members of the Council are as provided in the constitution of the corporation, except that members of the Council must be citizens of the United States.

(2) The Council may adopt and amend a constitution and bylaws and elect a board of directors, officers, and agents.

(3) The constitution may prescribe the number of members of the Council necessary for a quorum. That number may be less than a majority of the entire Council.

(4) Meetings of the Council shall be held as provided in the constitution to hold elections and receive reports of the officers and board of directors. Special meetings may be called as provided in the constitution.

(b) BOARD OF DIRECTORS.—(1) To the extent provided in the constitution and bylaws, the board of directors shall have the powers of the Council and manage the activities of the corporation between meetings of the Council. The number, qualifications, and term of office of directors are as provided in the constitution.

(2) The constitution may prescribe the number of directors necessary for a quorum. That number shall be at least 20 or two-fifths of the entire board.

(c) EXECUTIVE AND OTHER COMMITTEES.—The bylaws may provide for—

(1) an executive committee to carry out the powers of the board of directors between meetings of the board; and

(2) other committees to operate under the general supervision of the board of directors.

(d) LOCATION OF MEETINGS AND RECORDS.—The Council and the board of directors may hold meetings and keep the seal and records of the corporation in or outside the District of Columbia.

§ 80304. Powers

The corporation may—

(1) adopt and amend a constitution, bylaws, and regulations, including regulations for the election of associates and successors;

(2) adopt and alter a seal;

(3) have offices and conduct its activities in the District of Columbia and in the States, territories, and possessions of the United States;

(4) acquire, own, lease, encumber, and transfer property, and use any income from the property, as necessary to carry out the purposes of the corporation;

(5) sue and be sued within the jurisdiction of the United States; and

(6) do any other act necessary to carry out this chapter and the purposes of the corporation.

§ 80305. Exclusive right to emblems, badges, marks, and words

The corporation has the exclusive right to use all emblems and badges, descriptive or designating marks, and words or phrases the corporation adopts, including the badge of the Girl Scouts, Incorporated, referred to in the Act of August 12, 1937 (ch. 590, 50 Stat. 623), and to authorize their use, during the life of the corporation, in connection with the manufacture, advertisement, and sale of equipment and merchandise. This section does not affect any vested rights.

§ 80306. Restrictions

(a) PROFIT.—The corporation may not operate for profit.

(b) POLITICAL ACTIVITIES.—The corporation shall be nonpolitical and nonsectarian.

§ 80307. Annual report

Not later than April 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year. The report shall be printed each year, with accompanying illustrations, as a separate House document of the session of the Congress to which the report is submitted.

CHAPTER 805—GOLD STAR WIVES OF AMERICA

Sec.
80501. Definition.
80502. Organization.
80503. Purposes.
80504. Membership.
80505. Governing body.
80506. Powers.
80507. Restrictions.
80508. Duty to maintain tax-exempt status.
80509. Records and inspection.
80510. Service of process.
80511. Liability for acts of officers and agents.
80512. Annual report.

§ 80501. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 80502. Organization

(a) FEDERAL CHARTER.—Gold Star Wives of America (in this chapter, the ''corporation''), incorporated in New York, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 80503. Purposes

The purposes of the corporation are—

(1) to operate in the public interest, as a nonpartisan and nonprofit organization, solely for patriotic, charitable, literary, educational, scientific, or civic improvement purposes; and

(2) the purposes stated in its articles of incorporation that are not inconsistent with the purposes described in clause (1) of this section.

§ 80504. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the articles of incorporation and bylaws.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, or national origin.

§ 80505. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, or national origin.

§ 80506. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated.

§ 80507. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to any director, officer, or employee.

§ 80508. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 80509. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 80510. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 80511. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority and in accordance with the laws of the States in which it carries on its activities.

§ 80512. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.

CHAPTER 901—[RESERVED]

CHAPTER 1001—ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES

Sec.
100101. Definition.
100102. Organization.
100103. Purposes.
100104. Membership.
100105. Governing body.
100106. Powers.
100107. Restrictions.
100108. Duty to maintain tax-exempt status.
100109. Records and inspection.
100110. Service of process.
100111. Liability for acts of officers and agents.
100112. Annual report.

§ 100101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 100102. Organization

(a) FEDERAL CHARTER.—Italian American War Veterans of the United States (in this chapter, the ''corporation''), a nonprofit corporation incorporated in California, Connecticut, Florida, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, and Rhode Island, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 100103. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include—

(1) giving patriotic allegiance to the United States, fidelity to the Constitution and laws of the United States, and support to the security of civil liberty and permanence of free institutions;

(2) stimulating patriotism in the minds of Americans by encouraging the study of the history of the United States;

(3) ensuring the preservation and defense of the United States from all enemies without reservation;

(4) preserving the memories and records of patriotic service performed by men and women who served in the armed forces, by gathering, collating, editing, publishing, and exhibiting the memorabilia, information, records, military awards, decorations, and citations of those who served in the armed forces;

(5) promoting peace, prosperity, and good will between the peoples of the United States and Italy; and

(6) functioning as a veterans' and patriotic organization as authorized by the laws of each State in which it is incorporated.

§ 100104. Membership

A citizen of the United States who was honorably discharged from the armed forces is eligible for membership in the corporation. Except as provided in this chapter, eligibility for membership and the rights and privileges of members are as provided in the bylaws.

§ 100105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 100106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 100107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 100108. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 100109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 100110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 100111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 100112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1101—JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA, INCORPORATED

Sec.
110101. Definition.
110102. Organization.
110103. Purposes.
110104. Membership.
110105. Governing body.
110106. Powers.
110107. Restrictions.
110108. Duty to maintain corporate and tax-exempt status.
110109. Records and inspection.
110110. Service of process.
110111. Liability for acts of officers and agents.
110112. Annual report.

§ 110101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 110102. Organization

(a) FEDERAL CHARTER.—Jewish War Veterans of the United States of America, Incorporated (in this chapter, the ''corporation''), a nonprofit corporation incorporated in New York, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 110103. Purposes

The purposes of the corporation are as provided in its articles of incorporation and include a continuing commitment, on a national basis, to—

(1) maintain true allegiance to the United States;

(2) foster and perpetuate true Americanism;

(3) combat whatever tends to impair the efficiency and permanency of our free institutions;

(4) uphold the fair name of Jews and fight their battles wherever unjustly assailed;

(5) encourage the doctrine of universal liberty, equal rights, and full justice to all men;

(6) combat the powers of bigotry and darkness wherever originating and whatever the target;

(7) preserve the spirit of comradeship by mutual helpfulness to comrades and their families;

(8) cooperate with and support existing educational institutions and establish educational institutions;

(9) foster the education of ex-servicemen and ex-servicewomen and members of the corporation in the ideals and principles of Americanism;

(10) instill love of country and flag;

(11) promote sound minds and bodies in members of the corporation and their youth;

(12) preserve the memories and records of patriotic service performed by the men and women of the Jewish faith and honor their memory; and

(13) shield from neglect the graves of our heroic dead.

§ 110104. Membership

Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

§ 110105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 110106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 110107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 110108. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of New York.

(b) TAX–EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 110109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 110110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 110111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 110112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1103—JEWISH WAR VETERANS, U.S.A., NATIONAL MEMORIAL, INCORPORATED

Sec.
110301. Organization.
110302. Purposes.
110303. Governing body.
110304. Powers.
110305. Restrictions.
110306. Principal office.
110307. Records and inspection.
110308. Service of process.
110309. Liability for acts of officers and agents.
110310. Distribution of assets on dissolution or final liquidation.

§ 110301. Organization

(a) FEDERAL CHARTER.—Jewish War Veterans, U.S.A., National Memorial, Incorporated (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be a nonprofit corporation incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 110302. Purposes

The purposes of the corporation are—

(1) to maintain and conduct a national memorial and museum dedicated to and commemorating the service and sacrifice by Americans of the Jewish faith in the armed forces of the United States during the period of war;

(2) to gather, collate, edit, publish, and exhibit memorabilia, information, records, military awards, decorations, citations, and similar items, to preserve the memories and records of patriotic service performed by men and women of the Jewish faith while in the armed forces of the United States in time of war; and

(3) to stimulate patriotism in the minds of all Americans by encouraging the study of the military and naval history of the United States.

§ 110303. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the corporation, the board is responsible for the general policies and program of the corporation. The board is responsible for the control of all funds of the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws of the corporation. However, the board shall have at least 36 directors.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, and a treasurer.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 110304. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) make contracts;

(4) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(5) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(6) sue and be sued.

§ 110305. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director or officer. This subsection does not prevent the payment of compensation to an officer or employee in an amount approved by the executive committee of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 110306. Principal office

The principal office of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but may be conducted throughout the States, territories, and possessions of the United States.

§ 110307. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 110308. Service of process

The corporation shall have a designated agent in its headquarters in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the headquarters of the corporation in the District of Columbia, is notice to or service on the corporation.

§ 110309. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 110310. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation. This section does not allow assets to be distributed to an officer or employee or to inure to the benefit of a private person.

CHAPTER 1201—[RESERVED]

CHAPTER 1301—LADIES OF THE GRAND ARMY OF THE REPUBLIC

Sec.

130101. Organization.
130102. Purposes.
130103. Membership.
130104. Governing body.
130105. Powers.
130106. Exclusive right to name, seals, emblems, and badges.
130107. Restrictions.
130108. Principal office.
130109. Records and inspection.
130110. Service of process.
130111. Liability for acts of officers and agents.
130112. Annual report.
130113. Distribution of assets on dissolution or final liquidation.

§ 130101. Organization

(a) FEDERAL CHARTER.—Ladies of the Grand Army of the Republic (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 130102. Purposes

The purposes of the corporation are—

(1) to perpetuate the memory of the Grand Army of the Republic and of the men who saved the Union in 1861 to 1865;

(2) to assist in every practicable way in preserving, and making available for research, documents and records pertaining to the Grand Army of the Republic and its members;

(3) to cooperate in doing honor to all those who have served our country patriotically in any way;

(4) to teach patriotism, the duties of citizenship, the true history of our country, and the love and honor of our flag;

(5) to oppose every tendency or movement that would weaken loyalty to, destroy, or impair our constitutional Union; and

(6) to inculcate and broadly sustain the American principles of representative government, equal rights, and impartial justice for all.

§ 130103. Membership

(a) ELIGIBILITY.—(1) Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(2) Eligibility for membership is limited to female blood relatives of an individual who—

(A) served at any time during the period April 12, 1861, through April 9, 1865, as a soldier or sailor in—

(i) the United States Army, Navy, Marine Corps, or Revenue-Cutter Service; or

(ii) a State regiment that was called into active service and was subject to orders of United States general officers during that period; and

(B) was honorably discharged from, or died in, that service.

(b) VOTING.—Each member has one vote on each matter submitted to a vote at a meeting of the members.

§ 130104. Governing body

(a) NATIONAL CONVENTION.—(1) The national convention is the supreme governing authority of the corporation.

(2) The national convention is composed of officers and elected representatives from the States and other local subdivisions of the corporation as provided in the constitution and bylaws. However, the form of government of the corporation must be representative of the membership at large and may not permit concentration of control in a limited number of members or in a self-perpetuating group not representative of the membership at large.

(3) The meetings of the national convention may be held in the District of Columbia or in any State, territory, or possession of the United States.

(b) OFFICERS.—The titles, manner of selection, term of office, and duties of the officers are as provided in the constitution and bylaws of the corporation.

§ 130105. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 130106. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate divisions have the exclusive right to use the name ''Ladies of the Grand Army of the Republic''. The corporation has the exclusive right to use and to allow others to use seals, emblems, and badges the corporation adopts.

§ 130107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or an officer or agent as such may not contribute to a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, an officer or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(d) LOANS.—The corporation may not make a loan or advance to an officer or employee. Members of the council of administration who vote for or assent to making a loan or advance to an officer or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 130108. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the corporation. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 130109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account; and

(2) minutes of the proceedings of its national conventions and council of administration.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 130110. Service of process

The corporation shall have a designated agent in the District of Columbia to receive

service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 130111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 130112. Annual report

Not later than March 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year. The report may consist of a report on the proceedings of the national convention. The report may not be printed as a public document.

§ 130113. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the council of administration, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 1303—LEGION OF VALOR OF THE UNITED STATES OF AMERICA, INCORPORATED

Sec.
130301. Organization.
130302. Principles and purposes.
130303. Membership.
130304. Governing body.
130305. Powers.
130306. Restrictions.
130307. Principal office.
130308. Records and inspection.
130309. Service of process.
130310. Liability for acts of officers and agents.
130311. Distribution of assets on dissolution or final liquidation.

§ 130301. Organization

(a) FEDERAL CHARTER.—Legion of Valor of the United States of America, Incorporated (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(d) REFERENCES TO ARMY AND NAVY LEGION OF VALOR OF THE UNITED STATES OF AMERICA, INCORPORATED.—Any reference to the Army and Navy Legion of Valor of the United States of America, Incorporated, is deemed to refer to the Legion of Valor of the United States of America, Incorporated.

§ 130302. Principles and purposes

(a) PRINCIPLES.—The principles underlying the corporation are patriotic allegiance to the United States of America, fidelity to the constitution and law of the United States, the security of civil liberty, and the permanence of free institutions.

(b) PURPOSES.—The purposes of the corporation are—

(1) to cherish the memories of the valiant deeds in arms for which the Congressional Medal of Honor, the Distinguished Service Cross, the Navy Cross, and the Air Force Cross are the insignia;

(2) to promote true fellowship among its members;

(3) to advance the best interests of members of the armed forces of the United States of America;

(4) to extend all possible relief to needy members of the corporation and their widows and children; and

(5) to stimulate patriotism in the minds of our youth by encouraging the study of the patriotic, military, and naval history of our Nation.

§ 130303. Membership

(a) ELIGIBILITY.—An individual is eligible for active membership in the corporation if the individual—

(1) is of good moral character; and

(2) has received a Congressional Medal of Honor, a Distinguished Service Cross, a Navy Cross, or an Air Force Cross awarded for acts of extraordinary heroism in connection with military or naval operations against an armed enemy, or for heroism of a specially distinguished character, as a member of the armed forces of the United States or any foreign country.

(b) EXTENSION OF ELIGIBILITY TO PARENTS AND DESCENDANTS.—The corporation may extend eligibility for membership, either active or associate, to parents and lineal descendants of an individual described in subsection (a) of this section on terms provided in its constitution and bylaws.

(c) VOTING.—Each member (except an associate member) has one vote on each matter submitted to a vote at a meeting of the members.

§ 130304. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the corporation, the board is responsible for the general policies and program of the corporation. The board is responsible for all funds of the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws of the corporation. However, the board shall have at least 10 directors.

(b) OFFICERS.—(1) The officers of the corporation are a commander, a senior vice commander, a junior vice commander, a chaplain, an adjutant and quartermaster, a judge advocate, an inspector, a surgeon, a historian, and any aides-de-camp provided in the constitution and bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 130305. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) make contracts;

(4) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(5) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(6) charge and collect membership dues; and

(7) sue and be sued.

§ 130306. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the executive committee of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 130307. Principal office

The principal office of the corporation shall be in a place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 130308. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 130309. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 130310. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 130311. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 1305—LITTLE LEAGUE BASEBALL, INCORPORATED

Sec.
130501. Organization.
130502. Purposes.
130503. Membership.
130504. Governing body.
130505. Powers.
130506. Exclusive right to name and emblems.
130507. Restrictions.
130508. Principal office.
130509. Records and inspection.
130510. Statement required in audit report.
130511. Service of process.
130512. Liability for acts of officers and agents.
130513. Distribution of assets on dissolution or final liquidation.

§ 130501. Organization

(a) FEDERAL CHARTER.—Little League Baseball, Incorporated (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 130502. Purposes

The purposes of the corporation are—

(1) to promote, develop, supervise, and voluntarily assist in all lawful ways the interest of young people who participate in Little League baseball;

(2) to help and voluntarily assist young people in developing qualities of citizenship and sportsmanship; and

(3) using the disciplines of the native American game of baseball, to teach spirit and competitive will to win, physical fitness through individual sacrifice, the values of team play, and wholesome well being through healthy social association with other youngsters under proper leadership.

§ 130503. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member (except an honorary or associate member) has one vote on each matter submitted to a vote at a meeting of the members.

§ 130504. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the corporation, the board is responsible for the general policies and program of the corporation. The board is responsible for the control of all funds of the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws of the corporation. However, the board shall have at least 13 directors.

(b) OFFICERS.—(1) The officers of the corporation are a chairman of the board of directors, a president, a vice president, and a secretary-treasurer. Their duties are as provided in the constitution and bylaws of the corporation.

(2) The officers shall be elected annually at the annual meeting of the corporation.

§ 130505. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) adopt, alter, and display seals, emblems, and badges;

(4) choose directors, officers, trustees, managers, employees, and agents as the activities of the corporation require;

(5) make contracts;

(6) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) charge and collect membership dues and subscription fees;

(9) sue and be sued; and

(10) do any other act necessary or desirable to carry out the purposes of the corporation.

§ 130506. Exclusive right to name and emblems

The corporation has the exclusive right to use and to allow others to use the names ''Little League'' and ''Little Leaguer'' and the official Little League emblem or any colorable simulation of that emblem. This section does not affect any vested rights.

§ 130507. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director, officer, or agent as such may not contribute to, support, or assist any political party or candidate for office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income and assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 130508. Principal office

The principal office of the corporation shall be in Williamsport, Pennsylvania, or another place decided by the board of directors. However, the activities of the corporation may be conducted throughout the world.

§ 130509. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 130510. Statement required in audit report

The corporation shall include in the audit report statement required under section 10101(b)(1)(B) of this title a schedule of all contracts requiring payments greater than $10,000 and all payments of compensation or fees at a rate greater than $10,000 a year.

§ 130511. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 130512. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 130513. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but consistent with the purposes of the corporation and in compliance with the constitution and bylaws of the corporation.

CHAPTER 1401—MARINE CORPS LEAGUE

Sec.
140101. Organization.
140102. Purposes.
140103. Powers.
140104. Annual report.

§ 140101. Organization

(a) FEDERAL CHARTER.—Marine Corps League (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 140102. Purposes

The purposes of the corporation are—

(1) to preserve the traditions and to promote the interests of the United States Marine Corps;

(2) to band those who, on August 4, 1937, were serving in the United States Marine Corps and those who have been honorably discharged from that service together in fellowship that they may effectively promote the ideals of American freedom and democracy;

(3) to fit its members for the duties of citizenship and to encourage them to serve as ably as citizens as they have served the Nation under arms;

(4) to hold sacred the history and memory of the men who have given their lives to the Nation;

(5) to foster love for the principles which they have supported by blood and valor since the founding of the Republic;

(6) to maintain true allegiance to American institutions;

(7) to create a bond of comradeship between those in service and those who have returned to civil life;

(8) to aid voluntarily and to render assistance to all marines and former marines as well as to their widows and orphans; and

(9) to perpetuate the history of the United States Marine Corps and by fitting acts to observe the anniversaries of historical occasions of peculiar interest to marines.

§ 140103. Powers

The corporation may—

(1) adopt and amend bylaws;

(2) adopt and alter a corporate seal;

(3) appoint or elect officers and agents;

(4) choose a board of trustees, consisting of at least 5 but not more than 15 individuals, to conduct the business and exercise the powers of the corporation;

(5) establish and maintain offices to conduct its activities;

(6) acquire, own, lease, encumber, and transfer property as necessary or appropriate to carry out the purposes of the corporation;

(7) charge and collect membership dues and receive contributions of money or property to be devoted to carrying out the purposes of the corporation;

(8) sue and be sued; and

(9) do any other act necessary or appropriate to carry out the purposes of the corporation.

§ 140104. Annual report

Not later than December 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.

CHAPTER 1403—THE MILITARY CHAPLAINS ASSOCIATION OF THE UNITED STATES OF AMERICA

Sec.
140301. Organization.
140302. Purposes.
140303. Powers.
140304. Exclusive right to name.
140305. Annual report.

§ 140301. Organization

(a) FEDERAL CHARTER.—The Military Chaplains Association of the United States of America (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 140302. Purposes

The purposes of the corporation are—

(1) to safeguard and strengthen the forces of faith and morality of our Nation;

(2) to perpetuate and deepen the bonds of understanding and friendship of our military service;

(3) to preserve our spiritual influence and interest in all members and veterans of the armed forces;

(4) to uphold the Constitution of the United States; and

(5) to promote justice, peace, and good will.

§ 140303. Powers

The corporation may—

(1) make its own organization, including its constitution, bylaws, and regulations;
(2) adopt and alter a corporate seal;
(3) establish and maintain offices to conduct its activities;
(4) appoint or elect officers and agents;
(5) authorize the executive committee to conduct the business and exercise the powers of the corporation;
(6) acquire, own, lease, encumber, and transfer property as necessary or appropriate to carry out the purposes of the corporation;
(7) publish a magazine and other publications;
(8) charge and collect membership dues and subscription fees;
(9) sue and be sued; and
(10) do any other act necessary or appropriate to carry out the purposes of the corporation.

§ 140304. Exclusive right to name

The corporation and its area, State, and local chapters have the exclusive right to use the name ''The Military Chaplains Association of the United States of America''.

§ 140305. Annual report

Not later than September 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.

CHAPTER 1405—MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA, INCORPORATED

Sec.
140501. Organization.
140502. Principles and purposes.
140503. Membership.
140504. Governing body.
140505. Powers.
140506. Restrictions.
140507. Principal office.
140508. Records and inspection.
140509. Liability for acts of officers and agents.
140510. Service of process.
140511. Distribution of assets on dissolution or final liquidation.

§ 140501. Organization

(a) FEDERAL CHARTER.—Military Order of the Purple Heart of the United States of America, Incorporated (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 140502. Principles and purposes

(a) PRINCIPLES.—The principles underlying the corporation are patriotic allegiance to the United States, fidelity to the Constitution and laws of the United States, the security of civil liberty, and the permanence of free institutions.

(b) PURPOSES.—The purposes of the corporation are educational, fraternal, historical, and patriotic, perpetuating the principles of liberty and justice which have created the United States, by—

(1) commemorating all national patriotic holidays;
(2) maintaining true allegiance to the Government of the United States and fidelity to its Constitution and laws;
(3) preserving and strengthening comradeship and patriotism among its members;
(4) assisting, comforting, and aiding all needy and distressed members and their dependents;
(5) giving needed hospital and service work through its Department of Veterans Affairs certified service officers;
(6) cooperating with other civic and patriotic organizations having worthy objectives;
(7) keeping alive the achievements and memory of our country's founders;
(8) ever cherishing the memory of General George Washington, who founded the Purple Heart at his headquarters at Newburgh-on-the-Hudson on August 7, 1782;
(9) influencing and teaching our citizenry, in a loyal appreciation of the heritages of American citizenship, with its responsibilities and privileges; and
(10) preserving and defending the United States from all enemies.

§ 140503. Membership

(a) ACTIVE MEMBERS.—An individual is eligible for active membership in the corporation if the individual—

(1) is of good moral character; and
(2) has received the Purple Heart for wounds received as a member, of any rank, of the armed forces of the United States or any foreign country during military or naval combat against an armed enemy of the United States.

(b) ASSOCIATE MEMBERS.—The corporation may extend eligibility for membership as associate members to parents and lineal descendants of an individual described in subsection (a) of this section on terms provided in its constitution and bylaws.

(c) VOTING.—Each member described in subsection (a) of this section has one vote on each matter submitted to a vote at a meeting of the members.

§ 140504. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the corporation, the board is responsible for the general policies and program of the corporation. The board is responsible for all funds of the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws of the corporation. However, the board shall have at least 18 directors.

(b) OFFICERS.—(1) The officers of the corporation are a commander, a senior vice commander, a chaplain, an adjutant, a finance officer, a judge advocate, an inspector, a surgeon, a historian, and other elected officers as provided in the constitution and bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 140505. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;
(2) adopt and alter a corporate seal;
(3) make contracts;
(4) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;
(5) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;
(6) charge and collect membership dues; and
(7) sue and be sued.

§ 140506. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the executive committee of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 140507. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the national executive board. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 140508. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;
(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and
(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 140509. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 140510. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 140511. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 1407—MILITARY ORDER OF THE WORLD WARS

Sec.
140701. Definition.
140702. Organization.
140703. Purposes.
140704. Membership.
140705. Governing body.
140706. Powers.
140707. Restrictions.
140708. Duty to maintain tax-exempt status.
140709. Records and inspection.
140710. Service of process.
140711. Liability for acts of officers and agents.
140712. Annual report.

§ 140701. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 140702. Organization

(a) FEDERAL CHARTER.—Military Order of the World Wars (in this chapter, the ''corporation''), a nonprofit corporation incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—The charter granted by this chapter expires if the corporation fails to comply with any provision of—

(1) its bylaws or articles of incorporation;

(2) this chapter; or

(3) the laws of the District of Columbia that apply to corporations such as the corporation recognized under this chapter.

§ 140703. Purposes

The purposes of the corporation are as provided in the articles of incorporation and bylaws and include—

(1) promoting military service associations;

(2) promoting patriotic education and military, naval, and air science;

(3) defending the honor and integrity of the United States Government and the Constitution;

(4) fostering fraternal relations among all branches of the armed forces;

(5) encouraging the adoption of a suitable policy of national security; and

(6) encouraging the commemoration of military service and the establishment of war memorials.

§ 140704. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the articles of incorporation and bylaws.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 140705. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 140706. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated.

§ 140707. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 140708. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 140709. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 140710. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 140711. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 140712. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1501—NATIONAL ACADEMY OF PUBLIC ADMINISTRATION

Sec.
150101. Definition.
150102. Organization.
150103. Purposes.
150104. Services to United States Government.
150105. Membership.
150106. Governing body.
150107. Powers.
150108. Restrictions.
150109. Duty to maintain corporate and tax-exempt status.
150110. Records and inspection.
150111. Service of process.
150112. Liability for acts of officers and agents.
150113. Annual report.

§ 150101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 150102. Organization

(a) FEDERAL CHARTER.—National Academy of Public Administration (in this chapter, the ''corporation''), incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 150103. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include—

(1) evaluating the structure, administration, operation, and program performance of Federal and other governments and government agencies, anticipating, identifying, and analyzing significant problems, and suggesting timely corrective action;

(2) foreseeing and examining critical emerging issues in governance, and formulating practical approaches to their resolution;

(3) assessing the effectiveness, structure, administration, and implications for governance of present or proposed public programs, policies, and processes, and recommending specific changes;

(4) advising on the relationship of Federal, State, regional, and local governments, and increasing public officials', citizens', and scholars' understanding of requirements and opportunities for sound governance and how these can be effectively met; and

(5) demonstrating by the conduct of its affairs a commitment to the highest professional standards of ethics and scholarship.

§ 150104. Services to United States Government

On request of the United States Government, the corporation shall investigate, examine, experiment, and report on any subject of government. The actual expense of the investigation, examination, experimentation, and report shall be paid by the Government from appropriations available for that purpose.

§ 150105. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 150106. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 150107. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 150108. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or member in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—Except by agreement, the corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 150109. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the District of Columbia.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 150110. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 150111. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 150112. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 150113. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1503—NATIONAL ACADEMY OF SCIENCES

Sec.
150301. Federal charter.
150302. Powers.
150303. Services to United States Government.
150304. Annual meeting.

§ 150301. Federal charter

National Academy of Sciences (in this chapter, the ''corporation'') is a federally chartered corporation.

§ 150302. Powers

(a) GENERAL.—The corporation may—

(1) make its own organization, including adopting a constitution, bylaws, and regulations;

(2) provide for the election of domestic and foreign members, their division into classes, and other matters needful or usual in such an institution;

(3) fill vacancies; and

(4) report its actions under this subsection to Congress.

(b) PROPERTY.—(1) The corporation may—

(A) receive property by devise, bequest, donation, or otherwise;

(B) hold the property absolutely or in trust;

(C) manage and invest the property as provided in the constitution of the corporation; and

(D) use the property and income from the property to carry out the purposes of the corporation, subject to instructions of donors.

(2) Congress at any time may limit the amount of real estate the corporation may acquire and the amount of time it may be held.

§ 150303. Services to United States Government

On request of the United States Government, the corporation shall investigate, examine, experiment, and report on any subject of science or art. The corporation may not receive compensation for services to the Government, but the actual expense of the investigation, examination, experimentation, and report shall be paid by the Government from an appropriation for that purpose.

§ 150304. Annual meeting

The corporation shall hold an annual meeting at a place designated by the corporation.

CHAPTER 1505—NATIONAL CONFERENCE OF STATE SOCIETIES, WASHINGTON, DISTRICT OF COLUMBIA

Sec.
150501. Definition.
150502. Organization.
150503. Purposes.
150504. Membership.
150505. Governing body.
150506. Powers.
150507. Exclusive right to name, seals, emblems, and badges.
150508. Restrictions.
150509. Headquarters and principal office.
150510. Records and inspection.
150511. Service of process.
150512. Liability for acts of officers and agents.
150513. Distribution of assets on dissolution or final liquidation.

§ 150501. Definition

For purposes of this chapter, ''State'' includes the District of Columbia.

§ 150502. Organization

(a) FEDERAL CHARTER.—National Conference of State Societies, Washington, District of Columbia (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 150503. Purposes

The purposes of the corporation are—

(1) to promote friendly and cooperative relations between the State and territorial societies in the District of Columbia;

(2) to foster, participate in, and encourage educational, cultural, charitable, civic, and patriotic programs and activities in the District of Columbia and surrounding communities; and

(3) to act as contact agent with States for carrying out State and national programs.

§ 150504. Membership

The membership of the corporation consists of the members of the State and territorial societies in the District of Columbia. Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws and regulations of the corporation.

§ 150505. Governing body

(a) BOARD OF REPRESENTATIVES.—(1) The board of representatives is the governing body of the corporation. The board shall exercise the powers granted to the corporation.

(2) The board consists of one representative from each State society and territorial society in the District of Columbia. Each member of the board has one vote.

(b) OFFICERS.—(1) The officers of the corporation are a president, a first vice president, a second vice president, a secretary, an assistant secretary, a treasurer, an assistant treasurer, a historian, and other officers designated by the board.

(2) The officers shall be elected by the board at an annual meeting and serve for a term of one year.

§ 150506. Powers

The corporation has the powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated, including the power to—

(1) adopt bylaws and regulations for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) adopt emblems and badges;

(4) choose officers, managers, and agents as the activities of the corporation require;

(5) make contracts;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) publish a magazine, newspaper, and other publications consistent with the purposes of the corporation;

(9) sue and be sued; and

(10) do any other act necessary and proper to carry out the purposes of the corporation.

§ 150507. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name ''National Conference of State Societies, Washington, District of Columbia'' and seals, emblems, and badges the corporation adopts.

§ 150508. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or an officer or member as such may not contribute to, support, or assist a political party or candidate for elective public office. The corporation may not carry on propaganda.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, an officer or member except on dissolution or final liquidation of the corporation.

(d) LOANS.—The corporation may not make a loan or advance to an officer or member of the board of representatives. Officers and members of the board who vote for or assent to making a loan or advance to an officer or member of the board, and officers or members of the board who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 150509. Headquarters and principal office

The headquarters and principal office of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but may be conducted throughout the States, territories, and possessions of the United States.

§ 150510. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of representatives, and committees having any of the authority of its board of representatives; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 150511. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Designation of the agent shall be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service on the agent, or mailed to the address of the agent, is notice to or service on the corporation.

(b) STATES.—As a condition to the exercise in any State of any power or privilege granted by this chapter, the corporation shall file, with secretary of state or other designated official of that State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

§ 150512. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 150513. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be divided

equally among the State and territorial societies in the District of Columbia.

CHAPTER 1507—NATIONAL CONFERENCE ON CITIZENSHIP

Sec.
150701. Organization.
150702. Purposes.
150703. Membership.
150704. National officers.
150705. Board of directors.
150706. Powers.
150707. Exclusive right to name, seals, emblems, and badges.
150708. Restrictions.
150709. Headquarters and principal office.
150710. Records and inspection.
150711. Service of process.
150712. Liability for acts of officers and agents.
150713. Distribution of assets on dissolution or final liquidation.

§ 150701. Organization

(a) FEDERAL CHARTER.—National Conference on Citizenship (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 150702. Purposes

The purposes of the corporation are—

(1) to hold an annual national conference on citizenship on or about ''Citizenship Day'', September 17;

(2) to assist in the development of more dynamic procedures for making citizenship more effective, including the promotion and encouragement of local, State, and regional citizenship conferences; and

(3) to indicate the ways and means by which various organizations may contribute concretely to the development of a more active, alert, enlightened, conscientious, and progressive citizenry in our country.

§ 150703. Membership

(a) ELIGIBILITY.—Membership in the corporation is confined to agencies and organizations. Except as provided in this chapter, the rights and privileges of members are as provided in the bylaws.

(b) VOTING.—Each agency or organization sending delegates to, and participating in, the annual national conference on citizenship has one vote in the conduct of the business of the conference.

§ 150704. National officers

(a) NATIONAL OFFICERS.—The national officers of the corporation are a president, a first vice president, a second vice president, a third vice president, a secretary, and a treasurer. The president is chairman of the board of directors and of the executive committee described in section 150705(d) of this title.

(b) ELECTION.—The national officers are elected biennially from among the officers and members of the member agencies and organizations participating in the annual national conference on citizenship, by a majority vote of the agencies and organizations sending delegates to, and participating in, the conference.

§ 150705. Board of directors

(a) GENERAL.—The board of directors is the governing body of the corporation. The board shall exercise the powers granted to the corporation.

(b) NUMBER AND ELECTION.—The number of directors and their term of office are as provided in the bylaws, except that the board shall have at least 10 members (including ex officio members). The directors are elected from among the officers and members of the member agencies and organizations participating in the annual national conference on citizenship, by a majority vote of the agencies and organizations sending delegates to, and participating in, the conference.

(c) MEETINGS.—The board shall hold an annual meeting at a time and place as may be provided in the bylaws. The annual report of the board shall be presented at the annual meeting. Special meetings of the board may be called as provided in the bylaws.

(d) EXECUTIVE COMMITTEE.—The board shall designate 3 of its own members, who together with the president and the 3 vice presidents constitute the executive committee. When the board is not in session, the executive committee has the powers of the board subject to the board's direction and may authorize the seal of the corporation to be affixed to all papers that require it.

(e) EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF.—The executive committee shall select an executive director for the corporation, who shall have the qualifications and terms of employment decided by the committee. The executive director shall nominate other professional staff members, who must be approved by the executive committee.

§ 150706. Powers

The corporation may—

(1) adopt and amend bylaws and regulations for the management of its property and the regulation of its affairs, including the establishment and maintenance of local and State conferences on citizenship;

(2) adopt and alter a corporate seal;

(3) adopt emblems and badges;

(4) choose officers, managers, employees, and agents as the activities of the corporation require;

(5) make contracts;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) use corporate funds to give prizes or awards to citizens for outstanding contributions toward the achievement of the purposes of the corporation;

(9) publish a magazine and other publications consistent with the purposes of the corporation;

(10) sue and be sued; and

(11) do any other act necessary and proper to carry out the purposes of the corporation.

§ 150707. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name ''National Conference on Citizenship'' and seals, emblems, and badges the corporation adopts.

§ 150708. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director, officer, or member as such may not contribute to, support, or assist a political party or candidate for elective public office, or advocate, sponsor, or promote legislation in the Congress of the United States or in the legislature of a State.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation. This subsection does not prevent the executive committee from adopting terms of employment of the executive director as provided in section 150705(e) of this title.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 150709. Headquarters and principal office

The headquarters and principal office of the corporation shall be in the District of Columbia, Maryland, or Virginia. However, the activities of the corporation are not confined to the District of Columbia, Maryland, and Virginia but may be conducted throughout the States, territories, and possessions of the United States.

§ 150710. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its annual national conference, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 150711. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Designation of the agent shall be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 150712. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 150713. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be transferred by the board of directors to a recognized agency or agencies engaged in the furtherance and advancement of citizenship.

CHAPTER 1509—NATIONAL COUNCIL ON RADIATION PROTECTION AND MEASUREMENTS

Sec.
150901. Organization.
150902. Purposes.
150903. Membership.
150904. Governing body.
150905. Powers.
150906. Restrictions.
150907. Principal office.
150908. Records and inspection.
150909. Statement required in audit report.
150910. Service of process.
150911. Liability for acts of officers and agents.
150912. Distribution of assets on dissolution or final liquidation.

§ 150901. Organization

(a) FEDERAL CHARTER.—National Council on Radiation Protection and Measurements (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 150902. Purposes

The purposes of the corporation are—

(1) to collect, analyze, develop, and disseminate in the public interest information and recommendations about—

(A) protection against radiation; and

(B) radiation measurements, quantities, and units, particularly those concerned with protection against radiation;

(2) to provide a means by which organizations concerned with the scientific and related aspects of protection against radiation and of radiation quantities, units, and measurements may cooperate for effective use of their combined resources, and to stimulate the work of those organizations;

(3) to develop basic concepts about—

(A) radiation quantities, units, and measurements;

(B) the application of those concepts; and

(C) protection against radiation; and

(4) to cooperate with the International Commission on Radiological Protection, the Federal Radiation Council, the International Commission on Radiological Units and Measurements, and other national and international organizations, governmental and private, concerned with radiation quantities, units, and measurements and with protection against radiation.

§ 150903. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

(b) VOTING.—Each member (except an honorary or associate member) has one vote on each matter submitted to a vote at a meeting of the members.

§ 150904. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the corporation, the board is responsible for the general policies and program of the corporation. The board is responsible for the control of all funds of the corporation.

(2) The selection of directors and their term of office are as provided in the bylaws.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more vice presidents, a secretary, a treasurer, and other officers as provided in the bylaws. Their duties are as provided in the bylaws.

(2) The officers shall be elected at the annual meeting of the corporation.

§ 150905. Powers

The corporation may—

(1) adopt and amend bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose directors, officers, trustees, managers, employees, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 150906. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director, officer, or agent as such may not contribute to, support, or assist a political party or candidate for office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 150907. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the board of directors. However, the activities of the corporation may be conducted throughout the world.

§ 150908. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 150909. Statement required in audit report

The corporation shall include in the audit report statement required under section 10101(b)(1)(B) of this title a schedule of all contracts requiring payments greater than $10,000 and all payments of compensation or fees at a rate greater than $10,000 a year.

§ 150910. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 150911. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 150912. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but consistent with the purposes of the corporation and in compliance with the bylaws.

CHAPTER 1511—NATIONAL EDUCATION ASSOCIATION OF THE UNITED STATES

Sec.
151101. Organization.
151102. Purposes.
151103. Membership.
151104. Governing body.
151105. Powers.
151106. Tax exemption.
151107. Principal office.
151108. Nonapplication of audit requirements.

§ 151101. Organization

(a) FEDERAL CHARTER.—National Education Association of the United States (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION.—The corporation is declared to be incorporated in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 151102. Purposes

The purposes of the corporation are—

(1) to elevate the character and advance the interests of the profession of teaching; and

(2) to promote the cause of education in the United States.

§ 151103. Membership

Eligibility for membership in the corporation and the rights, obligations, and designation of classes of members are as provided in the bylaws.

§ 151104. Governing body

(a) OFFICERS.—The officers of the corporation are a president, one or more vice presidents, a secretary, a treasurer, and the members of a board of directors, an executive committee, and any other boards, councils, and committees, and other officers, as provided in the bylaws.

(b) ADDITIONAL PROVISIONS.—Except as provided in this chapter, the manner of selection, term of office, powers, and duties of the officers, boards, councils, and committees are as provided in the bylaws. The bylaws may provide other and different provisions as to the names and numbers of the officers, boards, councils, and committees.

§ 151105. Powers

The corporation may—

(1) adopt and amend bylaws;

(2) adopt and alter a corporate seal;

(3) acquire, own, lease, encumber, and transfer property to carry out the purposes of the corporation;

(4) accept and administer a trust for educational purposes;

(5) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(6) sue and be sued in any court of the United States, or other court of competent jurisdiction.

§ 151106. Tax exemption

(a) REAL PROPERTY.—Real property of the corporation is exempt from taxation if it is—

(1) located in the District of Columbia;

(2) used for the purposes provided in section 151102 of this title; and

(3) not used to produce income.

(b) PERSONAL PROPERTY.—Personal property of the corporation is exempt from taxation if it is used for the purposes provided in section 151102 of this title or to produce income to be used for those purposes.

(c) ANNUAL REPORT.—The corporation shall submit annually to the Secretary of Education a written report stating in detail for the prior year—

(1) the real and personal property held by the corporation;

(2) the income from the property; and

(3) the expenditure or other use or disposition of the property and income from the property.

§ 151107. Principal office

The principal office of the corporation shall be in the District of Columbia. However, the activities of the corporation may be conducted, and offices may be maintained, throughout the United States in accordance with the bylaws.

§ 151108. Nonapplication of audit requirements

The audit requirements of section 10101 of this title do not apply to the corporation.

CHAPTER 1513—NATIONAL FALLEN FIREFIGHTERS FOUNDATION

Sec.
151301. Organization.
151302. Purposes.
151303. Board of directors.
151304. Officers and employees.
151305. Powers.
151306. Principal office.
151307. Provision and acceptance of support by Administrator.
151308. Service of process.

151309. Civil action by Attorney General for equitable relief.
151310. Immunity of United States Government.
151311. Annual report.

§ 151301. Organization

(a) FEDERAL CHARTER.—National Fallen Firefighters Foundation (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) NATURE OF CORPORATION AND PLACE OF INCORPORATION.—The corporation is a charitable and nonprofit corporation incorporated under the laws of Maryland and is not an agency or establishment of the United States Government.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 151302. Purposes

The purposes of the corporation are—

(1) primarily to encourage, accept, and administer private gifts of property for the benefit of the National Fallen Firefighters' Memorial and the annual memorial service associated with it;

(2) to provide financial assistance to families of fallen firefighters for transportation to and lodging at non-Federal facilities during the annual memorial service;

(3) to assist State and local efforts to recognize firefighters who die in the line of duty; and

(4) to provide scholarships and other financial assistance for educational purposes and job training for the spouses and children of fallen firefighters.

§ 151303. Board of directors

(a) GENERAL.—The board of directors is the governing body of the corporation.

(b) MEMBERS AND APPOINTMENT.—(1) The Administrator of the United States Fire Administration of the Federal Emergency Management Agency is an ex officio nonvoting member of the board. The Administrator appoints the voting members of the board.

(2) The board consists of the following 9 voting members:

(A) one active volunteer firefighter;

(B) one active career firefighter;

(C) one United States Government firefighter; and

(D) six individuals who have a demonstrated interest in the fire service.

(3) The terms of office of the voting members are 6 years (except for the initial members). The terms shall be staggered so that the terms of 3 members expire every 2 years.

(4) A vacancy on the board shall be filled within 60 days in the manner in which the original appointment was made.

(c) CHAIRMAN.—The Chairman shall be elected by the board from its voting members for a 2-year term.

(d) QUORUM.—A majority of the current membership of the board is a quorum.

(e) MEETINGS.—The board shall meet at the call of the chairman at least once a year. If a member of the board misses 3 consecutive meetings, that member may be removed from the board and that vacancy may be filled as provided in subsection (b)(4) of this section.

(f) STATUS AND COMPENSATION.—Members of the board—

(1) are not officers or employees of the United States Government; and

(2) serve without compensation.

(g) LIABILITY OF DIRECTORS.—Members of the board are not personally liable, except for gross negligence.

§ 151304. Officers and employees

(a) APPOINTMENT.—The board of directors may appoint not more than 2 officers or employees, but only after the corporation has sufficient funds to pay for their services.

(b) STATUS AND COMPENSATION.—Officers and employees of the corporation—

(1) are not employees of the United States Government;

(2) shall be appointed without regard to the provisions of title 5 governing appointments in the competitive service; and

(3) may be paid without regard to chapter 51 and subchapter III of chapter 53 of title 5, except that an officer or employee may not be paid more than the annual rate of basic pay for level GS–15 of the General Schedule under section 5107 of title 5.

§ 151305. Powers

(a) GENERAL.—The corporation may—

(1) adopt a constitution and bylaws;

(2) adopt a seal which shall be judicially noticed; and

(3) do any other act necessary to carry out this chapter.

(b) POWERS AS TRUSTEE.—To carry out its purposes, the corporation has the usual powers of a corporation acting as a trustee in the State of Maryland, including the power—

(1) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, of property or any income from or other interest in the property;

(2) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, or otherwise dispose of any property or income from the property;

(3) to make contracts and other arrangements with public agencies and private organizations and persons and to make payments necessary to carry out its functions;

(4) to sue and be sued; and

(5) to do any other act necessary and proper to carry out the purposes of the corporation.

§ 151306. Principal office

The principal office of the corporation shall be in Maryland. However, the corporation may conduct business throughout the States, territories, and possessions of the United States.

§ 151307. Provision and acceptance of support by Administrator

(a) PROVISION BY ADMINISTRATOR.—(1) The Administrator of the United States Fire Administration of the Federal Emergency Management Agency—

(A) may provide personnel, facilities, and other administrative services to the corporation; and

(B) shall require and accept reimbursements for these personnel, facilities, and services.

(2) Reimbursements under paragraph (1) of this subsection shall be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of providing the services.

(3) Notwithstanding any other law, United States Government personnel and stationery may not be used to solicit funding for the corporation.

(b) ACCEPTANCE BY ADMINISTRATOR.—The Administrator may accept, without regard to chapters 33 and 51 and subchapter III of chapter 53 of title 5 and related regulations, the services of the corporation and its directors, officers, and employees as volunteers in performing functions authorized under this chapter, without compensation from the Administration.

§ 151308. Service of process

The corporation shall have a designated agent to receive service of process for the corporation.

§ 151309. Civil action by Attorney General for equitable relief

The Attorney General may bring a civil action in the United States District Court for the District of Columbia for appropriate equitable relief if the corporation—

(1) engages or threatens to engage in any act, practice, or policy that is inconsistent with the purposes in section 151302 of this title; or

(2) refuses, fails, or neglects to carry out its obligations under this chapter or threatens to do so.

§ 151310. Immunity of United States Government

The United States Government is not liable for any debts, defaults, acts, or omissions of the corporation. The full faith and credit of the Government does not extend to any obligation of the corporation.

§ 151311. Annual report

Not later than 4 months after the end of each fiscal year, the corporation shall submit a report to the appropriate committees of Congress on the activities of the corporation during the prior fiscal year, including a complete statement of its receipts, expenditures, and investments.

CHAPTER 1515—NATIONAL FEDERATION OF MUSIC CLUBS

Sec.
151501. Definition.
151502. Organization.
151503. Purposes.
151504. Membership.
151505. Governing body.
151506. Powers.
151507. Restrictions.
151508. Duty to maintain corporate and tax-exempt status.
151509. Records and inspection.
151510. Service of process.
151511. Liability for acts of officers and agents.
151512. Annual report.

§ 151501. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 151502. Organization

(a) FEDERAL CHARTER.—National Federation of Music Clubs (in this chapter, the ''corporation''), incorporated in Illinois, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 151503. Purposes

(a) SPECIFIC PURPOSES.—The purposes of the corporation are as provided in the articles of incorporation and include—

(1) bringing into working relations with one another, music clubs and other musical organizations and individuals associated with musical activity for the purpose of developing and maintaining high musical standards;

(2) aiding and encouraging musical education; and

(3) promoting American music and American artists throughout the United States and the world.

(b) PATRIOTIC, CIVIC, AND HISTORICAL ORGANIZATION.—The corporation shall function as a patriotic, civic, and historical organization as authorized by the laws of each State in which it is incorporated.

§ 151504. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 151505. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of the officers are as provided in the articles of incorporation.

§ 151506. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 151507. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 151508. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of Illinois.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 151509. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 151510. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 151511. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 151512. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1517—NATIONAL FILM PRESERVATION FOUNDATION

Sec.
151701. Organization.
151702. Purposes.
151703. Board of directors.
151704. Officers and employees.
151705. Powers.
151706. Principal office.
151707. Provision and acceptance of support by Librarian of Congress.
151708. Service of process.
151709. Civil action by Attorney General for equitable relief.
151710. Immunity of United States Government.
151711. Authorization of appropriations.
151712. Annual report.

§ 151701. Organization

(a) FEDERAL CHARTER.—National Film Preservation Foundation (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) NATURE OF CORPORATION.—The corporation is a charitable and nonprofit corporation and is not an agency or establishment of the United States Government.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 151702. Purposes

The purposes of the corporation are to—

(1) encourage, accept, and administer private gifts to promote and ensure the preservation and public accessibility of the nation's film heritage held at the Library of Congress and other public and nonprofit archives throughout the United States;

(2) further the goals of the Library of Congress and the National Film Preservation Board in connection with their activities under the National Film Preservation Act of 1996 (2 U.S.C. 179*l*–179w); and

(3) conduct activities, alone or in cooperation with other film related institutions and organizations, to further the preservation and public accessibility of films made in the United States, particularly films not protected by private interests, for the benefit of present and future generations of Americans.

§ 151703. Board of directors

(a) GENERAL.—The board of directors is the governing body of the corporation.

(b) MEMBERS AND APPOINTMENT.—(1) The Librarian of Congress is an ex officio nonvoting member of the board. The Librarian appoints the directors to the board.

(2)(A) The board consists of 9 directors.

(B) Each director must be a United States citizen.

(C) At least 6 directors must be knowledgeable or experienced in film production, distribution, preservation, or restoration, including 2 who are sitting members of the National Film Preservation Board. These 6 directors must, to the extent practicable, represent diverse points of view from the film community, including motion picture producers, creative artists, nonprofit and public archivists, historians, film critics, theater owners, and laboratory and university personnel.

(3) A director is not an employee of the Library of Congress and appointment to the board does not constitute appointment as an officer or employee of the United States Government for the purpose of any law of the United States.

(4) The terms of office of the directors are 4 years. An individual may not serve more than 2 consecutive terms.

(5) A vacancy on the board shall be filled within 60 days in the manner in which the original appointment was made.

(c) CHAIR.—The Librarian shall appoint one of the directors as the initial chair of the board for a 2-year term. Thereafter, the chair shall be appointed and removed in accordance with the bylaws of the corporation.

(d) QUORUM.—A majority of the current membership of the board is a quorum.

(e) MEETINGS.—The board shall meet at the call of the Librarian or the chair at least once each year. If a director misses 3 consecutive regularly scheduled meetings, the director may be removed from the board by the Librarian and that vacancy may be filled as provided in subsection (b) of this section.

(f) COMPENSATION AND REIMBURSEMENT.—Directors serve without compensation but may be reimbursed for actual and necessary travel and subsistence expenses incurred in performing duties for the corporation.

(g) LIABILITY OF DIRECTORS.—Directors are not personally liable, except for gross negligence.

§ 151704. Officers and employees

(a) SECRETARY OF THE BOARD.—(1) The Librarian of Congress shall appoint a Secretary of the Board to serve as executive director of the corporation. The Librarian may remove the Secretary.

(2) The Secretary must be knowledgeable and experienced in matters relating to—

(A) film preservation and restoration activities;

(B) financial management; and

(C) fundraising.

(b) APPOINTMENT OF OFFICERS.—Except as provided in subsection (a) of this section, the board of directors appoints, removes, and replaces officers of the corporation.

(c) APPOINTMENT OF EMPLOYEES.—Except as provided in subsection (a) of this section, the Secretary appoints, removes, and replaces employees of the corporation.

(d) STATUS AND COMPENSATION OF EMPLOYEES.—Employees of the corporation (including the Secretary)—

(1) are not employees of the Library of Congress;

(2) shall be appointed and removed without regard to the provisions of title 5 governing appointments in the competitive service; and

(3) may be paid without regard to chapter 51 and subchapter III of chapter 53 of title 5, except that an employee may not be paid more than the annual rate of basic pay for level GS–15 of the General Schedule under section 5107 of title 5.

§ 151705. Powers

(a) GENERAL.—The corporation may—

(1) adopt a constitution and bylaws;

(2) adopt a seal which shall be judicially noticed; and

(3) do any other act necessary to carry out this chapter.

(b) POWERS AS TRUSTEE.—To carry out its purposes, the corporation has the usual powers of a corporation acting as a trustee in the District of Columbia, including the power—

(1) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, of property or any income from or other interest in property;

(2) to acquire property or an interest in property by purchase or exchange;

(3) unless otherwise required by an instrument of transfer, to sell, donate, lease, invest, or otherwise dispose of any property or income from property;

(4) to borrow money and issue instruments of indebtedness;

(5) to make contracts and other arrangements with public agencies and private organizations and persons and to make payments necessary to carry out its functions;

(6) to sue and be sued; and

(7) to do any other act necessary and proper to carry out the purposes of the corporation.

(c) ENCUMBERED OR RESTRICTED GIFTS.—A gift, devise, or bequest may be accepted by the corporation even though it is encumbered, restricted, or subject to beneficial interests of private persons, if any current or future interest is for the benefit of the corporation.

§ 151706. Principal office

The principal office of the corporation shall be in the District of Columbia. However, the corporation may conduct business

throughout the States, territories, and possessions of the United States.

§ 151707. Provision and acceptance of support by Librarian of Congress

(a) PROVISION BY LIBRARIAN.—(1) The Librarian of Congress may provide personnel, facilities, and other administrative services to the corporation. Administrative services may include reimbursement of expenses under section 151703(f) of this title, at rates not exceeding the applicable per diem rates for the United States Government.

(2) The corporation shall reimburse the Librarian for support provided under paragraph (1) of this subsection. Amounts reimbursed shall be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of providing the support.

(b) ACCEPTANCE BY LIBRARIAN.—The Librarian may accept, without regard to chapters 33 and 51 and subchapter III of chapter 53 of title 5 and related regulations, the services of the corporation and its directors, officers, and employees as volunteers in performing functions authorized under this chapter, without compensation from the Library of Congress.

§ 151708. Service of process

The corporation shall have a designated agent to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 151709. Civil action by Attorney General for equitable relief

The Attorney General may bring a civil action in the United States District Court for the District of Columbia for appropriate equitable relief if the corporation—

(1) engages or threatens to engage in any act, practice, or policy that is inconsistent with the purposes in section 151702 of this title; or

(2) refuses, fails, or neglects to carry out its obligations under this chapter or threatens to do so.

§ 151710. Immunity of United States Government

The United States Government is not liable for any debts, defaults, acts, or omissions of the corporation. The full faith and credit of the Government does not extend to any obligation of the corporation.

§ 151711. Authorization of appropriations

(a) AUTHORIZATION.—There are authorized to be appropriated to the Library of Congress amounts necessary to carry out this chapter, not to exceed $250,000 for each of the fiscal years ending September 30, 2000–2003. These amounts are to be made available to the corporation to match private contributions (whether in currency, services, or property) made to the corporation by private persons and State and local governments.

(b) LIMITATION RELATED TO ADMINISTRATIVE EXPENSES.—Amounts authorized under this section may not be used by the corporation for administrative expenses of the corporation, including salaries, travel, transportation, and overhead expenses.

§ 151712. Annual report

As soon as practicable after the end of each fiscal year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year, including a complete statement of its receipts, expenditures, and investments.

CHAPTER 1519—NATIONAL FUND FOR MEDICAL EDUCATION

Sec.
151901. Organization.
151902. Purposes.
151903. Membership.
151904. Governing body.
151905. Powers.
151906. Restrictions.
151907. Principal office.
151908. Records and inspection.
151909. Service of process.
151910. Liability for acts of officers and agents.
151911. Distribution of assets on dissolution or final liquidation.

§ 151901. Organization

(a) FEDERAL CHARTER.—National Fund for Medical Education (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 151902. Purposes

The purposes of the corporation are to raise from private sources, administer, and disperse funds for medical education, and in carrying out those purposes, to take other appropriate action to promote—

(1) the interpretation of the needs of medical education to the American public;

(2) the encouragement of the growth, development, and advancement of constantly improving standards and methods in the education and training of all medical personnel in the United States; and

(3) the preservation of academic freedom in the institutions of medical education.

§ 151903. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member (except an honorary, sustaining, or associate member) has one vote on each matter submitted to a vote at a meeting of the members.

§ 151904. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the members of the corporation, the board is responsible for the general policies and program of the corporation and for the control of all funds of the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws of the corporation. However—

(A) the corporation shall have at least 15 but not more than 25 directors; and

(B) at least 4 of the directors shall be members of the medical profession.

(b) OFFICERS.—(1) The officers of the corporation are a chairman of the board of directors, a president, one of more vice presidents as provided in the constitution and bylaws, a secretary, a treasurer, and one or more assistant secretaries and assistant treasurers as provided in the constitution and bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 151905. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, employees, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

§ 151906. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan or advance to a director, officer, or employee. Directors who vote for or assent to making a loan or advance to a director, officer, or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 151907. Principal office

The principal office of the corporation shall be in New York, New York, or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 151908. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 151909. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 151910. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 151911. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 1521—NATIONAL MINING HALL OF FAME AND MUSEUM

Sec.
152101. Definition.

152102. Organization.
152103. Purposes.
152104. Membership.
152105. Governing body.
152106. Powers.
152107. Restrictions.
152108. Duty to maintain corporate and tax-exempt status.
152109. Records and inspection.
152110. Service of process.
152111. Liability for acts of officers and agents.
152112. Annual report.

§ 152101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 152102. Organization

(a) FEDERAL CHARTER.—National Mining Hall of Fame and Museum (in this chapter, the ''corporation''), incorporated in Colorado, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 152103. Purposes

The purposes of the corporation are as provided in its articles of incorporation and include—

(1) honoring citizens, mining leaders, miners, prospectors, teachers, scientists, engineers, inventors, governmental leaders, and other individuals, who have helped to make this country great by their outstanding contributions to the establishment, development, advancement, or improvement of mining in the United States;

(2) perpetuating the memory of those individuals and recording their contributions and achievements by the erection and maintenance of buildings, monuments, and edifices considered appropriate as a lasting memorial;

(3) fostering, promoting, and encouraging a better understanding of the origins and growth of mining, especially in the United States, and the part mining has played in changing the economic, social, and scientific aspects of our country;

(4) establishing and maintaining a library and museum for collecting and preserving for posterity, the history of those honored by the corporation, together with a documentation of their accomplishments and contributions to mining, including such items as mining pictures, paintings, books, papers, documents, scientific data, relics, mementos, artifacts, and things relating to those items;

(5) cooperating with other mining organizations that are actively engaged and interested in similar projects; and

(6) engaging in any other activity necessary or proper to accomplish any of the purposes in this section.

§ 152104. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 152105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 152106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 152107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 152108. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of Colorado.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 152109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 152110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 152111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 152112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1523—NATIONAL MUSIC COUNCIL

Sec.
152301. Organization.
152302. Purposes.
152303. Membership.
152304. Governing body.
152305. Powers.
152306. Exclusive right to name, seals, emblems, and badges.
152307. Restrictions.
152308. Principal office.
152309. Records and inspection.
152310. Service of process.
152311. Liability for acts of officers and agents.
152312. Distribution of assets on dissolution or final liquidation.

§ 152301. Organization

(a) FEDERAL CHARTER.—National Music Council (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 152302. Purposes

The purposes of the corporation are—

(1) to provide the member organizations with a forum for the free discussion of problems affecting national musical life in this country;

(2) to speak with one voice for music whenever an authoritative expression of opinion is desirable;

(3) to provide for the interchange of information between the various member organizations;

(4) to encourage the coordination of efforts of the member organizations, thereby avoiding duplication or conflict;

(5) to organize exploratory surveys or fact-finding commissions whenever the corporation considers them necessary for the solution of important problems; and

(6) to encourage the development and appreciation of the art of music and to foster the highest ethical standards in the musical professions and industries.

§ 152303. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member has one vote in the conduct of official business of the corporation.

§ 152304. Governing body

(a) GENERAL.—(1) The board of directors is the governing body of the corporation. The board may be known as an Executive Committee.

(2) The board shall consist of at least 10 individuals who shall be representative of members of the corporation or other individuals selected by the members of the corporation. The directors shall be elected by the members of the corporation annually or at another regular interval as provided in the bylaws of the corporation.

(b) OFFICERS.—The officers of the corporation are a chairman of the board, a president, one or more vice presidents, a secretary, a treasurer, and assistant officers the board designates. The officers shall perform the duties and have the powers provided in the bylaws and by the board.

§ 152305. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, employees, and agents as the activities of the corporation require;

(4) make contracts;

(5) publish a bulletin, magazine, and other publications;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) use corporate funds to give prizes, awards, loans, scholarships, and grants to deserving composers, conductors, and others for the purposes stated in section 152302 of this title and for other purposes the board of directors considers proper;

(9) sue and be sued; and

(10) do any other act necessary and proper to carry out the purposes of the corporation.

§ 152306. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name ''National Music Council'' and

seals, emblems, and badges the corporation adopts.

§ 152307. Restrictions

(a) PROFIT.—The corporation may not engage in business for profit.

(b) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(c) POLITICAL ACTIVITIES.—The corporation or a director, officer, or member as such may not contribute to, support, or assist a political party or candidate for elective public office.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation.

(e) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 152308. Principal office

The principal office of the corporation shall be at the place the board of directors decides. However, the activities of the corporation may be conducted throughout the States, territories, and possessions of the United States.

§ 152309. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 152310. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Designation of the agent shall be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(b) STATES, TERRITORIES, AND POSSESSIONS.—As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which the corporation does business, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

§ 152311. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 152312. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be used by the board of directors for the purposes stated in section 152302 of this title or be transferred to a recognized educational foundation.

CHAPTER 1525—NATIONAL SAFETY COUNCIL

Sec.
152501. Organization.
152502. Purposes.
152503. Membership.
152504. Governing body.
152505. Powers.
152506. Exclusive right to name, seals, emblems, and badges.
152507. Restrictions.
152508. Principal office.
152509. Records and inspection.
152510. Service of process.
152511. Liability for acts of officers and agents.
152512. Distribution of assets on dissolution or final liquidation.

§ 152501. Organization

(a) FEDERAL CHARTER.—National Safety Council (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 152502. Purposes

The purposes of the corporation are—

(1) to further, encourage, and promote methods and procedures leading to increased safety, protection, and health among employees, employers, and children in industries, on farms, in schools and colleges, in homes, on streets and highways, in recreation, and in other public and private places;

(2) to collect, correlate, publish, and disseminate educational and informative reports and all other data related to safety methods and procedures;

(3) to arouse and maintain the interest of the people of the United States and its territories and possessions in safety and accident prevention, and to encourage the adoption and institution of safety methods by all individuals, corporations, and other organizations;

(4) to organize, establish, and conduct programs, lectures, conferences, and other activities for the education of all individuals, corporations, and other organizations in safety methods and procedures;

(5) to organize and aid in organizing local safety chapters throughout the United States and its territories and possessions, and to provide organizational guidance and materials to promote the national safety;

(6) to cooperate with, enlist, and develop the cooperation of and among all individuals, corporations, and other organizations and agencies, public and private, engaged in, interested in, or in any manner connected with, any of these purposes; and

(7) to do any lawful acts necessary, useful, suitable, desirable, and proper for the furtherance and accomplishment of any of these purposes.

§ 152503. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member (except an honorary or sustaining member) has one vote on each matter submitted to a vote at a meeting of the members. The corporation may provide in its constitution and bylaws for additional voting rights based on dues paid.

§ 152504. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the corporation, the board is responsible for the general policies and program of the corporation. Except as provided in subsection (c) of this section, the board is responsible for all funds of the corporation.

(2) The board shall consist of at least 15 directors. Their manner of selection (including the filling of vacancies) and term of office are as provided in the constitution and bylaws of the corporation.

(b) OFFICERS.—(1) The officers of the corporation are a chairman of the board of directors, a president, 3 or more vice presidents as provided in the constitution and bylaws, a secretary, a treasurer, and an executive vice president. Their duties are as provided in the constitution and bylaws.

(2) Except for the executive vice president, the officers shall be elected at the annual meeting of the corporation. The executive vice president shall be elected by the board of directors in the manner provided in the constitution and bylaws.

(c) TRUSTEES.—The corporation shall have at least 15 trustees. Their manner of selection and term of office are as provided in the constitution and bylaws. The trustees have full power and control over contributed funds that they raise.

§ 152505. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) adopt and alter seals, emblems, and badges;

(4) choose directors, officers, trustees, managers, employees, and agents as the activities of the corporation require;

(5) make contracts;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) publish a magazine and other publications consistent with the purposes of the corporation;

(9) charge and collect membership dues and subscription fees;

(10) receive contributions or grants of money or property to be devoted to carrying out the purposes of the corporation;

(11) use corporate funds to give prizes, awards, or other evidences of merit or recognition to individuals, corporations, and other organizations, public or private, for outstanding contributions toward the achievement of the purposes of the corporation;

(12) organize, establish, and conduct conferences on safety and accident prevention;

(13) establish and maintain offices to conduct its activities, charter local, State, and regional safety organizations, and establish, regulate, and discontinue departmental subdivisions and local, State, and regional chapters in appropriate places throughout the United States and its territories and possessions;

(14) sue and be sued; and

(15) do any other act necessary and proper to carry out the purposes of the corporation.

§ 152506. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate divisions and regional, State, and local chapters have the exclusive right to use the name ''National Safety Council''. The corporation has the exclusive right to use and to allow others to use seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

§ 152507. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director, officer, or agent as such may

not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 152508. Principal office

The principal office of the corporation shall be in Chicago, Illinois, or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 152509. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 152510. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 152511. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 152512. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 1527—NATIONAL SKI PATROL SYSTEM, INCORPORATED

Sec.
152701. Definition.
152702. Organization.
152703. Purposes.
152704. Membership.
152705. Governing body.
152706. Powers.
152707. Restrictions.
152708. Duty to maintain tax-exempt status.
152709. Records and inspection.
152710. Service of process.
152711. Liability for acts of officers and agents.
152712. Annual report.

§ 152701. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 152702. Organization

(a) FEDERAL CHARTER.—National Ski Patrol System, Incorporated (in this chapter, the ''corporation''), incorporated in New York and Colorado, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 152703. Purposes

The purposes of the corporation are—

(1) to promote, in every way, patriotic, scientific, educational, and civic improvement activities and public safety in skiing, by such means as the dissemination of information and the formation of volunteer local patrols consisting of competent skiers trained in first aid for the purpose of preventing accidents and rendering speedy assistance to individuals sustaining accidents; and

(2) to solicit contributions of money, services, and other property for, and generally to encourage and assist in carrying out, these purposes in every way.

§ 152704. Membership

Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 152705. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 152706. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 152707. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

§ 152708. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 152709. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 152710. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 152711. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 152712. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.

CHAPTER 1529—NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN COLONISTS

Sec.
152901. Definition.
152902. Organization.
152903. Purposes.
152904. Membership.
152905. Governing body.
152906. Powers.
152907. Exclusive right to name, seals, emblems, and badges.
152908. Restrictions.
152909. Duty to maintain corporate and tax-exempt status.
152910. Records and inspection.
152911. Service of process.
152912. Liability for acts of officers and agents.
152913. Annual report.

§ 152901. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 152902. Organization

(a) FEDERAL CHARTER.—National Society, Daughters of the American Colonists (in this chapter, the ''corporation''), incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 152903. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include a continuing commitment, on a national basis—

(1) to conduct, record, and publish the results of research on the history and deeds of the American colonists;

(2) to publish the memoirs of American colonists;

(3) to erect memorials to commemorate the history and deeds of the American colonists;

(4) to promote respect and admiration for the institutions, laws, and flag of the United States;

(5) to engage in mutual improvement and educational activities;

(6) to establish scholarships to assist needy and deserving students and to promote the improvement of educational institutions;

(7) to engage in volunteer service and make contributions to veterans hospitals; and

(8) to perform other charitable activities, including the national presidents' projects, as may be provided in the articles of incorporation or bylaws of corporation.

§ 152904. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the

basis of race, color, religion, or national origin.

§ 152905. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation or bylaws.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation or bylaws.

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, or national origin.

§ 152906. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 152907. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name ''National Society, Daughters of the American Colonists'' and seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

§ 152908. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 152909. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of each State in which it is incorporated.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 152910. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 152911. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 152912. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 152913. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1531—THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Sec.
153101. Organization.
153102. Purposes.
153103. Powers.
153104. Exclusive right to name, seals, emblems, and badges.
153105. Principal office.
153106. Deposit of historical material in Smithsonian Institution.
153107. Annual report.

§ 153101. Organization

The National Society of the Daughters of the American Revolution (in this chapter, the ''corporation'') is a body corporate and politic in the District of Columbia.

§ 153102. Purposes

The purposes of the corporation are patriotic, historical, and educational, and include—

(1) perpetuating the memory and spirit of the men and women who achieved American independence by—

(A) acquiring and protecting historical spots and erecting monuments;

(B) encouraging historical research in relation to the Revolution and publishing its results;

(C) preserving documents and relics and the records of the individual services of Revolutionary soldiers and patriots; and

(D) promoting celebrations of all patriotic anniversaries;

(2) carrying out the injunction of Washington, in his farewell address to the American people, ''to promote, as an object of primary importance, institutions for the general diffusion of knowledge,'' thus developing an enlightened public opinion and affording to young and old such advantages as shall develop in them the largest capacity for performing the duties of American citizens;

(3) cherishing, maintaining, and extending the institutions of American freedom;

(4) fostering true patriotism and love of country; and

(5) aiding in securing for mankind all the blessings of liberty.

§ 153103. Powers

The corporation may—

(1) adopt a constitution and bylaws;

(2) adopt a seal; and

(3) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out its purposes.

§ 153104. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate divisions have the exclusive right to use the name ''National Society of the Daughters of the American Revolution''. The corporation has the exclusive right to use and to allow others to use seals, emblems, and badges the corporation adopts.

§ 153105. Principal office

The corporation shall have its headquarters or principal office in the District of Columbia.

§ 153106. Deposit of historical material in Smithsonian Institution

The Regents of the Smithsonian Institution may permit the corporation to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum, on conditions and under rules they prescribe.

§ 153107. Annual report

The corporation shall submit an annual report to the Secretary of the Smithsonian Institution on the activities of the corporation. The Secretary shall communicate to Congress any part of the report that the Secretary considers of national interest and importance.

CHAPTER 1533—NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

Sec.
153301. Organization.
153302. Purposes.
153303. Powers.
153304. Trustees.

§ 153301. Organization

National Society of the Sons of the American Revolution (in this chapter, the ''corporation'') is a body corporate and politic in the District of Columbia.

§ 153302. Purposes

The purposes of the corporation are patriotic, historical, and educational, and include those intended or designed—

(1) to perpetuate the memory of the men who, by their services or sacrifices during the war of the American Revolution, achieved the independence of the American people;

(2) to unite and promote fellowship among their descendants;

(3) to inspire them and the community at large with a more profound reverence for the principles of the government founded by our forefathers;

(4) to encourage historical research in relation to the American Revolution;

(5) to acquire and preserve the records of the individual services of the patriots of the war, as well as documents, relics, and landmarks;

(6) to mark the scenes of the American Revolution by appropriate memorials;

(7) to celebrate the anniversaries of the prominent events of the war and of the Revolutionary period;

(8) to foster true patriotism;

(9) to maintain and extend the institutions of American freedom; and

(10) to carry out the purposes expressed in the preamble to the Constitution of our country and the injunctions of Washington in his farewell address to the American people.

§ 153303. Powers

The corporation may—

(1) adopt and amend a constitution, bylaws, and regulations for the admission, government, suspension, and expulsion of its members;

(2) adopt and alter a seal;

(3) provide for the election of its officers and define their duties;

(4) provide for State societies or chapters with regulations for their conduct, and regulate and provide for the management, safekeeping, and protection of their property and funds;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation; and

(6) sue and be sued.

§ 153304. Trustees

The property and affairs of the corporation shall be managed by at least 40 trustees. The

trustees shall be elected annually at the time provided in the bylaws. At least one trustee shall be elected annually from a list of nominees to be made by each of the State societies and submitted to the corporation at least 30 days before the annual meeting, in accordance with provisions adopted by the corporation to regulate nominations.

CHAPTER 1535—NATIONAL TROPICAL BOTANICAL GARDEN

Sec.
153501. Organization.
153502. Purposes.
153503. Membership.
153504. Governing body.
153505. Powers.
153506. Exclusive right to name.
153507. Restrictions.
153508. Principal office and location of activities and gardens.
153509. Records and inspection.
153510. Statement required in audit report.
153511. Service of process.
153512. Liability for acts of officers and agents.
153513. Distribution of assets on dissolution or final liquidation.

§ 153501. Organization

(a) FEDERAL CHARTER.—National Tropical Botanical Garden (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 153502. Purposes

The purposes of the corporation are—

(1) to establish, develop, operate, and maintain for the benefit of the people of the United States an educational and scientific center in the form of one or more tropical botanical gardens, together with facilities such as libraries, herbaria, laboratories, and museums that are appropriate and necessary for encouraging and conducting research in basic and applied tropical botany;

(2) to foster and encourage fundamental research about tropical plant life and to encourage research and study of the uses of tropical flora in agriculture, forestry, horticulture, medicine, and other sciences;

(3) to disseminate through publications and other media the knowledge about basic and applied tropical botany acquired at the gardens;

(4) to collect and cultivate tropical flora of every nature and origin and to preserve for the people of the United States species of tropical plant life threatened with extinction; and

(5) to provide a beneficial facility that will contribute to the education, instruction, and recreation of the people of the United States.

§ 153503. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member (except an honorary or associate member) has one vote on each matter submitted to a vote at a meeting of the members.

§ 153504. Governing body

(a) BOARD OF TRUSTEES.—(1) The board of trustees is the governing body of the corporation. The duties and powers of the board are as provided in the bylaws.

(2) The manner of selection and term of office of the trustees are as provided in the bylaws.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more vice presidents, a secretary, a treasurer, and other officers as provided in the bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the bylaws.

§ 153505. Powers

The corporation may—

(1) adopt and amend bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, trustees, managers, employees, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or proper to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 153506. Exclusive right to name

The corporation has the exclusive right to use and to allow others to use the name ''National Tropical Botanical Garden''.

§ 153507. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a trustee or officer as such may not contribute to, support, or assist a political party or candidate for elective public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a trustee, officer, or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of trustees.

(d) LOANS.—The corporation may not make a loan to a trustee, officer, or employee. Trustees who vote for or assent to making a loan to a trustee, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 153508. Principal office and location of activities and gardens

(a) PRINCIPAL OFFICE.—The principal office of the corporation shall be in the District of Columbia or another place decided by the board of trustees.

(b) LOCATION OF ACTIVITIES AND GARDENS.—The activities of the corporation may be conducted anywhere. However, the corporation may establish tropical botanical gardens only in the United States and its territories and possessions.

§ 153509. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its board of trustees and committees having any of the authority of its board of trustees; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 153510. Statement required in audit report

The corporation shall include in the audit report statement required under section 10101(b)(1)(B) of this title a schedule of all contracts requiring payments greater than $10,000 and all payments of compensation or fees at a rate of greater than $10,000 a year.

§ 153511. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 153512. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 153513. Distribution of assets on dissolution or final liquidation

(a) ALLOWABLE RECIPIENTS.—On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed, as decided by the board of trustees, to—

(1) the United States Government, to be administered by the Secretary of the Interior under the Act of August 25, 1916 (16 U.S.C. 1 et seq.) (known as the National Park Service Organic Act); or

(2) a State or local government to be used for a public purpose.

(b) RESTRICTION.—A distribution under subsection (a) of this section shall be consistent with the purposes of the corporation and in compliance with the charter and bylaws.

CHAPTER 1537—NATIONAL WOMAN'S RELIEF CORPS, AUXILIARY TO THE GRAND ARMY OF THE REPUBLIC

Sec.
153701. Organization.
153702. Purposes.
153703. Membership.
153704. Governing body.
153705. Powers.
153706. Exclusive right to name, seals, emblems, and badges.
153707. Restrictions.
153708. Principal office.
153709. Records and inspection.
153710. Service of process.
153711. Liability for acts of officers and agents.
153712. Annual report.
153713. Distribution of assets on dissolution or final liquidation.

§ 153701. Organization

(a) FEDERAL CHARTER.—National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 153702. Purposes

The purposes of the corporation are—

(1) to perpetuate the memory of the Grand Army of the Republic, as the National Woman's Relief Corps is its auxiliary and was organized at its request in 1883, and of the men who saved the Union in 1861 to 1865;

(2) to assist in every practicable way in preserving, and making available for research, documents and records pertaining to the Grand Army of the Republic and its members;

(3) to cooperate in doing honor to all those who have served our country patriotically in any war;

(4) to teach patriotism, the duties of citizenship, the true history of our country, and the love and honor of our flag;

(5) to oppose every tendency or movement that would weaken loyalty to, destroy, or impair our constitutional Union; and

(6) to inculcate and broadly sustain the American principles of representative government, equal rights, and impartial justice for all.

§ 153703. Membership

Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation. Eligibility for membership is limited to—

(1) women who are the wives, mothers, daughters, and sisters of Union soldiers, sailors, and marines; and

(2) other loyal women who have not given aid or comfort to the enemies of the United States of America.

§ 153704. Governing body

(a) NATIONAL CONVENTION.—(1) The national convention is the supreme governing authority of the corporation.

(2) The national convention is composed of officers and elected representatives from the States as provided by the regulations of the corporation. However, the form of government of the corporation must be representative of the membership at large and may not permit concentration of control in a limited number of members or in a self-perpetuating group not representative of the membership at large.

(3) The meetings of the national convention may be held in the District of Columbia or in any State.

(4) During the intervals between the convention, the executive officers are the governing board of the corporation and are responsible for the general policies, program, and activities of the corporation.

(b) COUNCIL OF ADMINISTRATION.—The council of administration of the corporation shall consist of at least 7 members elected in the manner and for the term provided in the constitution and bylaws of the corporation.

(c) OFFICERS.—(1) The officers of the corporation are a national president, senior vice national president, junior vice national president, secretary, treasurer, and other officers as provided in the constitution and bylaws. One individual may hold the offices of secretary and treasurer.

(2) The titles, manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 153705. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers as the corporation requires;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation; and

(6) sue and be sued.

§ 153706. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate corps have the exclusive right to use the name ''National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic''. The corporation has the exclusive right to use and to allow others to use seals, emblems, and badges the corporation adopts.

§ 153707. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or an officer or agent as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, an officer or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(d) LOANS.—The corporation may not make a loan or advance to an officer or member of the corporation. Members of the council of administration who vote for or assent to making a loan or advance to an officer or member, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 153708. Principal office

The principal office of the corporation shall be in Springfield, Illinois. However, the activities of the corporation are not confined to Springfield but may be conducted throughout the States of the United States and the District of Columbia.

§ 153709. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account; and

(2) minutes of the proceedings of its national convention.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 153710. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process, notice, or demand for the corporation. Designation of the agent shall be filed in the office of the Mayor of the District of Columbia or another office designated by the Mayor. Notice to or service on the agent is notice to or service on the corporation.

§ 153711. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 153712. Annual report

Not later than 6 months after the end of each fiscal year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year. The report may consist of a report on the proceedings of the national convention during that fiscal year. The report may not be printed as a public document.

§ 153713. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, its assets shall be distributed as follows:

(1) All liabilities shall be paid and discharged, or adequate provision for payment and discharge shall be made.

(2) Assets held on condition requiring return or transfer on dissolution of the corporation shall be returned or transferred as required by the condition.

(3) Assets received and held subject to a limitation permitting use only for charitable, religious, benevolent, educational, or similar purposes, but not held on a condition requiring return or transfer on dissolution of the corporation, shall be transferred to one or more appropriate domestic or foreign corporations, societies, or organizations under a plan of distribution adopted as provided in this chapter.

(4) Other assets shall be distributed as provided by the articles of incorporation or bylaws to the extent that the articles or bylaws provide the distributive rights of members, or any class of members, or provide for distribution to others.

(5) Any remaining assets may be distributed to persons, societies, organizations, or domestic or foreign corporations engaged in activities not for profit, as provided in a plan of distribution adopted by the council of administration of the corporation and in compliance with the constitution and bylaws of the corporation.

CHAPTER 1539—THE NATIONAL YOEMEN F

Sec.
153901. Organization.
153902. Purposes.
153903. Powers.
153904. Deposit of historical material.

§ 153901. Organization

The National Yoemen F (in this chapter, the ''corporation'') is a body corporate and politic in the District of Columbia.

§ 153902. Purposes

The purposes of the corporation are patriotic, historical, and educational and are—

(1) to foster and perpetuate the memory of the service of Yoemen (f) in the United States Naval Reserve Force of the United States Navy during World War I;

(2) to preserve the memories and incidents of their association in World War I by the encouragement of historical research concerning the service of Yoemen (f);

(3) to cherish, maintain, and extend the institutions of American freedom by the promotion of celebrations of all patriotic anniversaries;

(4) to foster true patriotism and love of country; and

(5) to aid in securing for mankind all the blessings of liberty.

§ 153903. Powers

The corporation may—

(1) adopt a constitution and bylaws;

(2) adopt a seal; and

(3) hold real and personal property in the United States, but only to the extent necessary to carry out the purposes of the corporation and only in an amount not more than $50,000.

§ 153904. Deposit of historical material

The Regents of the Smithsonian Institution may permit the corporation to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum, on conditions and under rules they prescribe.

CHAPTER 1541—NAVAL SEA CADET CORPS

Sec.
154101. Organization.
154102. Purposes.
154103. Membership.
154104. Governing body.
154105. Powers.
154106. Exclusive right to name, insignia, emblems, badges, marks, and words.
154107. Restrictions.
154108. Principal office.
154109. Records and inspection.
154110. Service of process.
154111. Liability for acts of officers and agents.
154112. Annual report.
154113. Distribution of assets on dissolution or final liquidation.

§ 154101. Organization

(a) FEDERAL CHARTER.—Naval Sea Cadet Corps (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 154102. Purposes

The purposes of the corporation are, through organization and cooperation with the Department of the Navy—

(1) to encourage and aid American young people to develop an interest and skill in basic seamanship and in its naval adaptations;

(2) to train them in seagoing skills; and

(3) to teach them patriotism, courage, self-reliance, and kindred virtues.

§ 154103. Membership

Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

§ 154104. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The board is responsible for the general policies and program of the corporation and the control of all funds of the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws. However, the board shall have at least 10 but not more than 25 directors.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, a treasurer, and other officers as provided in the constitution and bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 154105. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, employees, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

§ 154106. Exclusive right to name, insignia, emblems, badges, marks, and words

The corporation has the exclusive right to use the name ''Naval Sea Cadet Corps'' and distinctive insignia, emblems, and badges, descriptive or designating marks, and words or phrases required to carry out the duties and powers of the corporation. This section does not affect any vested rights.

§ 154107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the board of directors.

(d) LOANS.—The corporation may not make a loan or advance to a director, officer, or employee. Directors who vote for or assent to making a loan or advance to a director, officer, or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 154108. Principal office

The principal office of the corporation shall be in Tacoma, Washington, or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 154109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 154110. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 154111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 154112. Annual report

The corporation shall submit an annual report to the Secretary of the Navy on the activities of the corporation during the prior calendar year. The Secretary shall communicate to Congress any part of the report that the Secretary considers appropriate.

§ 154113. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 1543—NAVY CLUB OF THE UNITED STATES OF AMERICA

Sec.
154301. Organization.
154302. Purposes.
154303. Powers.
154304. Annual report.

§ 154301. Organization

(a) FEDERAL CHARTER.—Navy Club of the United States of America (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 154302. Purposes

The purposes of the corporation are—

(1) to encourage, promote, and maintain comradeship among individuals who are or have been in the active service of the United States Navy, the United States Marine Corps, or the United States Coast Guard;

(2) to revere, honor, and perpetuate the memory of individuals described in clause (1) of this section who have departed this life;

(3) to promote and encourage further public interest in the United States Navy, the United States Marine Corps, and the United States Coast Guard and the history of those organizations;

(4) to uphold the spirit and ideals of the United States Navy, the United States Marine Corps, and the United States Coast Guard;

(5) to promote the ideals of American freedom and democracy and to fit its members for the duties of citizenship and to encourage them to serve as ably as citizens as they have served the Nation under arms; and

(6) to maintain true allegiance to American institutions.

§ 154303. Powers

The corporation may—

(1) adopt and amend bylaws;

(2) adopt and alter a corporate seal;

(3) appoint or elect officers and agents;

(4) choose a board of trustees, consisting of at least 5 but not more than 15 individuals, to conduct the business and exercise the powers of the corporation;

(5) establish and maintain offices to conduct its activities;

(6) acquire, own, lease, encumber, and transfer property as necessary or appropriate to carry out the purposes of the corporation;

(7) charge and collect membership dues and receive contributions of money or property to be devoted to carrying out the purposes of the corporation;

(8) sue and be sued; and

(9) do any other act necessary or appropriate to carry out the purposes of the corporation.

§ 154304. Annual report

Not later than December 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.

CHAPTER 1545—NAVY WIVES CLUBS OF AMERICA

Sec.
154501. Definition.
154502. Organization.
154503. Purposes.
154504. Membership.
154505. Governing body.
154506. Powers.
154507. Restrictions.
154508. Duty to maintain corporate and tax-exempt status.
154509. Records and inspection.
154510. Service of process.
154511. Liability for acts of officers and agents.
154512. Annual report.

§ 154501. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 154502. Organization

(a) FEDERAL CHARTER.—Navy Wives Clubs of America (in this chapter, the ''corporation''), incorporated in California, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 154503. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include—

(1) supporting the Constitution of the United States;

(2) promoting a friendly relationship between the wives of enlisted men who are serving in the active United States Navy, United States Marine Corps, or United States Coast Guard or in the Active Reserves of those services; and

(3) performing charitable activities as provided in the constitution or bylaws of the corporation.

§ 154504. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

§ 154505. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 154506. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 154507. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 154508. Duty to maintain corporate and tax-exempt status

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of each State in which it is incorporated.

(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 154509. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 154510. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 154511. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 154512. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1547—NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA, INCORPORATED

Sec.
154701. Definition.
154702. Organization.
154703. Purposes.
154704. Membership.
154705. Governing body.
154706. Powers.
154707. Exclusive right to name, seals, emblems, and badges.
154708. Restrictions.
154709. Duty to maintain tax-exempt status.
154710. Records and inspection.
154711. Service of process.
154712. Liability for acts of officers and agents.
154713. Annual report.

§ 154701. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 154702. Organization

(a) FEDERAL CHARTER.—Non Commissioned Officers Association of the United States of America, Incorporated (in this chapter, the ''corporation''), a nonprofit corporation incorporated in Texas, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 154703. Purposes

The purposes of the corporation are as provided in the bylaws and articles of incorporation and include—

(1) upholding and defending the Constitution of the United States;

(2) promoting health, prosperity, and scholarship among its members and their dependents and survivors through benevolent programs;

(3) assisting veterans and their dependents and survivors through a service program established for that purpose;

(4) improving conditions for service members, veterans, and their dependents and survivors; and

(5) fostering fraternal and social activities among its members in recognition that cooperative action is required for the furtherance of their common interests.

§ 154704. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 154705. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 154706. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 154707. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the names ''The Non Commissioned Officers Association of the United States of America'', ''Non Commissioned Officers Association of the United States of America'', ''Non Commissioned Officers Association'', and ''NCOA'', and seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

§ 154708. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure of the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 154709. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 154710. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 154711. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 154712. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 154713. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1601—[RESERVED]

CHAPTER 1701—PARALYZED VETERANS OF AMERICA

Sec.
170101. Organization.
170102. Purposes.
170103. Membership.
170104. Powers.
170105. Exclusive right to name, seals, emblems, and badges.
170106. Restrictions.
170107. Headquarters and principal place of business.

170108. Records and inspection.
170109. Service of process.
170110. Liability for acts of officers and agents.
170111. Distribution of assets on dissolution or final liquidation.

§ 170101. Organization

(a) FEDERAL CHARTER.—Paralyzed Veterans of America (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 170102. Purposes

The purposes of the corporation are—

(1) to preserve the great and basic truths and enduring principles on which this Nation was founded;

(2) to form a national association for the benefit of individuals who have suffered injuries or diseases of the spinal cord;

(3) to acquaint the public with the needs and problems of paraplegics;

(4) to promote medical research in the several fields connected with injuries and diseases of the spinal cord, including research in neurosurgery and orthopedics and in genitourinary and orthopedic appliances; and

(5) to advocate and foster complete and effective reconditioning programs for paraplegics, including a thorough physical reconditioning program, physiotherapy, competent walking instructions, adequate guidance (both vocational and educational), academic and vocational education (both in hospitals and in educational institutions), psychological orientation and readjustment to family and friends, and occupational therapy (both functional and diversional).

§ 170103. Membership

An individual is eligible for membership in the corporation if the individual—

(1) is a citizen of the United States;

(2) was regularly enlisted, inducted, or commissioned, and was accepted for or on active duty, in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States or an ally of the United States;

(3)(A) was separated from service in the armed forces under conditions other than dishonorable; or

(B) is on active duty or must continue to serve after the cessation of hostilities; and

(4) has suffered a spinal cord injury or disease, whether or not service connected in origin.

§ 170104. Powers

(a) SPECIFIC POWERS.—The corporation may—

(1) adopt and amend a constitution and bylaws;

(2) adopt and alter a corporate seal, emblems, and badges;

(3) choose officers, representatives, and agents as necessary to carry out the purposes of the corporation;

(4) make contracts;

(5) accept gifts, legacies, and devises that will further the purposes of the corporation;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) establish, regulate, and discontinue subordinate State and regional organizations and local chapters or posts;

(9) establish and maintain offices to conduct the affairs of the corporation;

(10) publish a magazine, newspaper, and other publications;

(11) sue and be sued; and

(12) do any other act necessary and proper to carry out the purposes of the corporation.

(b) PRIVILEGES OF OTHER NATIONAL VETERANS' ORGANIZATIONS.—Privileges granted to other national veterans' organizations as a result of their being incorporated by Congress are also granted to the corporation.

§ 170105. Exclusive right to name, seals, emblems, and badges

The corporation and its State and regional organizations and local chapters or posts have the exclusive right to use the name ''Paralyzed Veterans of America'' and seals, emblems, and badges the corporation lawfully adopts.

§ 170106. Restrictions

(a) PROFIT.—The corporation may not engage in business for profit.

(b) STOCK.—The corporation may not issue stock.

(c) POLITICAL ACTIVITIES.—The corporation shall be nonpolitical and may not provide financial aid to, or otherwise promote the candidacy of, an individual seeking public office.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, member, or employee during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or employee or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(e) LOANS.—The corporation may not make a loan to a director, officer, member, or employee. Directors who vote for or assent to making such a loan, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

§ 170107. Headquarters and principal place of business

The headquarters and principal place of business of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but may be conducted throughout the States, territories, and possessions of the United States.

§ 170108. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, executive committee, and committees having any of the authority of its executive committee; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 170109. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which an organization, chapter, or post is organized, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

§ 170110. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 170111. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge or satisfactory provision for discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs to be applied to the care and comfort of paralyzed veterans.

CHAPTER 1703—PEARL HARBOR SURVIVORS ASSOCIATION

Sec.
170301. Definition.
170302. Organization.
170303. Purposes.
170304. Membership.
170305. Governing body.
170306. Powers.
170307. Exclusive right to name, seals, emblems, and badges.
170308. Restrictions.
170309. Duty to maintain tax-exempt status.
170310. Records and inspection.
170311. Service of process.
170312. Liability for acts of officers and agents.
170313. Annual report.

§ 170301. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 170302. Organization

(a) FEDERAL CHARTER.—Pearl Harbor Survivors Association (in this chapter, the ''corporation''), a nonprofit corporation incorporated in Missouri, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 170303. Purposes

The purposes of the corporation are as provided in its articles of incorporation and include—

(1) upholding and defending the Constitution of the United States;

(2) collating, preserving, and encouraging the study of historical episodes, chronicles, mementos, and events pertaining to ''The Day of Infamy, 7 December 1941'', and in particular those memories and records of patriotic service performed by the heroic Pearl Harbor survivors and nonsurvivors;

(3) shielding from neglect the graves, past and future, of those who served at Pearl Harbor on that day;

(4) stimulating communities and political subdivisions into taking more interest in the affairs and future of the United States to keep our Nation alert;

(5) fighting unceasingly for our national security to protect the United States from enemies within and without our borders;

(6) preserving the American way of life and fostering the spirit and practice of Americanism; and

(7) instilling love of country and flag and promoting soundness of mind and body in the youth of our Nation.

§ 170304. Membership

(a) ELIGIBILITY.—Eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, or national origin.

§ 170305. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not

discriminate on the basis of race, color, religion, or national origin.

§ 170306. Powers

The corporation has the powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated, including the power to—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) adopt emblems and badges;

(4) establish, maintain, and regulate offices to conduct the affairs of the corporation;

(5) publish a magazine and other publications;

(6) charge and collect membership dues and subscription fees and receive contributions or grants of money or property to be used to carry out the purposes of the corporation;

(7) accept gifts, legacies, and devises that will further the purposes of the corporation;

(8) promote the formation of auxiliaries, the membership requirements of which shall be as provided in the constitution and the bylaws of the corporation;

(9) sue and be sued; and

(10) do any other act necessary or desirable to carry out the purposes of the corporation.

§ 170307. Exclusive right to name, seals, emblems, and badges

The corporation and its regional districts and local branches have the exclusive right to use the name ''Pearl Harbor Survivors Association'' and seals, emblems, and badges the corporation adopts.

§ 170308. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter or on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 170309. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 170310. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 170311. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 170312. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 170313. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1705—POLISH LEGION OF AMERICAN VETERANS, U.S.A.

Sec.
170501. Definition.
170502. Organization.
170503. Purposes.
170504. Membership.
170505. Governing body.
170506. Powers.
170507. Restrictions.
170508. Duty to maintain tax-exempt status.
170509. Records and inspection.
170510. Service of process.
170511. Liability for acts of officers and agents.
170512. Annual report.

§ 170501. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 170502. Organization

(a) FEDERAL CHARTER.—Polish Legion of American Veterans, U.S.A. (in this chapter, the ''corporation''), a nonprofit corporation incorporated in Illinois, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 170503. Purposes

The purposes of the corporation are as provided in its articles of incorporation. The corporation shall function as a veterans' and patriotic organization as authorized by the laws of each State in which it is incorporated.

§ 170504. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, or national origin.

§ 170505. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, or national origin.

§ 170506. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 170507. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 170508. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 170509. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 170510. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 170511. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 170512. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 1801—[RESERVED]

CHAPTER 1901—RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES

Sec.
190101. Organization.
190102. Purposes.
190103. Membership.
190104. Governing body.
190105. Powers.
190106. Exclusive right to name, seals, emblems, and badges.
190107. Restrictions.
190108. Headquarters.
190109. Records and inspection.
190110. Service of process.
190111. Liability for acts of officers and agents.
190112. Distribution of assets on dissolution or final liquidation.

§ 190101. Organization

(a) FEDERAL CHARTER.—Reserve Officers Association of the United States (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 190102. Purposes

The purposes of the corporation are to support and promote the development and execution of a military policy for the United States that will provide adequate national security.

§ 190103. Membership

(a) ELIGIBILITY.—Eligibility for membership in the corporation is as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each active member of a department or chapter has one vote in the conduct of official business of that department or chapter.

§ 190104. Governing body

(a) NATIONAL CONVENTION.—The corporation shall hold an annual national convention. The national convention shall be composed of delegates elected by the various departments.

(b) NATIONAL EXECUTIVE COMMITTEE.—(1) The national executive committee is the governing body of the corporation.

(2) The national executive committee consists of the president, the last past president, 3 vice presidents, 3 junior vice presidents, 3 national executive committee members, and the executive director. Each of these individuals, except the executive director, has one vote on each matter decided by the committee.

(c) OFFICERS.—(1) The officers of the corporation are a president, 3 vice presidents, 3 junior vice presidents, 3 national executive committee members, an executive director, a national treasurer, a judge advocate, a surgeon, a chaplain, a historian, a public relations officer, and other officers as decided at the national convention.

(2) The national officers of the corporation shall be elected at the annual national convention, except for the executive director, the national treasurer, and the national public relations officer, who shall be appointed by the national executive committee.

(3) The elected officers shall hold office for one year or until their successors have been elected and qualified.

(d) VACANCIES.—(1) Except for the positions of president and last past president, a vacancy on the national executive committee shall be filled by the existing members of the committee. An individual appointed by the committee to fill a vacancy serves until the next national convention when the individual's successor shall be elected for the unexpired term, if any, caused by the vacancy.

(2) If the president is absent or the office of president is vacant, the national vice president of the same service as the president shall act as president.

§ 190105. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws;

(2) adopt and alter a corporate seal;

(3) adopt and alter emblems and badges;

(4) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(5) publish a magazine, newspaper, and other publications;

(6) establish, regulate, and discontinue subordinate departmental subdivisions and local chapters;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 190106. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate departmental subdivisions and local chapters have the exclusive right to use the name ''Reserve Officers Association of the United States'' and seals, emblems, and badges the corporation adopts.

§ 190107. Restrictions

(a) PROFIT.—The corporation may not engage in business for profit.

(b) STOCK.—The corporation may not issue stock.

(c) POLITICAL ACTIVITIES.—The corporation or an officer or member as such may not contribute to, support, or assist a political party or candidate for public office.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, an officer or member except on dissolution or final liquidation of the corporation.

(e) LOANS.—The corporation may not make a loan or advance to an officer or member of the national executive committee. Members of the national executive committee who vote for or assent to making a loan or advance to an officer, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 190108. Headquarters

The headquarters of the corporation shall be in the District of Columbia.

§ 190109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its national conventions, national executive committee, and national council; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 190110. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

(b) STATES, TERRITORIES, AND POSSESSIONS.—As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which a subordinate department or local chapter is organized, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

§ 190111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 190112. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be divided equally among the then active officers and members.

CHAPTER 1903—RETIRED ENLISTED ASSOCIATION, INCORPORATED

Sec.
190301. Definition.
190302. Organization.
190303. Purposes.
190304. Membership.
190305. Governing body.
190306. Powers.
190307. Exclusive right to name, seals, emblems, and badges.
190308. Restrictions.
190309. Duty to maintain tax-exempt status.
190310. Records and inspection.
190311. Service of process.
190312. Liability for acts of officers and agents.
190313. Annual report.

§ 190301. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 190302. Organization

(a) FEDERAL CHARTER.—Retired Enlisted Association, Incorporated (in this chapter, the ''corporation''), a nonprofit corporation incorporated in Colorado, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 190303. Purposes

The purposes of the corporation are as provided in its articles of incorporation and bylaws and include—

(1) upholding and defending the Constitution of the United States;

(2) promoting health, prosperity, and scholarship among its members and their dependents and survivors through benevolent programs;

(3) assisting veterans and their dependents and survivors through a service program established for that purpose;

(4) improving conditions for retired enlisted service members, veterans, and their dependents and survivors; and

(5) fostering fraternal and social activities among its members in recognition that cooperative action is required for the furtherance of their common interests.

§ 190304. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the articles of incorporation and bylaws.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 190305. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 190306. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 190307. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the names ''The Retired Enlisted Association, Incorporated'', ''The Retired Enlisted Association'', ''Retired Enlisted Association'', and ''TREA'' and seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

§ 190308. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 190309. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 190310. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 190311. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 190312. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 190313. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 2001—SOCIETY OF AMERICAN FLORISTS AND ORNAMENTAL HORTICULTURISTS

Sec.
200101. Organization.
200102. Purposes.
200103. Powers.
200104. Restrictions.
200105. Principal office.
200106. Nonapplication of audit requirements.

§ 200101. Organization

Society of American Florists and Ornamental Horticulturists (in this chapter, the ''corporation'') is a body corporate and politic in the District of Columbia.

§ 200102. Purposes

The purposes of the corporation are to educate members of the florist industry and the public, and to promote scientific development, in floriculture and horticulture.

§ 200103. Powers

The corporation may—

(1) adopt a constitution and bylaws for the management of its property and the regulation of its affairs; and

(2)(A) hold property, in the District of Columbia or elsewhere, necessary to carry out the purposes of the corporation, in an amount not to exceed $1,000,000; and

(B) hold other property donated or bequeathed in any State or territory of the United States.

§ 200104. Restrictions

(a) PROFIT.—The corporation may not operate for profit.

(b) USE OF EARNINGS.—Earnings generated by the corporation may be used only for the purposes provided in section 200102 of this title.

(c) USE OF PROPERTY.—Property held by the corporation, and the proceeds from the property, may be used only for the purposes provided in section 200102 of this title.

(d) PARKS IN THE DISTRICT OF COLUMBIA.—The corporation may not occupy any park in the District of Columbia.

§ 200105. Principal office

The principal office of the corporation shall be located in the District of Columbia. However, annual meetings may be held wherever the corporation decides.

§ 200106. Nonapplication of audit requirements

The audit requirements of section 10101 of this title do not apply to the corporation.

CHAPTER 2003—SONS OF UNION VETERANS OF THE CIVIL WAR

Sec.
200301. Organization.
200302. Purposes.
200303. Membership.
200304. Governing body.
200305. Powers.
200306. Exclusive right to name, seals, emblems, and badges.
200307. Restrictions.
200308. Principal office.
200309. Records and inspection.
200310. Service of process.
200311. Liability for acts of officers and agents.
200312. Annual report.
200313. Distribution of assets on dissolution or final liquidation.

§ 200301. Organization

(a) FEDERAL CHARTER.—Sons of Union Veterans of the Civil War (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 200302. Purposes

The purposes of the corporation are—

(1) to perpetuate the memory of the Grand Army of the Republic and of the men who saved the Union in 1861 to 1865;

(2) to assist in every practicable way in preserving, and making available for research, documents and records pertaining to the Grand Army of the Republic and its members;

(3) to cooperate in honoring all those who have served our country patriotically in any war;

(4) to teach patriotism, the duties of citizenship, the true history of our country, and the love and honor of our flag;

(5) to oppose every tendency or movement that would weaken loyalty to, destroy, or impair our constitutional Union; and

(6) to inculcate and broadly sustain the American principles of representative government, equal rights, and impartial justice for all.

§ 200303. Membership

(a) GENERAL.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(b) REQUIRED SERVICE.—Eligibility for membership in the corporation is limited to male blood relatives of an individual who—

(1) served at any time during the period from April 12, 1861, through April 9, 1865, as a soldier or sailor in—

(A) the United States Army, Navy, Marine Corps, or Revenue-Cutter Service; or

(B) a State regiment that was called into active service and was subject to orders of United States general officers during that period; and

(2) was discharged honorably from, or died in, that service.

§ 200304. Governing body

(a) NATIONAL ENCAMPMENT.—(1) The national encampment is the supreme governing authority of the corporation.

(2) The national encampment is composed of officers and elected representatives from the States and other local subdivisions of the corporation as provided in the constitution and bylaws. However, the form of government of the corporation must be representative of the membership at large and may not permit concentration of control in a limited number of members or in a self-perpetuating group not representative of the membership at large.

(3) The meetings of the national encampment may be held in the District of Columbia or in any State, territory, or possession of the United States.

(b) COUNCIL OF ADMINISTRATION.—(1) During the intervals between the national encampments, the council of administration is the governing board of the corporation and is responsible for the general policies, program, and activities of the corporation.

(2) The council of administration shall consist of at least 7 members elected in the manner and for the term provided in the constitution and bylaws.

(c) OFFICERS.—(1) The officers of the corporation are a commander in chief, a senior vice commander in chief, a junior vice commander in chief, a secretary, a treasurer, and other officers as provided in the constitution and bylaws. One individual may hold the offices of secretary and treasurer.

(2) The manner of selection, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 200305. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 200306. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate divisions have the exclusive right to use the name ''Sons of Union Veterans of the Civil War''. The corporation has the exclusive right to use and to allow others to use seals, emblems, and badges the corporation adopts.

§ 200307. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or an officer or agent as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, an officer or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(d) LOANS.—The corporation may not make a loan or advance to an officer or employee. Members of the council of administration who vote for or assent to making a loan or advance to an officer or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 200308. Principal office

The principal office of the corporation shall be in Trenton, New Jersey, or another place decided by the council of administration. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted in the District of Columbia and throughout the States, territories, and possessions of the United States.

§ 200309. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account; and

(2) minutes of the proceedings of its national encampments and council of administration.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 200310. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 200311. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 200312. Annual report

Not later than March 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year. The report may consist of a report on the proceedings of the national encampment. The report may not be printed as a public document.

§ 200313. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the council of administration, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 2101—THEODORE ROOSEVELT ASSOCIATION

Sec.
210101. Organization.
210102. Purposes.
210103. Membership.
210104. Governing body.
210105. Powers.
210106. Restrictions.
210107. Nonapplication of audit requirements.

§ 210101. Organization

(a) FEDERAL CHARTER.—Theodore Roosevelt Association (in this chapter, the ''corporation'') is a body corporate and politic in the District of Columbia.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 210102. Purposes

The purposes of the corporation are—

(1) to perpetuate the memory of Theodore Roosevelt for the benefit of the people of the United States and the world; and

(2) to solicit, receive, hold, and maintain funds, and to apply the principal of the funds and the income from those funds to the following objects, among others:

(A) the erection and maintenance of a suitable and adequate monumental memorial in the District of Columbia to the memory of Theodore Roosevelt;

(B) the acquisition, development, and maintenance of a public park in memory of Theodore Roosevelt in Oyster Bay, New York;

(C) the establishment and maintenance of an endowment fund to promote the development and application of the policies and ideals of Theodore Roosevelt for the benefit of the American people; and

(D) the donation of real and personal property, including part or all of its endowment fund, to a public agency for the purpose of preserving in public ownership historically significant property associated with the life of Theodore Roosevelt.

§ 210103. Membership

Eligibility for membership in the corporation is as provided in regulations adopted by the board of trustees.

§ 210104. Governing body

(a) BOARD OF TRUSTEES.—A self-perpetuating board of trustees shall manage and direct the property and affairs of the corporation.

(b) POWERS.—The board of trustees may adopt and amend a constitution, bylaws, and regulations for—

(1) the selection of successor trustees;

(2) the admission of members;

(3) the election of officers; and

(4) the conduct of the affairs of the corporation.

§ 210105. Powers

The corporation may—

(1) adopt a constitution, bylaws, and regulations;

(2) adopt and alter a corporate seal;

(3) acquire and own property necessary to carry out the purposes of the corporation;

(4) give and dedicate its property to public agencies and purposes;

(5) maintain offices, hold meetings, and conduct business affairs in the District of Columbia and in the States, territories, and possessions of the United States;

(6) sue and be sued within the jurisdiction of the United States; and

(7) do any other act necessary and proper to carry out the purposes of the corporation.

§ 210106. Restrictions

(a) EXCLUSIVELY EDUCATIONAL PURPOSES.—The corporation shall be operated exclusively for educational purposes.

(b) STOCKS AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(c) DISTRIBUTIONS OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of any member or individual.

§ 210107. Nonapplication of audit requirements

The audit requirements of section 10101 of this title do not apply to the corporation.

CHAPTER 2103—369TH VETERANS' ASSOCIATION

Sec.
210301. Definition.
210302. Organization.
210303. Purposes.
210304. Membership.
210305. Governing body.
210306. Powers.
210307. Exclusive right to name, seals, emblems, and badges.
210308. Restrictions.
210309. Duty to maintain tax-exempt status.
210310. Records and inspection.
210311. Service of process.
210312. Liability for acts of officers and agents.
210313. Annual report.

§ 210301. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 210302. Organization

(a) FEDERAL CHARTER.—369th Veterans' Association (in this chapter, the ''corporation''), a nonprofit corporation incorporated in New York, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 210303. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include—

(1) promoting the principles of friendship and good will among its members;

(2) engaging in social and civic activities that tend to enhance the welfare of its members and inculcate the true principles of good citizenship in its members; and

(3) memorializing, individually and collectively, the patriotic services of its members in the 369th antiaircraft artillery group and other units in the armed forces of the United States.

§ 210304. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, or national origin.

§ 210305. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, or national origin.

§ 210306. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 210307. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name ''369th Veterans' Association'' and seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

§ 210308. Restrictions

(a) STOCKS AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 210309. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 210310. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, the board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 210311. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 210312. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 210313. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 2201—UNITED SERVICE ORGANIZATIONS, INCORPORATED

Sec.
220101. Organization.
220102. Purposes.
220103. Membership.
220104. Governing body.
220105. Powers.
220106. Exclusive right to name, seals, emblems, and badges.
220107. Assistance by Department of Defense.
220108. Restrictions.
220109. Duty to maintain corporate status.
220110. Principal office.
220111. Records and inspection.
220112. Service of process.
220113. Annual report.
220114. Distribution of assets on dissolution or final liquidation.

§ 220101. Organization

(a) FEDERAL CHARTER.—United Service Organizations, Incorporated (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 220102. Purposes

The purposes of the corporation are—

(1) to provide a voluntary civilian agency through which the people of this Nation may, in peace or war, serve the religious, spiritual, social, welfare, educational, and entertainment needs of men and women in the armed forces, within or without the territorial limits of the United States;

(2) to contribute to the maintenance of morale of men and women in the armed forces;

(3) to solicit funds to maintain the organization and accomplish its responsibility;

(4) to accept the cooperation of, and provide an organization and means through which, the National Board of Young Men's Christian Associations, the National Board of Young Women's Christian Associations, the National Catholic Community Service, the Salvation Army, the National Jewish Welfare Board, the Travelers Aid-International Social Service of America, and other civilian agencies experienced in specialized types of related work, which may be needed adequately to meet the particular needs of the members of the armed forces, may carry on their historic work of serving the religious, spiritual, social, welfare, educational, and entertainment needs of men and women in the armed forces and be afforded an appropriate means of participation and financial assistance;

(5) to coordinate their programs; and

(6) other consonant purposes.

§ 220103. Membership

Except as provided in this chapter, the rights, privileges, and designation of classes of members are as provided in the bylaws. The membership of the corporation consists of—

(1) nine individuals designated by the President; and

(2) representatives of the civilian organizations listed in section 220102(4) of this title, and of the public at large, as provided in the bylaws.

§ 220104. Governing body

(a) BOARD OF GOVERNORS.—(1) The board of governors is the governing body of the corporation. The board is responsible for the general policies and program of the corporation and for the control of the affairs and property of the corporation.

(2) The board shall be elected by the members of the corporation for the term and in the classes provided in the bylaws of the corporation. The board includes—

(A) six members appointed by the President;

(B) the Secretary of State or the Secretary's designee; and

(C) representatives of the civilian organizations listed in section 220102(4) of this title, and of the public at large, as provided in the bylaws.

(3) The corporation may have other governing bodies or committees as provided in the bylaws.

(b) OFFICERS.—(1) The office of honorary chairman of the corporation shall be offered to the President. On acceptance, the honorary chairman shall be invited to preside at meetings of the corporation that the honorary chairman deems appropriate and convenient.

(2) The corporation may have other officers as provided in the bylaws.

§ 220105. Powers

The corporation has all the powers necessary and proper to carry out the purposes stated in section 220102 of this title, including the power—

(1) to adopt and amend bylaws and regulations for the management of its property and the regulation of its affairs;

(2) to adopt and alter a corporate seal;

(3) to adopt and alter emblems and marks;

(4) to establish and maintain offices to conduct the affairs of the corporation;

(5) to choose officers, representatives, and agents as the activities of the corporation require;

(6) to make contracts;

(7) to acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(8) to borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(9) to publish a magazine, newspaper, and other publications;

(10) to establish, regulate, and terminate councils, organizations, chapters, or affiliates as needed to carry out the purposes stated in section 220102 of this title;

(11) to solicit funds;

(12) to sue and be sued; and

(13) to do any other act necessary and proper to carry out the purposes stated in section 220102 of this title.

§ 220106. Exclusive right to name, seals, emblems, and badges

The corporation and its councils, organizations, chapters, and affiliates have the exclusive right to use the names ''United Service Organizations, Incorporated'' and ''USO'' and seals, emblems, and badges the corporation adopts.

§ 220107. Assistance by Department of Defense

The Secretary of Defense may make the resources of the Department of Defense available to the corporation to the extent compatible with the primary mission of the Department and in accordance with guidelines issued by the Secretary.

§ 220108. Restrictions

(a) PROFIT.—The corporation may not engage in business activity for profit unless the activity is substantially related to—

(1) the purposes stated in section 220102 of this title; or

(2) raising funds to accomplish those purposes.

(b) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(c) POLITICAL ACTIVITIES.—The corporation shall be nonpolitical and may not provide financial aid or assistance to, or otherwise promote the candidacy of, an individual seeking elective public office. A substantial part of the activities of the corporation may not involve carrying on propaganda or otherwise attempting to influence legislation.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of a governor, officer, member, or employee or be distributed to any person during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer, employee, or other person or reimbursement for actual necessary expenses in amounts approved by the board of governors.

(e) LOANS.—The corporation may not make a loan to a governor, officer, member, or employee.

§ 220109. Duty to maintain corporate status

The corporation shall maintain its status as a corporation incorporated under the laws of New York, another State, or the District of Columbia.

§ 220110. Principal office

The principal office of the corporation shall be in New York, New York, or another place decided by the board of governors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted

throughout the States, territories, and possessions of the United States and in foreign countries.

§ 220111. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of governors, and committees having any of the authority of its board of governors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 220112. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(b) STATES, TERRITORIES, AND POSSESSIONS.—The corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which the corporation or a council, organization, chapter, or affiliate may have activities, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

§ 220113. Annual report

The corporation shall make public an annual report on its activities for the prior calendar year.

§ 220114. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of governors, but in compliance with the bylaws. However, the assets of the corporation are irrevocably dedicated to charitable purposes and may not inure to the benefit of a private person except a fund, foundation, or organization operated exclusively for charitable purposes.

CHAPTER 2203—UNITED STATES CAPITOL HISTORICAL SOCIETY

Sec.
220301. Organization.
220302. Purposes.
220303. Membership.
220304. Governing body.
220305. Powers.
220306. Exclusive right to name, seals, emblems, insignia, marks, and words.
220307. Tax exemption.
220308. Restrictions.
220309. Duty to maintain corporate status.
220310. Principal office.
220311. Records and inspection.
220312. Service of process.
220313. Liability for acts of officers and agents.
220314. Annual report and audit.
220315. Distribution of assets on dissolution or final liquidation.

§ 220301. Organization

(a) FEDERAL CHARTER.—United States Capitol Historical Society (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION.—The corporation is declared to be incorporated in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 220302. Purposes

The purposes of the corporation are—

(1) to encourage in the most comprehensive and enlightened manner an understanding by the American people of the founding, growth, and significance of the Capitol of the United States as the tangible symbol of their representative form of government;

(2) to undertake research into the history of the Congress and the Capitol and to promote discussion, publication, and dissemination of the results of this research;

(3) to foster and increase an informed patriotism among the citizens in the study of this living memorial to the founders of this Nation and the continuing thread of principles as exemplified by their successors; and

(4) to cooperate with the standing committees of Congress, the Library of Congress, the Architect of the Capitol, and relevant departments, agencies, and instrumentalities of the executive branch of the United States Government in carrying out the purposes of the corporation.

§ 220303. Membership

Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

§ 220304. Governing body

(a) BOARD OF TRUSTEES.—(1) The board of trustees is the governing body of the corporation. The board is responsible for the control of all funds and affairs of the corporation.

(2) Exclusive of ex officio and honorary members, the board shall consist of at least 12 but not more than 40 trustees, one of whom shall be elected chairman. Trustees shall be elected by the board of trustees, for a term of 4 years. A trustee may not be reelected as a trustee within one year of the expiration of the prior term, except by the unanimous vote of the trustees present and voting. A trustee may be removed at any time, with or without cause, by a two-thirds vote of the other trustees.

(3) The officers of the corporation are ex officio members of the board with all the rights and privileges of trustees, including the right to vote.

(4) The board shall meet at least once a year in the Capitol of the United States. The board may meet at other times as decided by the chairman. A meeting may be held only at a time and place stated in the bylaws or on 30 days' written notice.

(b) OFFICERS.—(1) The officers of the corporation are a president, 5 vice presidents, a treasurer, and a secretary. The president is the chief executive officer.

(2) The officers shall be elected annually by the board of trustees and continue in office at the pleasure of the board.

(3) The duties of the officers are the usual duties pertaining to their offices and any additional duties delegated by the board.

(4) Officers may be compensated for their services, and reimbursed for actual expenses, in amounts decided by the board.

(c) EMPLOYEES.—The board of trustees may employ an executive secretary and other personnel needed to assist the board and the officers to carry out the activities of the corporation. Employees serve at the pleasure of the board. The board shall prescribe the compensation and duties of employees.

§ 220305. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) produce, buy, and market commemorative medals, souvenirs, publications, pictures, and cinemas consistent with the purposes of the corporation;

(8) charge and collect membership dues;

(9) conduct fund raising campaigns and accept contributions;

(10) sue and be sued; and

(11) do any other act necessary and proper to carry out the purposes of the corporation.

§ 220306. Exclusive right to name, seals, emblems, insignia, marks, and words

The corporation has the exclusive right to use the name ''United States Capitol Historical Society'' and seals, emblems, distinctive insignia, and descriptive or designating marks, words, or phrases required to carry out the duties and powers of the corporation. This section does not affect any vested rights.

§ 220307. Tax exemption

Notwithstanding section 105 of title 4 of the United States Code or any provision of the District of Columbia Code, the corporation is not required to pay, collect, or account for any tax specified in those provisions in connection with activities conducted within, or on the grounds of, the United States Capitol Building.

§ 220308. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a trustee, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or employee or reimbursement for actual expenses in amounts approved by the board of trustees.

(c) LOANS.—The corporation may not make a loan or advance to a trustee, officer, or employee. Trustees who vote for or assent to making a loan or advance to a trustee, officer, or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 220309. Duty to maintain corporate status

The corporation shall maintain its status as a corporation incorporated under the laws of the District of Columbia or a State.

§ 220310. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the board of trustees. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

§ 220311. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of trustees, and committees having any of the authority of its board of trustees; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member,

may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 220312. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 220313. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 220314. Annual report and audit

(a) ANNUAL REPORT.—The corporation shall submit an annual report to each House of Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted as soon as practical after the end of each fiscal year.

(b) AUDIT.—In addition to complying with the audit requirements of section 10101 of this title, the corporation shall comply with section 451 of the Legislative Reorganization Act of 1970 (40 U.S.C. 193m–1).

§ 220315. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of trustees, but in compliance with the constitution and bylaws of the corporation.

CHAPTER 2205—UNITED STATES OLYMPIC COMMITTEE

SUBCHAPTER I—CORPORATION

Sec.
220501. Definitions.
220502. Organization.
220503. Purposes.
220504. Membership.
220505. Powers.
220506. Exclusive right to name, seals, emblems, and badges.
220507. Restrictions.
220508. Headquarters, principal office, and meetings.
220509. Resolution of disputes.
220510. Service of process.
220511. Annual report.

SUBCHAPTER II—NATIONAL GOVERNING BODIES

220521. Recognition of amateur sports organizations as national governing bodies.
220522. Eligibility requirements.
220523. Authority of national governing bodies.
220524. General duties of national governing bodies.
220525. Granting sanctions for amateur athletic competitions.
220526. Restricted amateur athletic competitions.
220527. Complaints against national governing bodies.
220528. Applications to replace an incumbent national governing body.
220529. Arbitration of corporation determinations.

SUBCHAPTER I—CORPORATION

§ 220501. Definitions

For purposes of this chapter—

(1) ''amateur athlete'' means an athlete who meets the eligibility standards established by the national governing body for the sport in which the athlete competes.

(2) ''amateur athletic competition'' means a contest, game, meet, match, tournament, regatta, or other event in which amateur athletes compete.

(3) ''amateur sports organization'' means a not-for-profit corporation, association, or other group organized in the United States that sponsors or arranges an amateur athletic competition.

(4) ''corporation'' means the United States Olympic Committee.

(5) ''international amateur athletic competition'' means an amateur athletic competition between one or more athletes representing the United States, individually or as a team, and one or more athletes representing a foreign country.

(6) ''national governing body'' means an amateur sports organization that is recognized by the corporation under section 220521 of this title.

(7) ''sanction'' means a certificate of approval issued by a national governing body.

§ 220502. Organization

(a) FEDERAL CHARTER.—The corporation is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(c) REFERENCES TO UNITED STATES OLYMPIC ASSOCIATION.—Any reference to the United States Olympic Association is deemed to refer to the United States Olympic Committee.

§ 220503. Purposes

The purposes of the corporation are—

(1) to establish national goals for amateur athletic activities and encourage the attainment of those goals;

(2) to coordinate and develop amateur athletic activity in the United States, directly related to international amateur athletic competition, to foster productive working relationships among sports-related organizations;

(3) to exercise exclusive jurisdiction, directly or through constituent members of committees, over—

(A) all matters pertaining to United States participation in the Olympic Games and the Pan-American Games, including representation of the United States in the games; and

(B) the organization of the Olympic Games and the Pan-American Games when held in the United States;

(4) to obtain for the United States, directly or by delegation to the appropriate national governing body, the most competent amateur representation possible in each event of the Olympic Games and Pan-American Games;

(5) to promote and support amateur athletic activities involving the United States and foreign nations;

(6) to promote and encourage physical fitness and public participation in amateur athletic activities;

(7) to assist organizations and persons concerned with sports in the development of amateur athletic programs for amateur athletes;

(8) to provide swift resolution of conflicts and disputes involving amateur athletes, national governing bodies, and amateur sports organizations, and protect the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition;

(9) to foster the development of amateur athletic facilities for use by amateur athletes and assist in making existing amateur athletic facilities available for use by amateur athletes;

(10) to provide and coordinate technical information on physical training, equipment design, coaching, and performance analysis;

(11) to encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety;

(12) to encourage and provide assistance to amateur athletic activities for women;

(13) to encourage and provide assistance to amateur athletic programs and competition for individuals with disabilities, including, where feasible, the expansion of opportunities for meaningful participation by individuals with disabilities in programs of athletic competition for able-bodied individuals; and

(14) to encourage and provide assistance to amateur athletes of racial and ethnic minorities for the purpose of eliciting the participation of those minorities in amateur athletic activities in which they are underrepresented.

§ 220504. Membership

(a) ELIGIBILITY.—Eligibility for membership in the corporation is as provided in the constitution and bylaws of the corporation.

(b) REQUIRED PROVISIONS FOR REPRESENTATION.—In its constitution and bylaws, the corporation shall establish and maintain provisions with respect to its governance and the conduct of its affairs for reasonable representation of—

(1) amateur sports organizations recognized as national governing bodies under section 220521 of this title;

(2) amateur athletes who are actively engaged in amateur athletic competition or who have represented the United States in international amateur athletic competition within the preceding 10 years;

(3) amateur sports organizations that conduct a national program or regular national amateur athletic competition in 2 or more sports that are included on the program of the Olympic Games or the Pan-American Games on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur athletic competition; and

(4) individuals not affiliated or associated with any amateur sports organization who, in the corporation's judgment, represent the interests of the American public in the activities of the corporation.

§ 220505. Powers

(a) CONSTITUTION AND BYLAWS.—The corporation shall adopt a constitution and bylaws. The corporation may amend its constitution only if the corporation—

(1) publishes, in its principal publication, a notice of the proposed amendment, including—

(A) the substantive terms of the amendment;

(B) the time and place of the corporation's regular meeting at which adoption of the amendment is to be decided; and

(C) a provision informing interested persons that they may submit materials as authorized in clause (2) of this subsection; and

(2) gives all interested persons an opportunity to submit written comments and information for at least 60 days after publication of notice of the proposed amendment and before adoption of the amendment.

(b) GENERAL CORPORATE POWERS.—The corporation may—

(1) adopt and alter a corporate seal;

(2) establish and maintain offices to conduct the affairs of the corporation;

(3) make contracts;

(4) accept gifts, legacies, and devises in furtherance of its corporate purposes;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) publish a magazine, newspaper, and other publications consistent with its corporate purposes;

(8) approve and revoke membership in the corporation;

(9) sue and be sued; and

(10) do any other act necessary and proper to carry out the purposes of the corporation.

(c) POWERS RELATED TO AMATEUR ATHLETICS AND THE OLYMPIC GAMES.—The corporation may—

(1) serve as the coordinating body for amateur athletic activity in the United States directly related to international amateur athletic competition;

(2) represent the United States as its national Olympic committee in relations with the International Olympic Committee and the Pan-American Sports Organization;

(3) organize, finance, and control the representation of the United States in the competitions and events of the Olympic Games and of the Pan-American Games, and obtain, directly or by delegation to the appropriate national governing body, amateur representation for those games;

(4) recognize eligible amateur sports organizations as national governing bodies for any sport that is included on the program of the Olympic Games or the Pan-American Games;

(5) facilitate, through orderly and effective administrative procedures, the resolution of conflicts or disputes that involve any of its members and any amateur athlete, coach, trainer, manager, administrator, official, national governing body, or amateur sports organization and that arise in connection with their eligibility for and participation in the Olympic Games, the Pan-American world championship competition, or other protected competition as defined in the constitution and bylaws of the corporation; and

(6) provide financial assistance to any organization or association, except a corporation organized for profit, in furtherance of the purposes of the corporation.

§ 220506. Exclusive right to name, seals, emblems, and badges

(a) EXCLUSIVE RIGHT OF CORPORATION.—Except as provided in subsection (d) of this section, the corporation has the exclusive right to use—

(1) the name ''United States Olympic Committee'';

(2) the symbol of the International Olympic Committee, consisting of 5 interlocking rings;

(3) the emblem of the corporation, consisting of an escutcheon having a blue chief and vertically extending red and white bars on the base with 5 interlocking rings displayed on the chief; and

(4) the words ''Olympic'', ''Olympiad'', ''Citius Altius Fortius'', or any combination of those words.

(b) CONTRIBUTORS AND SUPPLIERS.—The corporation may authorize contributors and suppliers of goods or services to use the trade name of the corporation or any trademark, symbol, insignia, or emblem of the International Olympic Committee or of the corporation to advertise that the contributions, goods, or services were donated or supplied to, or approved, selected, or used by, the corporation, the United States Olympic team, the Pan-American team, or team members.

(c) CIVIL ACTION FOR UNAUTHORIZED USE.—Except as provided in subsection (d) of this section, the corporation may file a civil action against a person for the remedies provided in the Act of July 5, 1946 (15 U.S.C. 1051 et seq.) (popularly known as the Trademark Act of 1946) if the person, without the consent of the corporation, uses for the purpose of trade, to induce the sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or competition—

(1) the symbol described in subsection (a)(2) of this section;

(2) the emblem described in subsection (a)(3) of this section;

(3) the words described in subsection (a)(4) of this section, or any combination or simulation of those words tending to cause confusion or mistake, to deceive, or to falsely suggest a connection with the corporation or any Olympic activity; or

(4) any trademark, trade name, sign, symbol, or insignia falsely representing association with, or authorization by, the International Olympic Committee or the corporation.

(d) PRE-EXISTING RIGHTS.—(1) A person who actually used the emblem described in subsection (a)(3) of this section, or the words or any combination of the words described in subsection (a)(4) of this section, for any lawful purpose before September 21, 1950, is not prohibited by this section from continuing the lawful use for the same purpose and for the same goods or services.

(2) A person who actually used, or whose assignor actually used, the words or any combination of the words described in subsection (a)(4) of this section, or a trademark, trade name, sign, symbol, or insignia described in subsection (c)(4) of this section, for any lawful purpose before September 21, 1950, is not prohibited by this section from continuing the lawful use for the same purpose and for the same goods or services.

§ 220507. Restrictions

(a) PROFIT AND STOCK.—The corporation may not engage in business for profit or issue stock.

(b) POLITICAL ACTIVITIES.—The corporation shall be nonpolitical and may not promote the candidacy of an individual seeking public office.

§ 220508. Headquarters, principal office, and meetings

The corporation shall maintain its principal office and national headquarters in a place in the United States decided by the corporation. The corporation may hold its annual and special meetings in the places decided by the corporation.

§ 220509. Resolution of disputes

The corporation shall establish and maintain provisions in its constitution and bylaws for the swift and equitable resolution of disputes involving any of its members and relating to the opportunity of an amateur athlete, coach, trainer, manager, administrator, or official to participate in the Olympic Games, the Pan-American Games, world championship competition, or other protected competition as defined in the constitution and bylaws of the corporation.

§ 220510. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

§ 220511. Annual report

(a) SUBMISSION TO PRESIDENT AND CONGRESS.—Not later than June 1 of each year, the corporation shall submit simultaneously to the President and to each House of Congress a detailed report of its operations during the prior calendar year, including—

(1) a complete statement of the corporation's receipts and expenditures; and

(2) a comprehensive description of the activities and accomplishments of the corporation during the prior year.

(b) AVAILABILITY TO PUBLIC.—The corporation shall make copies of the report available to interested persons at a reasonable cost.

SUBCHAPTER II—NATIONAL GOVERNING BODIES

§ 220521. Recognition of amateur sports organizations as national governing bodies

(a) GENERAL AUTHORITY.—For any sport that is included on the program of the Olympic Games or the Pan-American Games, the corporation may recognize as a national governing body an amateur sports organization that files an application and is eligible under section 220522 of this title. The corporation may recognize only one national governing body for each sport for which an application is made and approved.

(b) PUBLIC HEARING.—Before recognizing an organization as a national governing body, the corporation shall hold a public hearing on the application. The corporation shall publish notice of the time, place, and nature of the hearing. Publication shall be made in a regular issue of the corporation's principal publication at least 30 days, but not more than 60 days, before the date of the hearing.

(c) RECOMMENDATION TO INTERNATIONAL SPORTS FEDERATION.—Within 61 days after recognizing an organization as a national governing body, the corporation shall recommend and support in any appropriate manner the national governing body to the appropriate international sports federation as the representative of the United States for that sport.

(d) REVIEW OF RECOGNITION.—The corporation may review all matters related to the continued recognition of an organization as a national governing body and may take action it considers appropriate, including placing conditions on the continued recognition.

§ 220522. Eligibility requirements

An amateur sports organization is eligible to be recognized, or to continue to be recognized, as a national governing body only if it—

(1) is incorporated under the laws of a State of the United States or the District of Columbia as a not-for-profit corporation having as its purpose the advancement of amateur athletic competition;

(2) has the managerial and financial capability to plan and execute its obligations;

(3) submits—

(A) an application, in the form required by the corporation, for recognition as a national governing body;

(B) a copy of its corporate charter and bylaws; and

(C) any additional information considered necessary or appropriate by the corporation;

(4) agrees to submit, on demand by the corporation, to binding arbitration conducted in accordance with the commercial rules of the American Arbitration Association in any controversy involving—

(A) its recognition as a national governing body, as provided for in section 220529 of this title; or

(B) the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition, as provided for in the corporation's constitution and bylaws;

(5) demonstrates that it is autonomous in the governance of its sport, in that it—

(A) independently decides and controls all matters central to governance;

(B) does not delegate decision-making and control of matters central to governance; and

(C) is free from outside restraint;

(6) demonstrates that it is a member of no more than one international sports federation that governs a sport included on the program of the Olympic Games or the Pan-American Games;

(7) demonstrates that its membership is open to any individual who is an amateur athlete, coach, trainer, manager, administrator, or official active in the sport for which recognition is sought, or any amateur sports organization that conducts programs in the sport for which recognition is sought, or both;

(8) provides an equal opportunity to amateur athletes, coaches, trainers, managers,

administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, sex, age, or national origin, and with fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring the individual ineligible to participate;

(9) is governed by a board of directors or other governing board whose members are selected without regard to race, color, religion, national origin, or sex, except that, in sports where there are separate male and female programs, it provides for reasonable representation of both males and females on the board of directors or other governing board;

(10) demonstrates that—

(A) its board of directors or other governing board includes among its voting members—

(i) individuals who are actively engaged in amateur athletic competition in the sport for which recognition is sought; or

(ii) individuals who, within the prior 10 years, have represented the United States in international amateur athletic competition in the sport for which recognition is sought; and

(B) the individuals described in subclause (A) of this clause hold at least 20 percent of the membership and voting power on the board;

(11) provides for reasonable direct representation on its board of directors or other governing board for any amateur sports organization that—

(A) conducts a national program or regular national amateur athletic competition in the applicable sport on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur athletic competition; and

(B) ensures that the representation reflects the nature, scope, quality, and strength of the programs and competitions of the amateur sports organization in relation to all other programs and competitions in the sport in the United States;

(12) demonstrates that none of its officers are also officers of any other amateur sports organization recognized as a national governing body;

(13) provides procedures for the prompt and equitable resolution of grievances of its members;

(14) does not have eligibility criteria related to amateur status that are more restrictive than those of the appropriate international sports federation; and

(15) demonstrates, if the organization is seeking to be recognized as a national governing body, that it is prepared to meet the obligations imposed on a national governing body under sections 220524 and 220525 of this title.

§ 220523. Authority of national governing bodies

(a) AUTHORITY.—For the sport that it governs, a national governing body may—

(1) represent the United States in the appropriate international sports federation;

(2) establish national goals and encourage the attainment of those goals;

(3) serve as the coordinating body for amateur athletic activity in the United States;

(4) exercise jurisdiction over international amateur athletic activities and sanction international amateur athletic competition held in the United States and sanction the sponsorship of international amateur athletic competition held outside the United States;

(5) conduct amateur athletic competition, including national championships, and international amateur athletic competition in the United States, and establish procedures for determining eligibility standards for participation in competition, except for amateur athletic competition specified in section 220526 of this title;

(6) recommend to the corporation individuals and teams to represent the United States in the Olympic Games and the Pan-American Games; and

(7) designate individuals and teams to represent the United States in international amateur athletic competition (other than the Olympic Games and the Pan-American Games) and certify, in accordance with applicable international rules, the amateur eligibility of those individuals and teams.

(b) REPLACEMENT OF NATIONAL GOVERNING BODY PURSUANT TO ARBITRATION.—A national governing body may not exercise any authority under subsection (a) of this section for a particular sport after another amateur sports organization has been declared (in accordance with binding arbitration proceedings prescribed by the organic documents of the corporation) entitled to replace that national governing body as the member of the corporation for that sport.

§ 220524. General duties of national governing bodies

For the sport that it governs, a national governing body shall—

(1) develop interest and participation throughout the United States and be responsible to the persons and amateur sports organizations it represents;

(2) minimize, through coordination with other amateur sports organizations, conflicts in the scheduling of all practices and competitions;

(3) keep amateur athletes informed of policy matters and reasonably reflect the views of the athletes in its policy decisions;

(4) allow an amateur athlete to compete in any international amateur athletic competition conducted by any amateur sports organization or person, unless the national governing body establishes that its denial is based on evidence that the organization or person conducting the competition does not meet the requirements stated in section 220525 of this title;

(5) provide equitable support and encouragement for participation by women where separate programs for male and female athletes are conducted on a national basis;

(6) encourage and support amateur athletic sports programs for individuals with disabilities and the participation of individuals with disabilities in amateur athletic activity, including, where feasible, the expansion of opportunities for meaningful participation by individuals with disabilities in programs of athletic competition for able-bodied individuals;

(7) provide and coordinate technical information on physical training, equipment design, coaching, and performance analysis; and

(8) encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety.

§ 220525. Granting sanctions for amateur athletic competitions

(a) PROMPT REVIEW AND DECISION.—For the sport that it governs, a national governing body promptly shall—

(1) review a request by an amateur sports organization or person for a sanction to hold an international amateur athletic competition in the United States or to sponsor United States amateur athletes to compete in international amateur athletic competition outside the United States; and

(2) grant the sanction if—

(A) the national governing body does not decide by clear and convincing evidence that holding or sponsoring an international amateur athletic competition would be detrimental to the best interest of the sport; and

(B) the requirements of subsection (b) of this section are met.

(b) REQUIREMENTS.—An amateur sports organization or person may be granted a sanction under this section only if the organization or person meets the following requirements:

(1) The organization or person must pay the national governing body any required sanctioning fee, if the fee is reasonable and nondiscriminatory.

(2) For a sanction to hold an international amateur athletic competition in the United States, the organization or person must—

(A) submit to the national governing body an audited or notarized financial report of similar events, if any, conducted by the organization or person; and

(B) demonstrate that the requirements of paragraph (4) of this subsection have been met.

(3) For a sanction to sponsor United States amateur athletes to compete in international amateur athletic competition outside the United States, the organization or person must—

(A) submit a report of the most recent trip to a foreign country, if any, that the organization or person sponsored for the purpose of having United States amateur athletes compete in international amateur athletic competition; and

(B) submit a letter from the appropriate entity that will hold the international amateur athletic competition certifying that the requirements of paragraph (4) of this subsection have been met.

(4) The requirements referred to in paragraphs (2) and (3) of this subsection are that—

(A) appropriate measures have been taken to protect the amateur status of athletes who will take part in the competition and to protect their eligibility to compete in amateur athletic competition;

(B) appropriate provision has been made for validation of any records established during the competition;

(C) due regard has been given to any international amateur athletic requirements specifically applicable to the competition;

(D) the competition will be conducted by qualified officials;

(E) proper medical supervision will be provided for athletes who will participate in the competition; and

(F) proper safety precautions have been taken to protect the personal welfare of the athletes and spectators at the competition.

§ 220526. Restricted amateur athletic competitions

(a) EXCLUSIVE JURISDICTION.—An amateur sports organization that conducts amateur athletic competition shall have exclusive jurisdiction over that competition if participation is restricted to a specific class of amateur athletes, such as high school students, college students, members of the Armed Forces, or similar groups or categories.

(b) SANCTIONS FOR INTERNATIONAL COMPETITION.—An amateur sports organization under subsection (a) of this section shall obtain a sanction from the appropriate national governing body if the organization wishes to—

(1) conduct international amateur athletic competition in the United States; or

(2) sponsor international amateur athletic competition to be held outside the United States.

§ 220527. Complaints against national governing bodies

(a) GENERAL.—(1) An amateur sports organization or person that belongs to or is eligible to belong to a national governing body

may seek to compel the national governing body to comply with sections 220522, 220524, and 220525 of this title by filing a written complaint with the corporation. A copy of the complaint shall be served on the national governing body.

(2) The corporation shall establish procedures for the filing and disposition of complaints under this section.

(b) EXHAUSTION OF REMEDIES.—(1) An organization or person may file a complaint under subsection (a) of this section only after exhausting all available remedies within the national governing body for correcting deficiencies, unless it can be shown by clear and convincing evidence that those remedies would have resulted in unnecessary delay.

(2) Within 30 days after a complaint is filed, the corporation shall decide whether the organization or person has exhausted all available remedies as required by paragraph (1) of this subsection. If the corporation determines that the remedies have not been exhausted, it may direct that the remedies be pursued before the corporation considers the complaint further.

(c) HEARINGS.—If the corporation decides that all available remedies have been exhausted as required by subsection (b)(1) of this section, it shall hold a hearing, within 90 days after the complaint is filed, to receive testimony to decide whether the national governing body is complying with sections 220522, 220524, and 220525 of this title.

(d) DISPOSITION OF COMPLAINT.—(1) If the corporation decides, as a result of the hearing, that the national governing body is complying with sections 220522, 220524, and 220525 of this title, it shall so notify the complainant and the national governing body.

(2) If the corporation decides, as a result of the hearing, that the national governing body is not complying with sections 220522, 220524, and 220525 of this title, it shall—

(A) place the national governing body on probation for a specified period of time, not to exceed 180 days, which the corporation considers necessary to enable the national governing body to comply with those sections; or

(B) revoke the recognition of the national governing body.

(3) If the corporation places a national governing body on probation under paragraph (2) of this subsection, it may extend the probationary period if the national governing body has proven by clear and convincing evidence that, through no fault of its own, it needs additional time to comply with sections 220522, 220524, and 220525 of this title. If, at the end of the period allowed by the corporation, the national governing body has not complied with those sections, the corporation shall revoke the recognition of the national governing body.

§ 220528. Applications to replace an incumbent national governing body

(a) GENERAL.—An amateur sports organization may seek to replace an incumbent as the national governing body for a particular sport by filing a written application for recognition with the corporation.

(b) ESTABLISHMENT OF PROCEDURES.—The corporation shall establish procedures for the filing and disposition of applications under this section. If 2 or more organizations file applications for the same sport, the applications shall be considered in a single proceeding.

(c) FILING PROCEDURES.—(1) An application under this section must be filed within one year after the final day of—

(A) any Olympic Games, for a sport in which competition is held in the Olympic Games or both the Olympic and Pan-American Games; or

(B) any Pan-American Games, for a sport in which competition is held in the Pan-American Games but not in the Olympic Games.

(2) The application shall be filed with the corporation by registered mail, and a copy of the application shall be served on the national governing body. The corporation shall inform the applicant that its application has been received.

(d) HEARINGS.—Within 180 days after receipt of an application filed under this section, the corporation shall conduct a formal hearing to determine the merits of the application. The corporation shall publish notice of the time and place of the hearing in a regular issue of its principal publication at least 30 days, but not more than 60 days, before the date of the hearing. In the hearing, the applicant and the national governing body shall be given a reasonable opportunity to present evidence supporting their positions.

(e) STANDARDS FOR GRANTING APPLICATIONS.—In the hearing, the applicant must establish by a preponderance of the evidence that—

(1) it meets the criteria for recognition as a national governing body under section 220522 of this title; and

(2)(A) the national governing body does not meet the criteria of section 220522, 220524, or 220525 of this title; or

(B) the applicant more adequately meets the criteria of section 220522 of this title, is capable of more adequately meeting the criteria of sections 220524 and 220525 of this title, and provides or is capable of providing a more effective national program of competition than the national governing body in the sport for which it seeks recognition.

(f) DISPOSITION OF APPLICATIONS.—Within 30 days after the close of the hearing required by this section, the corporation shall—

(1) uphold the right of the national governing body to continue as the national governing body for its sport;

(2) revoke the recognition of the national governing body and declare a vacancy in the national governing body for that sport;

(3) revoke the recognition of the national governing body and recognize the applicant as the national governing body; or

(4) place the national governing body on probation for a period not exceeding 180 days, pending the compliance of the national governing body, if the national governing body would have retained recognition except for a minor deficiency in one of the requirements of section 220522, 220524, or 220525 of this title.

(g) REVOCATION OF RECOGNITION AFTER PROBATION.—If the national governing body does not comply with sections 220522, 220524, and 220525 of this title within the probationary period prescribed under subsection (f)(4) of this section, the corporation shall revoke the recognition of the national governing body and either—

(1) recognize the applicant as the national governing body; or

(2) declare a vacancy in the national governing body for that sport.

§ 220529. Arbitration of corporation determinations

(a) RIGHT TO REVIEW.—A party aggrieved by a determination of the corporation under section 220527 or 220528 of this title may obtain review by any regional office of the American Arbitration Association.

(b) PROCEDURE.—(1) A demand for arbitration must be submitted within 30 days after the determination of the corporation.

(2) On receipt of a demand for arbitration, the Association shall serve notice on the parties to the arbitration and on the corporation, and shall immediately proceed with arbitration according to the commercial rules of the Association in effect at the time the demand is filed, except that—

(A) the arbitration panel shall consist of at least 3 arbitrators, unless the parties to the proceeding agree to a lesser number;

(B) the arbitration hearing shall take place at a site selected by the Association, unless the parties to the proceeding agree to the use of another site; and

(C) the arbitration hearing shall be open to the public.

(3) A decision by the arbitrators shall be by majority vote unless the concurrence of all arbitrators is expressly required by the contesting parties.

(4) Each party may be represented by counsel or by any other authorized representative at the arbitration proceeding.

(5) The parties may offer any evidence they desire and shall produce any additional evidence the arbitrators believe is necessary to an understanding and determination of the dispute. The arbitrators shall be the sole judges of the relevancy and materiality of the evidence offered. Conformity to legal rules of evidence is not necessary.

(c) SETTLEMENT.—The arbitrators may settle a dispute arising under this chapter before making a final award, if agreed to by the parties and achieved in a manner not inconsistent with the constitution and bylaws of the corporation.

(d) BINDING NATURE OF DECISION.—Final decision of the arbitrators is binding on the parties if the award is not inconsistent with the constitution and bylaws of the corporation.

(e) REOPENING HEARINGS.—(1) At any time before a final decision is made, the hearings may be reopened by the arbitrators on their own motion or on the motion of a party.

(2) If the reopening is based on the motion of a party, and if the reopening would result in the arbitrators' decision being delayed beyond the specific period agreed to at the beginning of the arbitration proceedings, all parties to the decision must agree to reopen the hearings.

CHAPTER 2207—UNITED STATES SUBMARINE VETERANS OF WORLD WAR II

Sec.

220701. Definition.
220702. Organization.
220703. Purposes.
220704. Membership.
220705. Governing body.
220706. Powers.
220707. Restrictions.
220708. Duty to maintain tax-exempt status.
220709. Records and inspection.
220710. Service of process.
220711. Liability for acts of officers and agents.
220712. Annual report.

§ 220701. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 220702. Organization

(a) FEDERAL CHARTER.—United States Submarine Veterans of World War II (in this chapter, the ''corporation''), a nonprofit corporation incorporated in New Jersey and Colorado, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 220703. Purposes

The purposes of the corporation are as provided in its articles of incorporation and include—

(1) preserving and promoting patriotism and loyalty to the United States of America;

(2) perpetuating and establishing memorials to the memory of shipmates who served aboard United States submarines and gave

their lives in submarine warfare during World War II;

(3) promoting the spirit and unity that existed among the United States Navy submarine crewmen during World War II;

(4) fostering general public awareness of life aboard submarines during World War II, through securing, restoring, and displaying the submarines that were in service at that time;

(5) sponsoring annual college scholarships; and

(6) performing acts of charity as provided in the constitution and bylaws of the corporation.

§ 220704. Membership

Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

§ 220705. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 220706. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 220707. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 220708. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 220709. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 220710. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 220711. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 220712. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 2301—VETERANS OF FOREIGN WARS OF THE UNITED STATES

Sec.
230101. Organization.
230102. Purposes.
230103. Membership.
230104. Powers.
230105. Exclusive right to name, seal, emblems, and badges.
230106. Service of process.
230107. Annual report.

§ 230101. Organization

(a) FEDERAL CHARTER.—Veterans of Foreign Wars of the United States (in this chapter, the ''corporation''), a national association of men who as soldiers, sailors, marines, and airmen served this Nation in wars, campaigns, and expeditions on foreign soil or in hostile waters, is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 230102. Purposes

The purposes of the corporation are fraternal, patriotic, historical, and educational, and are—

(1) to preserve and strengthen comradeship among its members;

(2) to assist worthy comrades;

(3) to perpetuate the memory and history of our dead, and to assist their widows and orphans;

(4) to maintain true allegiance to the Government of the United States, and fidelity to its Constitution and laws;

(5) to foster true patriotism;

(6) to maintain and extend the institutions of American freedom; and

(7) to preserve and defend the United States from all enemies.

§ 230103. Membership

An individual is eligible for membership in the corporation only if the individual served honorably as a member of the armed forces of the United States—

(1) in a foreign war, insurrection, or expedition in service that—

(A) has been recognized as campaign–medal service; and

(B) is governed by the authorization of the award of a campaign badge by the United States Government; or

(2) on the Korean peninsula or in its territorial waters for at least 30 consecutive days, or a total of 60 days, after June 30, 1949.

§ 230104. Powers

The corporation may—

(1) adopt and amend a constitution, bylaws, and regulations to carry out the purposes of the corporation;

(2) adopt and alter a corporate seal;

(3) establish and maintain offices to conduct its activities;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary and appropriate to carry out the purposes of the corporation;

(6) establish, regulate, and discontinue subordinate State and territorial subdivisions and local chapters or posts;

(7) publish a magazine and other publications;

(8) sue and be sued; and

(9) do any other act necessary and proper to carry out the purposes of the corporation.

§ 230105. Exclusive right to name, seal, emblems, and badges

The corporation has the exclusive right to use the name ''Veterans of Foreign Wars of the United States'' and its corporate seal and to manufacture and use emblems and badges the corporation adopts.

§ 230106. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

§ 230107. Annual report

Not later than January 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year. The report may not be printed as a public document.

CHAPTER 2303—VETERANS OF WORLD WAR I OF THE UNITED STATES OF AMERICA, INCORPORATED

Sec.
230301. Organization.
230302. Purposes.
230303. Membership.
230304. Governing body.
230305. Powers.
230306. Exclusive right to name, seals, emblems, and badges.
230307. Restrictions.
230308. Principal office.
230309. Records and inspection.
230310. Service of process.
230311. Liability for acts of officers and agents.
230312. Annual report.
230313. Termination of existence and distribution of assets.

§ 230301. Organization

(a) FEDERAL CHARTER.—Veterans of World War I of the United States of America, Incorporated (in this chapter, the ''corporation''), is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 230302. Purposes

The purposes of the corporation are patriotic, fraternal, historical, and educational, in the service and for the benefit of veterans of World War I, and are—

(1) to provide for the veterans of World War I an organization for their mutual benefit, pleasure, and amusement which will afford them opportunities and means for personal contact with each other to keep alive friendships and memories of World War I and to venerate the memory of their honored dead;

(2) to cooperate to the fullest extent and in a harmonious manner with all veterans' organizations so that the best interests of all veterans of all wars in which the United States has participated, and the widows and orphans of deceased veterans of those wars, may best be served;

(3) to stimulate communities and political subdivisions into taking more interest in veterans of World War I, the widows and orphans of those deceased veterans, and the

problems of those veterans and their widows and orphans;

(4) to collate, preserve, and encourage the study of historical episodes, chronicles, mementos, and events pertaining to World War I;

(5) to fight vigorously to uphold the Constitution and laws of the United States as well as the individual States of the Union and to foster the spirit and practice of true Americanism;

(6) to fight unceasingly for our national security to protect Americans from enemies within our borders, as well as those from without, so that our American way of life is preserved;

(7) to fight to the utmost all those alien forces, particularly forces such as communism, whose objectives are to deny our very existence as a free people; and

(8) to do any other act necessary and proper to carry out the purposes of the corporation.

§ 230303. Membership

(a) ELIGIBILITY.—Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation. However, an individual who did not serve honorably in the armed forces of the United States during the period beginning April 6, 1917, and ending November 11, 1918, is not eligible for all classes of membership.

(b) VOTING.—Each member of the corporation (except an associate or honorary member) has one vote on each matter submitted to a vote at a meeting of the members of the corporation except the national convention.

§ 230304. Governing body

(a) NATIONAL CONVENTION.—(1) The national convention is the supreme governing authority of the corporation.

(2) The national convention is composed of officers and elected representatives from the States and other local subdivisions of the corporation as provided in the constitution and bylaws of the corporation. However, the form of government of the corporation must be representative of the membership at large and may not permit concentration of control in a limited number of members or in a self-perpetuating group not representative of the membership at large. Each elected representative is entitled to one vote at the national convention.

(3) The meetings of the national convention may be held in the District of Columbia or in any State, territory, or possession of the United States.

(b) BOARD OF ADMINISTRATION.—(1) During the intervals between the national convention, the board of administration is the governing board of the corporation and is responsible for the general policies, program, and activities of the corporation.

(2) The board shall consist of at least 7 members elected in the manner and for the term provided in the constitution and bylaws.

(c) OFFICERS.—(1) The officers of the corporation are a national commander, a national senior vice commander, a national junior vice commander, a national quartermaster, a national adjutant, a national judge advocate, 9 regional vice commanders, and other officers as provided in the constitution and bylaws. One individual may hold the offices of national quartermaster and national adjutant.

(2) The titles, manner of selection, term of office, and duties of the officers are as provided in the constitution and bylaws.

§ 230305. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, employees, and agents as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) sue and be sued; and

(8) do any other act necessary and proper to carry out the purposes of the corporation.

§ 230306. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate divisions have the exclusive right to use the name ''Veterans of World War I of the United States of America, Incorporated''. The corporation has the exclusive right to use, and to allow others to use, seals, emblems, and badges the corporation adopts.

§ 230307. Restrictions

(a) STOCKS AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or an officer or agent as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, an officer or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(d) LOANS.—The corporation may not make a loan or advance to an officer or employee. Members of the board of administration who vote for or assent to making a loan or advance to an officer or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

§ 230308. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the board of administration. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted in the District of Columbia and throughout the States, territories, and possessions of the United States.

§ 230309. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account; and

(2) minutes of the proceedings of its national convention and board of administration.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 230310. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

§ 230311. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 230312. Annual report

Not later than March 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year. The report may consist of a report on the proceedings of the national convention.

§ 230313. Termination of existence and distribution of assets

(a) AUTHORITY TO MAKE CONTINGENT PROVISIONS.—The national convention, by resolution, may declare that the corporate existence will terminate on the occurrence of a specified event and provide for the disposition of any property remaining after the discharge of all liabilities.

(b) PROCEDURE FOR CARRYING OUT CONTINGENT PROVISIONS.—(1) An authenticated copy of the national convention's resolution must be filed in the office of the United States District Court for the District of Columbia.

(2) The court shall take jurisdiction when—

(A) the declared event has occurred; and

(B) a petition is filed with the court reciting the relevant facts.

(3) On proof of the facts, the court shall enter an order vesting title and ownership in accordance with the resolution of the national convention.

CHAPTER 2305—VIETNAM VETERANS OF AMERICA, INC.

Sec.
230501. Definition.
230502. Organization.
230503. Purposes.
230504. Membership.
230505. Governing body.
230506. Powers.
230507. Exclusive right to name, seals, emblems, and badges.
230508. Restrictions.
230509. Duty to maintain tax-exempt status.
230510. Records and inspection.
230511. Service of process.
230512. Liability for acts of officers and agents.
230513. Annual report.

§ 230501. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 230502. Organization

(a) FEDERAL CHARTER.—Vietnam Veterans of America, Inc. (in this chapter, the ''corporation''), a nonprofit corporation incorporated in New York, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 230503. Purposes

The purposes of the corporation are as provided in its articles of incorporation, constitution, and bylaws and include a commitment—

(1) to uphold and defend the Constitution of the United States;

(2) to foster improvement of the condition of Vietnam-era veterans;

(3) to promote the social welfare (including educational, economic, social, physical, and cultural improvement) of Vietnam-era veterans and other veterans in the United States by encouraging their growth, development, readjustment, self-respect, self-confidence, and usefulness;

(4) to improve conditions for Vietnam-era veterans and develop channels of communication to assist Vietnam-era veterans;

(5) to conduct and publish research, on a nonpartisan basis, pertaining to—

(A) the relationship between Vietnam-era veterans and American society;

(B) the Vietnam war experience;

(C) the role of the United States in securing peaceful coexistence for the world community; and

(D) other matters that affect the educational, economic, social, physical, or cultural welfare of Vietnam-era veterans, other veterans, and their families;

(6) to assist disabled Vietnam-era veterans and other veterans in need of assistance and the dependents and survivors of those veterans; and

(7) to consecrate the efforts of the members of the corporation, and Vietnam-era veterans generally, to mutual helpfulness and service to their country.

§ 230504. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 230505. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the constitution and bylaws of the corporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the constitution and bylaws of the corporation.

(c) NONDISCRIMINATION.—The requirements for serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

§ 230506. Powers

The corporation has only the powers provided in its articles of incorporation filed in the State of incorporation and in its constitution and bylaws.

§ 230507. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the names ''The Vietnam Veterans of America, Inc.'', ''Vietnam Veterans of America, Inc.'', and ''Vietnam Veterans of America'', and seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

§ 230508. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

§ 230509. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 230510. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 230511. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 230512. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

§ 230513. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 2401—WOMEN'S ARMY CORPS VETERANS' ASSOCIATION

Sec.
240101. Definition.
240102. Organization.
240103. Purposes.
240104. Membership.
240105. Governing body.
240106. Powers.
240107. Restrictions.
240108. Duty to maintain tax-exempt status.
240109. Records and inspection.
240110. Service of process.
240111. Liability for acts of officers and agents.
240112. Annual report.

§ 240101. Definition

For purposes of this chapter, ''State'' includes the District of Columbia and the territories and possessions of the United States.

§ 240102. Organization

(a) FEDERAL CHARTER.—Women's Army Corps Veterans' Association (in this chapter, the ''corporation''), a nonprofit corporation incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

§ 240103. Purposes

The purposes of the corporation are as provided in its articles of incorporation and include a continuing commitment on a national basis—

(1) to promote the general welfare of all veterans, especially women veterans, who have served or are serving in the United States Army, the Army Reserve, and the Army National Guard;

(2) to recognize outstanding women in college ROTC units throughout the United States; and

(3) to provide services and support to patients in medical facilities of the Department of Veterans Affairs throughout the United States.

§ 240104. Membership

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

§ 240105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 240106. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

§ 240107. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim the approval or the authority of the United States Government for any of its activities.

§ 240108. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

§ 240109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

(3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

§ 240110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

§ 240111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers or agents acting within the scope of their authority.

§ 240112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

CHAPTER 2501—[RESERVED]

CHAPTER 2601—[RESERVED]

CHAPTER 2701—[RESERVED]

SUBTITLE III—TREATY OBLIGATION ORGANIZATIONS

CHAPTER Sec.
3001. THE AMERICAN NATIONAL RED CROSS 300101

CHAPTER 3001—THE AMERICAN NATIONAL RED CROSS

Sec.
300101. Organization.
300102. Purposes.
300103. Membership and chapters.

300104. Board of governors.
300105. Powers.
300106. Emblem, badge, and brassard.
300107. Annual meeting.
300108. Buildings.
300109. Endowment fund.
300110. Annual report and audit.
300111. Reservation of right to amend or repeal.

§ 300101. Organization

(a) FEDERAL CHARTER.—The American National Red Cross (in this chapter, the ''corporation'') is a body corporate and politic in the District of Columbia.

(b) NAME.—The name of the corporation is ''The American National Red Cross''.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

§ 300102. Purposes

The purposes of the corporation are—

(1) to provide volunteer aid in time of war to the sick and wounded of the armed forces, in accordance with the spirit and conditions of—

(A) the conference of Geneva of October, 1863;

(B) the treaties of the Red Cross, or the treaties of Geneva, August 22, 1864, July 27, 1929, and August 12, 1949, to which the United States of America has given its adhesion; and

(C) any other treaty, convention, or protocol similar in purpose to which the United States of America has given or may give its adhesion;

(2) in carrying out the purposes described in clause (1) of this section, to perform all the duties devolved on a national society by each nation that has acceded to any of those treaties, conventions, or protocols;

(3) to act in matters of voluntary relief and in accordance with the military authorities as a medium of communication between the people of the United States and the armed forces of the United States and to act in those matters between similar national societies of governments of other countries through the International Committee of the Red Cross and the Government, the people, and the armed forces of the United States; and

(4) to carry out a system of national and international relief in time of peace, and to apply that system in mitigating the suffering caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry out measures for preventing those calamities.

§ 300103. Membership and chapters

(a) MEMBERSHIP.—Membership in the corporation is open to all the people of the United States and its territories and possessions, on payment of an amount specified in the bylaws.

(b) CHAPTERS.—(1) The chapters of the corporation are the local units of the corporation. The board of governors shall prescribe regulations related to—

(A) granting charters to the chapters and revoking those charters;

(B) the territorial jurisdiction of the chapters;

(C) the relationship of the chapters to the corporation; and

(D) compliance by the chapters with the policies and regulations of the corporation.

(2) The regulations shall require that each chapter adhere to the democratic principles of election specified in the bylaws in electing the governing body of the chapter and selecting delegates to the national convention of the corporation.

§ 300104. Board of governors

(a) BOARD OF GOVERNORS.—(1) The board of governors is the governing body of the corporation with all powers of governing and managing the corporation. The board has 50 members. The governors shall be appointed or elected in the following manner:

(A) The President shall appoint 8 governors, one of whom the President shall designate to act as the principal officer of the corporation with the title and functions provided in the bylaws. The other governors appointed by the President shall be officials of departments and agencies of the United States Government, whose positions and interests qualify them to contribute to carrying out the programs and purposes of the corporation. At least one, but not more than 3, of those officials shall be selected from the armed forces.

(B) The chapters shall elect 30 governors at the national convention under procedures for nomination and election that ensure equitable representation of all chapters, with regard to geographical considerations, the size of the chapters, and the size of the populations served by the chapters.

(C) The board shall elect 12 governors as members-at-large. Those governors shall be individuals who are representative of the national interests that the corporation serves, and with which it is desirable that the corporation have close association.

(2) One-third of the members elected to the board shall be elected at each national convention, and take office at that time or as soon as practicable after the convention.

(b) TERM OF OFFICE AND VACANCIES.—(1) The term of office of each governor is 3 years. However, the term of office of a governor appointed by the President (except the principal officer of the corporation) expires if, before the end of the 3-year term, the governor retires from the official position held at the time of appointment as a governor.

(2) The President shall fill as soon as practicable a vacancy in the office of the principal officer of the corporation or in the position of another governor appointed by the President. The board shall make a temporary appointment to fill a vacancy occurring in an elected position on the board. An individual appointed by the board to fill a vacancy serves until the next national convention.

(c) EXECUTIVE COMMITTEE.—The board may—

(1) appoint, from its own members, an executive committee of at least 11 individuals to exercise the powers of the board when the board is not in session; and

(2) appoint and remove, or provide for the appointment and removal of, officers and employees of the corporation, except the principal officer of the corporation.

(d) VOTING BY PROXY.—Voting by proxy is not allowed at any meeting of the board, at the national convention, or at any meeting of a chapter. However, the board may allow the election of governors by proxy at the national convention if the board believes a national emergency makes attendance at the national convention impossible.

§ 300105. Powers

(a) GENERAL.—The corporation may—

(1) adopt bylaws and regulations;

(2) adopt, alter, and destroy a seal;

(3) own and dispose of property to carry out the purposes of the corporation;

(4) accept gifts, devises, and bequests of property to carry out the purposes of the corporation;

(5) sue and be sued in courts of law and equity, State or Federal, within the jurisdiction of the United States; and

(6) do any other act necessary to carry out this chapter and promote the purposes of the corporation.

(b) DESIGNATION.—The corporation is designated as the organization authorized to act in matters of relief under the treaties of Geneva, August 22, 1864, July 27, 1929, and August 12, 1949.

§ 300106. Emblem, badge, and brassard

(a) EMBLEM AND BADGE.—In carrying out its purposes under this chapter, the corporation may have and use, as an emblem and badge, a Greek red cross on a white ground, as described in the treaties of Geneva, August 22, 1864, July 27, 1929, and August 12, 1949, and adopted by the nations acceding to those treaties.

(b) DELIVERY OF BRASSARD.—In accordance with those treaties, the delivery of the brassard allowed for individuals neutralized in time of war shall be left to military authority.

§ 300107. Annual meeting

The annual meeting of the corporation is the national convention of delegates of the chapters. The national convention shall be held annually on a date and at a place specified by the board of governors. In matters requiring a vote at the national convention, each chapter is entitled to at least one vote. The board shall determine on an equitable basis the number of votes that each chapter is entitled to cast, taking into consideration the size of the membership of the chapters and of the populations served by the chapters. The board shall review the allocation of votes at least every 5 years.

§ 300108. Buildings

(a) OWNERSHIP.—The United States Government shall retain ownership of the corporation's permanent headquarters, comprised of buildings erected on square 172 in the District of Columbia, including—

(1) the memorial building to commemorate the service and sacrifice of the women of the United States, North and South, during the Civil War, erected for the use of the corporation;

(2) the memorial building to commemorate the service and sacrifice of the patriotic women of the United States, its territories and possessions, and the District of Columbia during World War I, erected for the use of the corporation; and

(3) the permanent building erected for the use of the corporation in connection with its work in cooperation with the Government.

(b) MAINTENANCE AND EXPENSES.—Those buildings shall remain under the supervision of the Administrator of General Services. However, the corporation shall care for and maintain the buildings without expense to the Government.

§ 300109. Endowment fund

The endowment fund of the corporation shall be kept and invested under the management and control of a board of 9 trustees elected by the board of governors. The board of governors shall prescribe regulations on terms and tenure of office, accountability, and expenses of the board of trustees.

§ 300110. Annual report and audit

(a) SUBMISSION OF REPORT.—As soon as practicable after July 1 of each year, the corporation shall submit a report to the Secretary of Defense on the activities of the corporation during the fiscal year ending June 30, including a complete, itemized report of all receipts and expenditures.

(b) AUDITING OF REPORT AND SUBMISSION TO CONGRESS.—The Secretary shall audit the report and submit a copy of the audited report to Congress.

(c) PAYMENT OF AUDIT EXPENSES.—The corporation shall reimburse the Secretary each year for auditing its accounts. The amount paid shall be deposited in the Treasury of the United States as a miscellaneous receipt.

§ 300111. Reservation of right to amend or repeal

Congress reserves the right to amend or repeal the provisions of this chapter.

SEC. 2. THE FLAG.

(a) Chapter 1 of title 4, United States Code, is amended by adding at the end the following new sections:

"§ 4. Pledge of allegiance to the flag; manner of delivery

''The Pledge of Allegiance to the Flag, 'I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.', should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute.

"§ 5. Display and use of flag by civilians; codification of rules and customs; definition

''The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America is established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the United States. The flag of the United States for the purpose of this chapter shall be defined according to sections 1 and 2 of this title and Executive Order 10834 issued pursuant thereto.

"§ 6. Time and occasions for display

''(a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.

''(b) The flag should be hoisted briskly and lowered ceremoniously.

''(c) The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.

''(d) The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission); and on State holidays.

''(e) The flag should be displayed daily on or near the main administration building of every public institution.

''(f) The flag should be displayed in or near every polling place on election days.

''(g) The flag should be displayed during school days in or near every schoolhouse.

"§ 7. Position and manner of display

''The flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.

''(a) The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i) of this section.

''(b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.

''(c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United States or any Territory or possession thereof: *Provided,* That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.

''(d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.

''(e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.

''(f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.

''(g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.

''(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.

''(i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.

''(j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.

''(k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.

''(*l*) The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.

''(m) The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff thirty days from the death of the President or a former President; ten days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. The flag shall be flown at halfstaff on Peace Officers Memorial Day, unless that day is also Armed Forces Day. As used in this subsection—

''(1) the term 'half-staff' means the position of the flag when it is one-half the distance between the top and bottom of the staff;

''(2) the term 'executive or military department' means any agency listed under sections 101 and 102 of title 5; and

''(3) the term 'Member of Congress' means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.

''(n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.

''(o) When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

"§ 8. Respect for flag

''No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

''(a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.

''(b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.

''(c) The flag should never be carried flat or horizontally, but always aloft and free.

''(d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.

''(e) The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.

''(f) The flag should never be used as a covering for a ceiling.

''(g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.

''(h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.

''(i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.

''(j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.

''(k) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

''§ 9. Conduct during hoisting, lowering or passing of flag

''During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes.

''§ 10. Modification of rules and customs by President

''Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation.''.

(b) The analysis of chapter 1 of title 4, United States Code, is amended by adding at the end the following new items:

''4. Pledge of allegiance to the flag; manner of delivery.
''5. Display and use of flag by civilians; codification of rules and customs; definition.
''6. Time and occasions for display.
''7. Position and manner of display.
''8. Respect for flag.
''9. Conduct during hoisting, lowering or passing of flag.
''10. Modification of rules and customs by President.''.

SEC. 3. CONFORMING PROVISIONS.

Section 1332 of title 44, United States Code, is amended by striking ''the United Spanish War Veterans,''.

SEC. 4. CONFORMING CROSS-REFERENCES.

(a) TITLE 10.—Title 10, United States Code, is amended as follows:

(1) In section 2249b, strike ''the provisions of section 3 of the Joint Resolution of June 22, 1942 (56 Stat. 378, chapter 435; 36 U.S.C. 175), and any modification of such provisions under section 8 of that Joint Resolution (36 U.S.C. 178)'' and substitute ''section 7 of title 4 and any modification of section 7 under section 10 of title 4''.

(2) Section 2543 is amended as follows:

(A) In subsection (e)(1), strike ''subsection (b)(2) of the first section of the Presidential Inaugural Ceremonies Act (36 U.S.C. 721)'' and substitute ''section 501 of title 36''.

(B) In subsection (e)(2), strike ''the proviso in section 9 of the Presidential Inaugural Ceremonies Act (36 U.S.C. 729)'' and substitute ''section 507 of title 36''.

(3) In section 9441(b), strike ''section 2 of the Act of July 1, 1946 (36 U.S.C. 202)'' and substitute ''section 40302 of title 36''.

(b) TITLE 18.—Section 2320(d) of title 18, United States Code, is amended as follows:

(1) In clause (1)(B), strike ''section 110 of the Olympic Charter Act'' and substitute ''section 220706 of title 36''.

(2) In clause (2), insert ''and'' after the semicolon.

(3) In clause (3), strike ''; and'' and substitute a period.

(4) Strike clause (4).

SEC. 5. LEGISLATIVE PURPOSE AND CONSTRUCTION.

(a) NO SUBSTANTIVE CHANGE.—Sections 1 and 2 of this Act restate, without substantive change, laws enacted before August 16, 1997, that were replaced by those sections. Those sections may not be construed as making a substantive change in the laws replaced. Laws enacted after August 15, 1997, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

(b) REFERENCES.—A reference to a law replaced by section 1 or 2 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

(c) CONTINUING EFFECT.—An order, rule, or regulation in effect under a law replaced by section 1 or 2 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

(d) ACTIONS AND OFFENSES UNDER PRIOR LAW.—An action taken or an offense committed under a law replaced by section 1 or 2 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

(e) INFERENCES.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catch line of the provision.

(f) SEVERABILITY.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.

SEC. 6. REPEALS.

(a) INFERENCES OF REPEAL.—The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.

(b) REPEALER SCHEDULE.—The laws specified in the following schedule are repealed, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before the date of enactment of this Act:

Schedule of Laws Repealed

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
1863						
Mar. 3	111		12	806	36	251–253
1870						
July 14	264		16	277	36	252
1884						
June 20	107		23	50	36	254
1889						
Jan. 4	20		25	640	36	20
1896						
Feb. 20	23		29	8	36	18–18c
1900						
June 6	806		31	662	36	4401–4408
1901						
Mar. 3	860		31	1438	36	3501–3504
	876		31	1453	36	5401, 5402
1904						
Apr. 28	1790		33	542	36	3504
1905						
Jan. 5	23	1–3, 4a–8	33	599, 601	36	1, 2, 3, 4a–6, 8, 9
1906						
June 9	3065		34	227	36	20a–20g

Schedule of Laws Repealed—Continued

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
June 30	3929		34	804	36	5301–5311
1910						
June 23	372	2	36	604	36	9
1912						
Dec. 10	1		37	647	36	5
1913						
Jan. 30	21		37	654	36	4901, 4901 note, 4902–4910
1914						
May 8	Pub. R. 25		38	770	36	141, 142
May 27	101		38	383	36	254, 254 note
1915						
Mar. 3	89		38	955	36	18a
1916						
Apr. 17	77		39	51	36	4201–4206
June 15	148		39	227	36	21–29
1917						
Feb. 27	137		39	946	36	6
1919						
Sept. 16	59		41	284	36	41–51
1920						
May 29	214	(1st complete par. on p. 659)	41	659	36	7
May 31	216		41	691	36	4701–4707
1921						
Mar. 3	131		41	1354	36	5
1922						
Apr. 6	121		42	490	36	3502
1923						
Mar. 3	228		42	1441	36	61–66
Mar. 4	283		42	1509	36	121, 122b, 123–125, 127, 128, 131, 132, 138–138c
1924						
Apr. 2	81	1 (2d, last provisos in par. under heading ''American Battle Monuments Commission'').	43	35	36	122, 133
June 7	292	1 (provisos in par. under heading ''American Battle Monuments Commission'').	43	522	36	122, 133
	296		43	535	36	81–88
	369		43	665	36	15
1925						
Feb. 6	142		43	808	36	20d
Feb. 24	303		43	966	36	91–105
1926						
Feb. 5	11		44	4	36	18a
Apr. 22	171	1 (2d–last provisos in par. under heading ''American Battle Monuments Commission'').	44	307	36	122, 133–135
May 5	246		44	403	36	14
1927						
Feb. 11	104	1 (provisos in par. under heading ''American Battle Monuments Commission'').	44	1071	36	122, 133–137
1928						
May 16	580	1 (provisos in par. under heading ''American Battle Monuments Commission'').	45	575	36	122, 134, 135
May 18	643		45	617	36	143
1929						
Feb. 20	270	1 (1st, 2d, last provisos in par. under heading ''American Battle Monuments Commission'').	45	1231, 1232	36	122, 134, 135
June 14	23		46	11	36	4902
1930						
Feb. 7	42		46	66	36	13
Apr. 19	201	1 (1st, 2d, last provisos in par. under heading ''American Battle Monuments Commission'').	46	230, 231	36	122, 134, 135
1931						
Feb. 23	281	1 (1st, 2d, last provisos in par. under heading ''American Battle Monuments Commission'').	46	1356	36	122, 134, 135
Mar. 3	436		46	1508	36	170
1932						
June 17	268		47	320	36	90a–90k
June 30	330	1 (1st, 2d, last provisos in par. under heading ''American Battle Monuments Commission'').	47	454	36	122, 134, 135
1933						
Mar. 3	214		47	1544	36	16
May 20	36		48	73	36	145
June 16	101	1 (1st, last provisos in par. under heading ''American Battle Monuments Commission'').	48	285	36	122, 135
1934						
Apr. 30	184		48	657	36	146
June 7	425		48	925	36	3502, 3504
1935						
Feb. 2	3	1 (1st, 3d, last provisos in par. under heading ''American Battle Monuments Commission'').	49	7	36	121a, 122, 135
June 28	323	1, 2	49	426	36	491, 491 note
July 5	373		49	457	36	3301–3310
Aug. 12	508	1 (par. under heading ''Memorial to Personnel of American Expeditionary Forces'').	49	594	36	491 note

Schedule of Laws Repealed—Continued

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
1936						
Mar. 19	156	1 (1st, 3d, last provisos in par. under heading ''American Battle Monuments Commission'').	49	1169	36	121a, 122, 135
May 28	471		49	1390	36	111–120
June 15	546		49	1501	36	139–139b
June 23	736		49	1895	36	147, 148
1937						
June 14	336		50	257	36	5305–5308
June 28	396	1 (1st, 3d, last provisos in par. under heading ''American Battle Monuments Commission'').	50	331	36	121a, 122, 135
Aug. 4	564		50	558	36	57–59
Aug. 16	666		50	668	36	149
Aug. 25	762		50	798	36	3201, 3201 note, 3202–3209
1938						
Mar. 28	56		52	148	36	150
May 23	259	1 (1st, 3d, last provisos in par. under heading ''American Battle Monuments Commission'').	52	412	36	121a, 122, 135
June 29	796		52	1226	36	5401, 5402
1939						
Mar. 16	11	1 (1st, 3d, last provisos in par. under heading ''American Battle Monuments Commission'').	53	525	36	121a, 122, 135
May 11	123		53	739	36	151
1940						
Apr. 18	107	1 (1st, 3d, last provisos in par. under heading ''American Battle Monuments Commission'').	54	113	36	121a, 122, 135
June 6	239		54	232	36	140, 140 note, 140a–140c
Sept. 24	730		54	960	36	149 note
Oct. 10	840		54	1093	36	151a
1941						
Apr. 5	40	1 (provisos in par. under heading ''American Battle Monuments Commission'').	55	95	36	121a, 122, 135
1942						
June 22	435		56	377	36	171–178
June 27	450	1 (provisos in par. under heading ''American Battle Monuments Commission'').	56	395	36	121a, 122, 135
July 15	505		56	659	36	90a, 90c, 90e–90j
July 30	537		56	728	36	149 note
Sept. 26	563		56	758	36	97
Oct. 17	615		56	796	36	179–182
Oct. 29	633		56	1012	36	43, 45
Dec. 22	806		56	1074	36	171–178
1943						
June 26	145	101 (provisos in par. under heading ''American Battle Monuments Commission'').	57	171	36	121a, 122, 135
1944						
June 27	286	101 (provisos in par. under heading ''American Battle Monuments Commission'').	58	363	36	121a, 122, 135
1945						
May 3	106	101 (provisos in par. under heading ''American Battle Monuments Commission'').	59	107	36	121a, 122, 135
Aug. 11	363		59	530	36	155
Dec. 28	607		59	668	36	172
1946						
Mar. 28	113	101 (provisos in par. under heading ''American Battle Monuments Commission'').	60	62	36	121a, 135
June 26	502		60	317, 318	36	121, 123–125, 127, 128, 131, 132, 138–138b
July 1	527		60	346	36	201–208
July 9	546		60	524	36	45
1947						
May 8	50		61	80	36	1 note, 1a, 2, 3, 4a, 5, 9
July 23	298		61	403	36	67–67s
1948						
Apr. 20	219	101 (last proviso in par. under heading ''American Battle Monuments Commission'').	62	179	36	122
June 30	755		62	1150	36	156
1949						
July 11	302		63	409	36	155a, 155b
Aug. 3	385		63	492	36	157
Aug. 24	506	101 (last proviso in par. under heading ''American Battle Monuments Commission'').	63	633	36	122
1950						
Mar. 16	62		64	22	36	31–38a
May 11	182		64	158	36	169g
June 30	431	1–14, 16–19	64	312, 315	36	221–234, 236–239
Aug. 30	823	1–13, 15–21	64	563, 566	36	271–283, 285–291
Sept. 6	896	101 (last proviso in par. under heading ''American Battle Monuments Commission'').	64	699	36	122
Sept. 20	956		64	868	36	311–317
	958	1–8, 10–12	64	869, 872	36	341–348, 350–352

Schedule of Laws Repealed—Continued

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
Sept. 21	975		64	899	36	371–382b, 391–396
Dec. 28	1177		64	1122	36	45
	1178		64	1122	36	67e
1951						
Apr. 16	29		65	31	36	39
July 30	255		65	130	36	18a
Aug. 17	328		65	192	36	36
Aug. 31	376	101 (provisos in 1st par. under heading ''American Battle Monuments Commission'').	65	269	36	122
Oct. 27	593		65	659	36	158
1952						
Feb. 29	49	1	66	9	36	153
Apr. 3	131	1–15, 17–21	66	37, 41	36	401–415, 417–421
Apr. 17	216		66	64	36	169h
July 5	578	101 (provisos in 1st par. under heading ''American Battle Monuments Commission'').	66	395	36	121b, 122
1953						
May 21	63	1	67	27	36	4702
May 27	70		67	35	36	179–182
May 29	85		67	40	36	111, 115
June 26	152		67	81	36	97, 98
	153		67	82	36	44, 48
July 9	183		67	142	36	175
July 17	222	4–6	67	179	36	3, 6, 7, 10, 11
July 31	302	101 (provisos in par. under heading ''American Battle Monuments Commission'').	67	299	36	121b, 122
Aug. 5	326	(1st, 2d pars., 3d par. (a)–(f), (h), (i), 4th, last pars.)	67	366	36	426
Aug. 13	427	1–13, 15–17	67	562, 565	36	431–443, 445–447
	429	1–14, 16–19	67	569, 573	36	461–474, 476–479
Aug. 14	486		67	582	36	34, 35, 37
1954						
June 14	297		68	249	36	172
June 24	359	101 (provisos in pars. under heading ''American Battle Monuments Commission'').	68	275	36	121b, 122, 122a, 125a
July 19	536	1–13, 15–18	68	489, 492	36	501–513, 515–518
Aug. 3	655	5	68	665	36	155a
Aug. 20	774	1–14, 16–20	68	748, 752	36	531–544, 546–550
Aug. 24	911	1–13, 15–19	68	795, 800	36	571–583, 585–589
Aug. 28	1036	1–13, 15–17	68	891, 895	36	601–613, 615–617
1955						
June 29	226	(provisos in pars. under heading ''American Battle Monuments Commission'').	69	194	36	121b, 122, 122a
July 26	383		69	375	36	67e
	386		69	379	36	43, 45
Aug. 4	546	1–13, 15–17	69	486, 490	36	631–643, 645–647
Aug. 9	658		69	589	36	426
1956						
Mar. 29	102		70	60	36	4707
June 13	385	(provisos in par. under heading ''American Battle Monuments Commission'').	70	278	36	121b, 122, 122a
July 25	721		70	640	36	121, 122b, 123–125, 131, 132, 138, 138a, 138b
July 30	795		70	732	36	186
Aug. 1	824	1–13, 15–20	70	794, 797	36	661–673, 675–680
Aug. 2	875		70	932	36	159
Aug. 6	974	1–5, 7–10	70	1049, 1050	36	721–725, 727–730
	976	1–13, 15–17	70	1052, 1056	36	691–703, 705–707
1957						
May 16	85–32		71	30	36	160
June 5	85–48	101 (provisos in par. under heading ''American Battle Monuments Commission'').	71	52	36	121b, 122, 122a
July 3	85–83	1	71	276	36	20
Aug. 13	85–125		71	344	36	123 note
Aug. 28	85–179		71	457	36	426
Sept. 7	85–305	1–7, 9	71	626, 628	36	741–747, 749
1958						
June 4	85–445		72	179	36	161
June 25	85–468	(provisos in par. under heading ''American Battle Monuments Commission'').	72	223	36	121b, 122, 122a
July 18	85–529		72	369	36	162
	85–530	1–14, 16–20	72	370, 374	36	761–774, 776–780
July 25	85–556		72	416	36	426
Aug. 14	85–642	1–13, 15–17	72	597, 600	36	791–803, 805–807
Aug. 26	85–761	1–13, 15–17	72	854, 859	36	821–833, 835–837

Schedule of Laws Repealed—Continued

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
Aug. 27	85–769	1–13, 15–18	72	922, 927	36	851–863, 865–868
Sept. 2	85–870	1–13, 15–18	72	1691, 1694	36	881–893, 895–898
	85–903	1–12, 14–16	72	1738, 1741	36	911–922, 924–926
	85–918		72	1769	36	749
1959						
June 17	86–47	1–13, 15–18	73	76, 79	36	78–78*l*, 78n–78q
July 8	86–79	(provisos in par. under heading ''American Battle Monuments Commission'').	73	164	36	121b, 122, 122a
Sept. 22	86–352		73	627	36	143, 143 note
1960						
June 29	86–533	(23)	74	249	36	139b
July 12	86–642	(provisos in 1st par. under heading ''American Battle Monuments Commission'').	74	475	36	121b, 122, 122a
July 14	86–653	1–13, 15–18	74	515, 518	36	941–953, 955–958
Aug. 31	86–680	1–13, 15–18	74	572, 577	36	971–983, 985–988
Sept. 13	86–753		74	898	36	163
	86–772		74	913	36	155a
1961						
Apr. 7	87–20		75	43	36	164
June 21	87–56		75	95	36	633, 636, 648
Aug. 3	87–125	(provisos in 1st par. under heading ''American Battle Monuments Commission'').	75	279	36	121b, 122, 122a
Sept. 8	87–214		75	489	36	20c
Sept. 26	87–319		75	681	36	165
1962						
May 14	87–449		76	69	36	166
July 25	87–547	6	76	217	36	4703
Sept. 7	87–650	1–14, 16–20	76	502, 505	36	1001–1014, 1016–1020
Sept. 10	87–655	1–13, 15–19	76	530, 533	36	1041–1053, 1055–1059
Sept. 19	87–673		76	557	36	4909
Oct. 1	87–726		76	676	36	167
Oct. 9	87–780		76	779	36	168
Oct. 15	87–817	1–13, 15–18	76	929, 933	36	3401–3413, 3415–3418
Oct. 18	87–843	(provisos in 1st par. under heading ''American Battle Monuments Commission'').	76	1100	36	121b, 122, 122a
1963						
Aug. 27	88–105	2	77	130	36	776
Dec. 17	88–209		77	402	36	169
Dec. 23	88–240		77	477	36	426, 426 note
Dec. 30	88–242		77	629	36	169a
	88–245	(provisos in par. under heading ''American Battle Monuments Commission'').	77	796	36	121b, 122, 122a
	88–254		77	843	36	169b
1964						
June 24	88–321		78	221	36	155a
July 14	88–372		78	314	36	4301–4318
	88–376		78	320	36	4501–4517
July 16	88–378		78	325	36	1071–1088
Aug. 10	88–407		78	383	36	383
Aug. 19	88–449		78	496	36	4601–4617
Aug. 30	88–504	1–4(15), (17)–(38)	78	635, 637	36	28, 37, 49, 58, 65, 78m, 90i, 101, 118, 140c, 235, 284, 317, 349, 444, 475, 514, 545, 584, 614, 644, 674, 704, 775, 804, 834, 864, 894, 923, 954, 984, 1015, 1054, 1101–1103, 3208, 3308, 3414
Aug. 31	88–527	(provisos in 1st par. under heading ''American Battle Monuments Commission'').	78	731	36	121b, 122, 122a
Sept. 2	88–566		78	849	36	169c
Oct. 6	88–628		78	1003	36	169d
1965						
Sept. 2	89–164	(provisos in 1st par. under heading ''American Battle Monuments Commission'').	79	639	36	121b, 122, 122a
Oct. 1	89–231		79	901	36	4902, 4909
Nov. 8	89–333	14	79	1294	36	155a
1966						
June 9	89–443		80	194	36	157a
Sept. 1	89–550		80	371	36	43, 45

Schedule of Laws Repealed—Continued

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
Sept. 14	89–576		80	772	36	67e
Nov. 2	89–703		80	1099	36	169e
Nov. 8	89–797	(provisos in par. under heading ''American Battle Monuments Commission'').	80	1501	36	121b, 122, 122a
1967						
Nov. 8	90–133	(provisos in par. under heading ''American Battle Monuments Commission'').	81	429	36	121b, 122, 122a
Dec. 18	90–208		81	655	36	90i, 91i note
1968						
Jan. 30	90–251		82	4	36	722, 723, 728, 730
July 5	90–382		82	292	36	401, 418
July 7	90–391	14	82	306	36	155a
Aug. 9	90–470	(provisos in par. under heading ''American Battle Monuments Commission'').	82	686	36	121b, 122, 122a
Sept. 17	90–498		82	848	36	169f
1969						
June 30	91–37		83	42	36	5303, 5306, 5307, 5307 note
Dec. 24	91–153	(provisos in par. under heading ''American Battle Monuments Commission'').	83	421	36	121b, 122, 122a
1970						
Oct. 8	91–442		84	914	36	155
Oct. 21	91–472	(provisos in par. under heading ''American Battle Monuments Commission'').	84	1058	36	121b, 122, 122a
	91–480		84	1081	36	121
1971						
Aug. 10	92–77	(provisos in par. under heading ''American Battle Monuments Commission'').	85	264	36	121b, 122, 122a
Aug. 11	92–93		85	317	36	1151–1167
1972						
Apr. 24	92–278		86	124	36	142a
Sept. 29	92–447		86	746	36	4605
Oct. 25	92–544	(provisos in par. under heading ''American Battle Monuments Commission'').	86	1128	36	121b, 122, 122a
1973						
Nov. 27	93–162	(provisos in par. under heading ''American Battle Monuments Commission'').	87	653	36	121b, 122, 122a
1974						
Jan. 2	93–244		87	1070	36	125
Apr. 12	93–266		88	85	36	4904, 4906
	93–267		88	85	36	97
Sept. 6	93–414	(provisos in par. under heading ''American Battle Monuments Commission'').	88	1099	36	121b, 122, 122a
Nov. 29	93–504		88	1575	36	1042
Dec. 26	93–551		88	1744	36	1073
Dec. 27	93–557		88	1792	36	45
1975						
June 13	94–33		89	211	36	157b
Oct. 17	94–116	(provisos in 1st par. under heading ''American Battle Monuments Commission'').	89	587	36	121b, 122, 122a
Dec. 15	94–151		89	809	36	1101, 3502
1976						
Apr. 1	94–256		90	301	36	121
Apr. 21	94–273	3(19)	90	377	36	131
July 7	94–344		90	810	36	171–178
Aug. 9	94–378	(provisos in par. under heading ''American Battle Monuments Commission'').	90	1098	36	121b, 122, 122a
Oct. 1	94–443		90	1475	36	18a, 18c
1977						
Aug. 15	95–98		91	830	36	67, 67 note, 67a, 67b, 67e, 67h, 67p–67r
Oct. 4	95–119	(provisos in par. under heading ''American Battle Monuments Commission'').	91	1077	36	121b, 122, 122a
Nov. 11	95–167		91	1347	36	881, 883, 885, 887, 895, 896, 1101
1978						
Aug. 17	95–346		92	485	36	45
Sept. 30	95–392	(provisos in par. under heading ''American Battle Monuments Commission'').	92	795	36	121b, 122, 122a
Oct. 18	95–479	306	92	1566	36	121
	95–482	113	92	1605	36	384
Oct. 20	95–493		92	1643	36	1201–1219
Nov. 8	95–606		92	3045	36	371, 371 note, 372–382b, 391–396
1979						
Sept. 6	96–62		93	410	36	142b
Nov. 5	96–103	(provisos in par. under heading ''American Battle Monuments Commission'').	93	775	36	121b, 122, 122a
Dec. 21	96–155		93	1165	36	45
Dec. 29	96–165		93	1267	36	1101, 1301–1309

Schedule of Laws Repealed—Continued

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
1980						
July 8	96–304	(last sentence in par. under heading ''Salaries and Expenses'').	94	898	36	393 note
Oct. 3	96–376	9	94	1510	36	161
Oct. 7	96–385	506	94	1537	36	121
	96–388		94	1547	36	1401–1411
Dec. 2	96–489		94	2553	36	1101, 1501–1514
Dec. 4	96–497		94	2595	36	1101, 1601–1614
Dec. 15	96–526	(provisos in par. under heading ''American Battle Monuments Commission'').	94	3050	36	121b, 122, 122a
1981						
Nov. 20	97–82		95	1091	36	1101, 1701–1715
	97–83		95	1094	36	1101, 1801–1815
	97–84		95	1097	36	1402, 1405
Dec. 23	97–101	(provisos in par. under heading ''American Battle Monuments Commission'').	95	1422	36	121b, 122, 122a
1982						
June 1	97–192		96	109	36	1101, 1901–1914
Aug. 9	97–231		96	256	36	1101, 2001–2015
Aug. 10	97–234		96	261	36	1101, 2101–2116
Sept. 30	97–272	(provisos in par. under heading ''American Battle Monuments Commission'').	96	1165	36	121b, 122, 122a
1983						
Jan. 8	97–427		96	2265	36	1101, 2201–2215
Jan. 12	97–447		96	2364	36	1219
July 12	98–45	(provisos in par. under heading ''American Battle Monuments Commission'').	97	224	36	121b, 122, 122a
1984						
Apr. 10	98–257		98	127	36	1101, 2301–2316
May 21	98–291		98	203	36	90i
May 31	98–304		98	220	36	67e
June 12	98–314		98	237	36	1101, 2401–2415
July 18	98–371	(provisos in par. under heading ''American Battle Monuments Commission'').	98	1221	36	121b, 122, 122a
July 23	98–372		98	1239	36	1101, 2501–2515
Aug. 7	98–375		98	1257	36	146 note
Aug. 17	98–382		98	1343	36	1101, 2601–2615
Aug. 21	98–391		98	1358	36	1101, 2701–2715
Aug. 27	98–399		98	1473	36	169j–169j–10
Oct. 19	98–520		98	2428	36	1101, 2801–2815
Oct. 30	98–561		98	2910	36	1101, 2901–2916
	98–565		98	2920	36	1101, 3001–3016
	98–584		98	3097	36	1101, 3101–3115
1985						
Oct. 7	99–119		99	498	36	1101, 3601–3616
Nov. 25	99–160	(1st–3d provisos in par. under heading ''American Battle Monuments Commission'').	99	914	36	121b, 122, 122a
Dec. 9	99–172		99	1020	36	1101, 3701–3715
Dec. 19	99–190	101(d) [provisos in par. under heading ''United States Holocaust Memorial Council''), §324].	99	1262, 1267	36	1401, 1404 note, 1407, 1409, 1410
1986						
May 1	99–284		100	406	36	169j–2, 169j–3, 169j–7, 169j–8
May 23	99–318		100	474	36	1101, 3801–3817
Aug. 7	99–376		100	804	36	3501
Aug. 27	99–402		100	910	36	169i, 169i notes, 169i–1
Oct. 7	99–449		100	1128	36	187
Oct. 18	99–500	101(g) [(1st–3d provisos in par. under heading ''American Battle Monuments Commission'' in title II of H.R. 5313)], (h) [(1st, 2d, 4th, last provisos in par. under heading ''United States Holocaust Memorial Council'')].	100	1783–242, 1783–283	36	121b, 122, 122a, 1404 note
Oct. 21	99–506	902	100	1841	36	155a

Schedule of Laws Repealed—Continued

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
Oct. 30	99–591	101(g) [(1st–3d provisos in par. under heading ''American Battle Monuments Commission'' in title II of H.R. 5313)], (h) [(1st, 2d, 4th, last provisos in par. under heading ''United States Holocaust Memorial Council'')].	100	3341–242, 3341–283	36	121b, 122, 122a, 1404 note
Nov. 6	99–604		100	3446	36	1101, 3901–3915
1987						
July 11	100–71	(par. related to Holocaust Memorial Council under heading ''United States Holocaust Memorial Council'').	101	418	36	1405
Aug. 18	100–94		101	700	36	146 note
Dec. 11	100–186		101	1286	36	188
Dec. 22	100–202	101(f) [(1st–3d provisos in 1st par. under heading ''American Battle Monuments Commission'')], (g) [(1st, 2d, 4th, 5th provisos in par. under heading ''United States Holocaust Memorial Council'')].	101	1329–194, 1329–251	36	121b, 122, 122a, 1404 note
1988						
Apr. 6	100–281		102	73	36	1101, 4001–4017
May 5	100–307		102	456	36	169h
May 20	100–322	345	102	540	36	138c, 138c notes
Aug. 17	100–402		102	1012	36	169f, 169f note
Aug. 19	100–404	(1st–3d provisos in par. under heading ''American Battle Monuments Commission'').	102	1021	36	121b, 122, 122a
Oct. 28	100–539		102	2718	36	4601, 4601 note, 4607, 4616
Nov. 7	100–630	301	102	3315	36	155–155b
Nov. 9	100–642		102	3337	36	4404, 4404 note
Nov. 14	100–655		102	3849	36	1101, 4101–4115
Nov. 18	100–687	1602	102	4137	36	125b
1989						
May 17	101–30	1–7	103	60	36	169j, 169j note, 169j–2, 169j–3, 169j–3 note, 169j–4–169j–8, 169j–8 note
Nov. 9	101–144	(1st–3d provisos in par. under heading ''American Battle Monuments Commission'').	103	854	36	121b, 122, 122a,
Dec. 18	101–237	503	103	2094	36	121
1990						
Aug. 10	101–355		104	416	36	189
Oct. 30	101–478		104	1157	36	45
Nov. 5	101–507	(1st–3d provisos in par. under heading ''American Battle Monuments Commission'').	104	1370	36	121b, 122, 122a
	101–510	1601–1616	104	1736	36	1101, 4801–4815
1991						
June 6	102–52	9(b)	105	263	36	155a
June 13	102–54	13(n)	105	278	36	67b, 67h, 90c, 823, 865, 1159, 2403, 3103, 3703
Oct. 28	102–139	(1st–3d provisos in par. under heading ''American Battle Monuments Commission'').	105	760	36	121b, 122, 122a
Dec. 2	102–179		105	1229	36	45
Dec. 5	102–190	1084	105	1482	36	189 note
Dec. 10	102–199		105	1628	36	691, 693, 1101
1992						
Oct. 5	102–381	(par. under heading ''United States Holocaust Memorial Council'').	106	1415	36	1405 note
Oct. 6	102–389	(1st–3d provisos in par. under heading ''American Battle Monuments Commission'').	106	1595	36	121b, 122, 122a
Oct. 23	102–450		106	2251	36	169k, 169k note
	102–484	1801–1817, 1821–1838	106	2581	36	1101, 5001–5016, 5101–5117
Oct. 26	102–522	201–208	106	3417	36	5201, 5201 note, 5203–5207
Oct. 27	102–529		106	3463	36	1401, 1406, 1408, 1411
Oct. 29	102–569	914	106	4488	36	155a
1993						
May 31	103–35	202(a)(13)	107	101	36	5013, 5113
Oct. 28	103–124	(1st–3d provisos in par. under heading ''American Battle Monuments Commission'').	107	1291	36	121b, 122, 122a
Nov. 11	103–138	309	107	1416	36	1405
Nov. 30	103–160	1182(c)(6)	107	1772	36	5108
Dec. 20	103–206	318	107	2427	36	161, 161 note

Schedule of Laws Repealed—Continued

Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code	
			Volume	Page	Title	Section
1994						
Aug. 23	103–304	2	108	1565	36	169j–2, 169j–3, 169j–5, 169j–5 note, 169j–6–169j–10
	103–308		108	1669	36	169*l*, 169*l*
Sept. 13	103–322	320922	108	2131	36	167, 175
Sept. 28	103–327	(1st–3d provisos in par. under heading ''American Battle Monuments Commission'').	108	2317	36	121b, 122, 122a
Oct. 14	103–362		108	3465	36	142c, 142c–1
1995						
Mar. 7	104–3		109	47	36	115
July 27	104–19	2005	109	247	36	169m
1996						
Feb. 10	104–106	1601–1611(c)(4), 1611(d)–1621, 1623	110	515, 516, 522	36	5501(a)–(c)(4), (d), 5501 note, 5502–5521, 5523
Apr. 4	104–127	358(a)(2)	110	1014	36	1101
Apr. 26	104–134	(provisos in par. under heading ''American Battle Monuments Commission'').	110	1321–293	36	121b, 122, 122a
Sept. 23	104–201	1073(c), 1801–1816	110	2657, 2760	36	1101, 5505, 5506, 5509, 5601–5615
Sept. 26	104–204	(provisos in par. under heading ''American Battle Monuments Commission'').	110	2907	36	121b, 122, 122a
Oct. 9	104–275	602	110	3344	36	125, 138d
Oct. 11	104–285	201–209	110	3382	36	5701, 5701 note, 5702–5708
Nov. 12	104–333	806	110	4188	36	169i, 169i–1

Schedule of Laws Repealed—Continued

United States Code

Title	Section
10	4312, 4313
10	items 4312, 4313 in analysis of ch. 401

SEC. 7. TECHNICAL AMENDMENTS.

(a) Section 9503(e)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(e)(3)) is amended by adding a period at the end of the paragraph.

(b) Title 49, United States Code, is amended as follows:

(1) In section 5108(f), strike ''section 552(f)'' and substitute ''section 552(b)''.

(2) In section 15904(c)(1), insert ''section'' before ''15901(b)''.

(c)(1) Chapter 491 of title 49, United States Code, as enacted by the Act of November 20, 1997 (Public Law 105–102, 111 Stat. 2205), is amended as follows:

(A) In section 49106(b)(1)(F), strike ''1996'' and substitute ''1986''.

(B) In section 49106(c)(3), strike ''by the board'' and substitute ''to the board''.

(C) In section 49107(b), strike ''subchapter II'' and substitute ''subchapter III''.

(D) In section 49111(b), strike ''retention of'' and substitute ''retention by''.

(2) The Schedule of Laws Repealed in the Act of November 20, 1997 (Public Law 105–102, 111 Stat. 2217), is amended by striking ''1996'' in the items related to Public Laws 99–500 and 99–591 and substituting ''1986''.

(3) The amendments made by this subsection are effective as of November 20, 1997.

(d) Effective October 11, 1996, section 5(45)(A) of the Act of October 11, 1996 (Public Law 104–287, 110 Stat. 3393), is amended by striking ''ENFORCEMENT;'' and substituting ''ENFORCEMENT:''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. PEASE) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. PEASE).

GENERAL LEAVE

Mr. PEASE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1085, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. PEASE. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1085, as amended, is a bill to revise, codify and enact certain general and permanent laws related to patriotic and national observances, ceremonies and organizations, as title 36, United States Code ''Patriotic, and National Observances, Ceremonies and Organizations.''

This bill has been prepared by the Office of the Law Revision Counsel of the House of Representatives as a part of the responsibilities of that office to prepare and submit to the Committee on the Judiciary for enactment into positive law all titles of the United States Code.

The manager's amendment to H.R. 1085, as amended, consists of technical changes to title 49, United States Code, Transportation, that are of a nonsubstantive nature and correct discrepancies that occurred in H.R. 1086 between the electronic format and hard copy versions of the bill as introduced and reported and the enacted version.

The Law Revision Counsel has informed me that he has satisfied H.R. 1085, as amended, makes no substantive changes in the law; therefore, no additional cost to the government would be incurred as a result of enactment of H.R. 1085, as amended.

I urge my colleagues to support H.R. 1085 as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1085 is a bill prepared by the Office of the Law Revision Counsel that codifies without substantive change certain general and permanent laws related to title 36, concerning patriotic and national observances, and title 49, concerning transportation.

This is part of the Law Revision Counsel's program of recommending technical changes to the positive law titles of the United States Code which consolidate and streamline existing law. The bill makes no substantive changes, and I urge the Members to support it.

Mr. Speaker, I have no further requests for time on my side, and I yield back the balance of my time.

Mr. PEASE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. PEASE) that the House suspend the rules and pass the bill, H.R. 1085, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FAA RESEARCH, ENGINEERING, AND DEVELOPMENT AUTHORIZATION ACT OF 1997

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and take from the Speaker's table the bill (H.R. 1271) to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FAA Research, Engineering, and Development Authorization Act of 1997''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2)(J);

(2) by striking the period at the end of paragraph (3)(J) and inserting in lieu thereof a semicolon; and

(3) by adding at the end the following:

''(4) for fiscal year 1998, $226,800,000, including—

''(A) $16,379,000 for system development and infrastructure projects and activities;

''(B) $27,089,000 for capacity and air traffic management technology projects and activities;

''(C) $23,362,000 for communications, navigation, and surveillance projects and activities;

''(D) $16,600,000 for weather projects and activities;

''(E) $7,854,000 for airport technology projects and activities;

''(F) $49,202,000 for aircraft safety technology projects and activities;

''(G) $53,759,000 for system security technology projects and activities;

''(H) $26,550,000 for human factors and aviation medicine projects and activities;

''(I) $2,891,000 for environment and energy projects and activities; and

''(J) $3,114,000 for innovative/cooperative research projects and activities; and

''(5) for fiscal year 1999, $229,673,000.''.

SEC. 3. RESEARCH GRANTS PROGRAM INVOLVING UNDERGRADUATE STUDENTS.

(a) PROGRAM.—Section 48102 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(h) RESEARCH GRANTS PROGRAM INVOLVING UNDERGRADUATE STUDENTS.—

''(1) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration shall establish a program to utilize undergraduate and technical colleges, including Historically Black Colleges and Universities and Hispanic Serving Institutions, in research on subjects of relevance to the Federal Aviation Administration. Grants may be awarded under this subsection for—

''(A) research projects to be carried out at primarily undergraduate institutions and technical colleges;

''(B) research projects that combine research at primarily undergraduate institutions and technical colleges with other research supported by the Federal Aviation Administration; or

''(C) research on future training requirements on projected changes in regulatory requirements for aircraft maintenance and power plant licensees.

''(2) NOTICE OF CRITERIA.—Within 6 months after the date of the enactment of the FAA Research, Engineering, and Development Authorization Act of 1997, the Administrator of the Federal Aviation Administration shall establish and publish in the Federal Register criteria for the submittal of proposals for a grant under this subsection, and for the awarding of such grants.

''(3) PRINCIPAL CRITERIA.—The principal criteria for the awarding of grants under this subsection shall be—

''(A) the relevance of the proposed research to technical research needs identified by the Federal Aviation Administration;

''(B) the scientific and technical merit of the proposed research; and

''(C) the potential for participation by undergraduate students in the proposed research.

''(4) COMPETITIVE, MERIT-BASED EVALUATION.—Grants shall be awarded under this subsection on the basis of evaluation of proposals through a competitive, merit-based process.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 48102(a) of title 49, United States Code, as amended by this Act, is further amended by inserting '', of which $750,000 shall be for carrying out the grant program established under subsection (h)'' after ''projects and activities'' in paragraph (4)(J).

SEC. 4. NOTICES.

(a) REPROGRAMMING.—If any funds authorized by the amendments made by this Act are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NOTICE OF REORGANIZATION.—The Administrator of the Federal Aviation Administration shall provide notice to the Committees on Science, Transportation and Infrastructure, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 30 days before any major reorganization (as determined by the Administrator) of any program of the Federal Aviation Administration for which funds are authorized by this Act.

SEC. 5. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the Federal Aviation Administration should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the Federal Aviation Administration posed by the problems referred to in paragraph (1), and plan and budget for achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the Federal Aviation Administration is unable to correct in time.

Amend the title so as to read: ''An Act to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 and 1999, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Tennessee (Mr. GORDON) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SENSENBRENNER asked and was given permission to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, H.R. 1271 authorizes the FAA to carry out its Research, Engineering and Development program for fiscal years 1998 and 1999. The objective of the RE&D program is to develop and validate the technology and knowledge required for the FAA to ensure the safety, efficiency and security of our national air transportation system.

Technologies developed through the RE&D program are helping to transform our Nation's aging aviation system into a modern air traffic management system capable of meeting the increased aviation demands of the coming century. Examples of recent advances developed utilizing RE&D funds include quieter aircraft technology, more reliable aircraft control equipment, advanced explosive detection systems, and longer lasting runways.

Overall, H.R. 1271 authorizes $226.8 million in fiscal year 1998 and $229.6 million in fiscal year 1999 for the FAA to carry out the RE&D program. Critical projects and activities of the program include research and development in the areas of air traffic management, navigation, weather, aircraft safety, systems security and human factors.

Finally, H.R. 1271 contains language to require the FAA to provide Congress with notice of any major reprogramming or reorganization effort within the RE&D program and directs the FAA to move immediately to access the pending effect of the year 2000 computer program on the agency's information system. The legislation does not, however, include an authorization of funds for implementing the Flight 2000 demonstration program requested by the administration in the fiscal 1999 budget request. The Committee on Science plans to hold authorization hearings beginning next month on this program.

I would like to commend the gentlewoman from Maryland, (Mrs. MORELLA), the chairwoman of the Subcommittee on Technology, the gentleman from California (Mr. BROWN), the ranking member of the committee, and the gentleman from Tennessee (Mr. GORDON), the ranking member of the subcommittee, and other members of the Committee on Science for their hard work in crafting this legislation.

H.R. 1271 is a true bipartisan bill which originally passed the House by the overwhelming vote of 414 to 7. Late last year the Senate amended and passed H.R. 1271. The Senate amendment made two significant changes to the bill. First. It struck the fiscal year 2000 authorization and, second, it increased the authorization for RE&D by $5.6 million in fiscal year 1999.

Mr. Speaker, H.R. 1271, as amended by the Senate, is a good bill and I strongly urge my colleagues to demonstrate our Nation's commitment to civil aviation research and development by voting aye today and sending this bill to the President.

Mr. Speaker, I reserve the balance of my time.

Mr. GORDON. Mr. Speaker, I yield myself such time as I may consume,

and I rise in support of H.R. 1271, the FAA Research, Engineering and Development Act of 1997.

H.R. 1271 is the product of a bipartisan process to strengthen the research and development activities of the FAA. The FAA's RE&D programs are key to increasing the capacity and efficiency of the national aerospace system while ensuring its safety and security.

H.R. 1271 reverses the downward trend in FAA's research, engineering and development account, which has declined by 20 percent in the last 2 years. This funding increase will improve research in areas such as noise abatement and weather prediction, areas identified by outside advisory panels that need increased support.

H.R. 1271 also includes language urging the FAA to address the year 2000 computer problem. Unless the necessary steps are taken, FAA's air traffic control operations could be disrupted in 2000. However, this is not simply a problem limited to the United States airspace. The air traffic control system of every nation must be corrected, and I urge the FAA to take the lead to make other countries aware of this problem and the steps needed to correct it.

In addition, this bill includes my proposed establishing a competitive research grants program for primarily undergraduate institutions. This program will support research relevant to FAA's technology needs and, more importantly, will help develop the technical expertise to address FAA's future technology requirements. This provision had widespread support of the House and the other body.

Finally, I wanted to acknowledge that H.R. 1271 does not authorize FAA's new Flight 2000 program. However, it is my understanding that we will review this program in the next month and can then authorize funding as part of the FAA's overall reauthorizing bill. I urge my colleagues to support H.R. 1271.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentlewoman from Maryland (Mrs. MORELLA), the subcommittee chairwoman.

Mrs. MORELLA. Mr. Speaker, I thank the chairman of the Committee on Science for yielding me this time, and, Mr. Speaker, as chair of the Committee on Science's Subcommittee on Technology I am really very pleased to bring before this body full support for H.R. 1271, the FAA Research, Engineering and Development Act of 1997.

The legislation authorizes $226.8 million in fiscal year 1998 and $229.7 million in fiscal year 1999 for the Federal Aviation Administration to conduct research, engineering and development activities that are helping to increase the efficiency and safety of aviation. H.R. 1271 authorizes funding for the FAA to conduct RE&D projects in activities including research on aircraft structures and materials, systems security, the use of satellite communication and navigation, airport safety, human factors, and FAA internal improvements.

In addition, the fiscal year 1999 authorization level ensures that sufficient funding is available for the research and development of new technologies to reduce aircraft noise, to conduct FAA air traffic control modernization efforts, and to improve weather information. Improving weather information is especially important since it is both the single largest contributor to delays and a major factor in aircraft accidents.

The bill also establishes a program that utilizes undergraduate and technical colleges to research methods that will assist the FAA in carrying out its important missions.

And finally, Mr. Speaker, H.R. 1271 includes a sense of Congress concerning the need for the Federal Aviation Administration to assess immediately the effect of the year 2000 computer problem on its computer systems. This provision is significant and this bill past the House earlier this year by a vote of 414 to 7.

I want to commend the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the committee; and I want to commend the gentleman from California (Mr. GEORGE BROWN), the ranking member, and the gentleman from Tennessee (Mr. BART GORDON), my Subcommittee on Technology member, for the work they have done. This is indeed a bipartisan product.

I encourage all my colleagues to join me in supporting H.R. 1271 and, by sending this legislation to the President for his signature into law, Congress will assist the FAA to develop a national aviation system that is universally recognized as the safest, most technologically advanced system in the world.

Mr. GORDON. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Tennessee (Mr. GORDON) for yielding me this time.

This is truly a bipartisan bill and I am rising to support H.R. 1271. Noting the increased amount of aviation travel among our citizens in this country, it is extremely important that we have a bill that focuses on many aspects of safety but also focuses on the vision and the future of the aviation industry.

In particular, I would like to thank and congratulate the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the committee, the gentlewoman from Maryland (Mrs. MORELLA), the chairman of the subcommittee, the gentleman from California (Mr. BROWN), the ranking member, and my friend the gentleman from Tennessee (Mr. BART GORDON), the ranking member on the Subcommittee on Technology.

With the vision and insight to emphasize research and opportunities for undergraduate institutions in particular, the gentleman from Tennessee's effort provides for a merit-based competitive process that will allow our undergraduate institutions to involve themselves in research in the FAA.

☐ 1500

Interestingly enough, most research opportunities are viewed at our graduate schools, opportunities for our graduate students. But how important it is to recognize, for example, that institutions like Texas Southern University in my district, that has a Department of Transportation, can ably lend themselves to engage in merit-based competitive grant opportunities to do search research for the FAA.

In particular, I am very pleased that language that I offered in committee and that was supported by committee is included in this bill which encourages research to undergraduate students at our Nation's historically black colleges and universities and Hispanic serving institutions. As many of my colleagues may know, the majority of our HBCUs and Hispanic serving institutions are primarily undergraduate institutions.

Included in the section which funds research grant programs involving undergraduate students is a provision that includes historically black colleges and universities and Hispanic serving institutions in the language of the bill. This section targets at primarily undergraduate institutions that involve undergraduate students in their research on subjects of relevance to the Federal Aviation Administration. It begins to formulate professionals at an early age.

In 1996, the Federal Aviation Administration awarded a total of $15 million to institutions of higher education for research and development activities. Of that total $15 million in 1996, only $120,000 was awarded to historically black colleges and universities and $130,000 was awarded to Hispanic serving institutions. That is less than 1 percent.

For fiscal year 1997, of the $10 million awarded to institutions of higher education, the overall amounts awarded to minority institutions doubled but still was not impressive. Of the $10 million, $260,000 was awarded to HBCUs and $200,000 was awarded to Hispanic serving institutions. This is a sad and telling story on the state of research development within our minority universities and colleges.

Without open opportunities and without encouragement for everyone to be treated equally in this Nation, it is extremely important to create these opportunities of research.

The HBCU and Hispanic serving institutions language in this bill serves to unquestionably reflect that undergraduate students at minority institutions should aggressively compete for grant awards within the FAA. This language seeks to promote minority university awareness of research opportunities.

According to the President's Board of Advisors on Historically Black Colleges and Universities, our minority universities are often an untapped resource for research, technological and analytical competence. Although many HBCUs are underfunded in laboratory equipment, HBCUs have an overwhelming success rate in producing the Nation's top black mathematicians, scientists, and physicians.

Mr. Speaker, when we are called by name, we tend to act; we are more likely to respond. This bill does just that. It calls minority universities by name in an effort to highlight and bring to the attention of the FAA the fact that HBCUs and Hispanic serving institutions are alive and well and should be included in the research efforts of the FAA. It aids our minority institutions and others in understanding that minority universities and undergraduate students should effectively compete for research opportunities with the Federal Government.

This is a call for my colleagues to listen and to act. This is a call for us to participate in the technology of this Nation and creating safety for this Nation as well.

Mr. Speaker, while some of my colleagues may correctly state and understand that the classification of undergraduate students should include historically black colleges and universities as well as Hispanic serving institutions, it is important, however, to note that there are some in our country who do not appreciate this bill, this particular view. Consequently, our minority universities are often overlooked or forgotten.

Clearly, with this language, we have opened the doors of opportunity. H.R. 1271 allows undergraduate students at HBCUs and Hispanic serving institutions to definitely know that they too can participate in research that benefits the FAA and compete for research and development dollars that will help build a better America.

Again, I thank the committee; And the call is now out for our universities all over the Nation that include minorities to participate in this new technological advance.

I must add that I am pleased to note that under this subsection, grants are awarded based on the evaluation of proposals through a competitive, merit based process. My good colleague, BART GORDON of Tennessee, was successful in including this overall undergraduate section in the bill.

There is no doubt that there is an overwhelming need for research dollars to be awarded to historically black colleges and universities, as well as Hispanic serving institutions. At the FAA, the numbers speak for themselves.

This is why I am pleased with H.R. 1271 and the inclusion of HBCUs in the language of the bill. It is a good first step in reaching out to minority institutions that can and must compete in the research and development arena.

Hispanic serving institutions are colleges and universities that educate mostly Hispanic and Latino students. I am proud to announce that my new district, the 18th Congressional District, includes a good portion of the Heights in Houston, Texas. In the Heights are people of all racial and ethic backgrounds including the Hispanic culture. Many of the residents of the Heights attend both HBCUs and Hispanic serving institutions as well as majority colleges and universities. I am proud to be a representative of each.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I thank my colleague and appreciate the leadership that he has shown, along with the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Tennessee (Mr. GORDON) and the gentleman from California (Mr. BROWN), the respective committee and subcommittee chairmen over on the minority side.

I rise in support of the concurring amendments to H.R. 1271, the FAA Research, Engineering and Development Authorization Act of 1997. The House overwhelmingly passed this bill last April by a vote of 414 to 7 to authorize funding for the FAA's research, engineering, and development programs for fiscal years 1998, 1999, and the year 2000. The Senate also passed this bill with amendments, which include the elimination of funding authorization for fiscal year 2000 and an increase in funding levels over the original House bill.

I ask all of my colleagues to affirmatively lend their support to this legislation. It is crucial to ensuring that the FAA is able to continue research and development projects that will improve the safety, security, capacity, and productivity of our Nation's air traffic control system. The FAA's Research and Development program also conducts aviation medical research, environmental research to mitigate aircraft noise and engine emission and airway facilities maintenance. Indeed, this bill is essential to the well-being of air passengers as well as the many Americans who are affected daily by air traffic and the attendant noise and pollution.

The amendments to H.R. 1271 authorize $226.6 million for fiscal year 1998 and $229.673 million for fiscal year 1999, funding levels that are slightly higher than those originally approved by this body. These increases will allow the FAA to focus research, engineering and development on safeguarding sensitive computer and information system data that control air traffic management. It will permit the FAA to place a higher priority on weather research projects, reflecting the recommendation of both the FAA Research, Engineering and Development Advisory Committee and the National Academy of Science. Weather is the single largest contributor to delays and a major factor in aircraft accidents and incidents.

Additionally, these monies will allow FAA safety inspectors to take proactive, rather than reactive, measures to reduce the rate of aviation-related accidents.

Mr. Speaker, this legislation is critical to our Nation's ability to maintain and improve safe air travel, and I urge all of my colleagues to vote in favor of H.R. 1271 with the amendments.

Mr. SHUSTER. Mr. Speaker, I am including in the RECORD copies of correspondence between Chairman SENSENBRENNER and myself from April, 1997.

By including this in the RECORD, I want to reiterate the Transportation and Infrastructure Committee's exclusive jurisdiction of the traditional activities in the facilities and equipment account.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC, April 23, 1997.

Hon. BUD SHUSTER,
Chairman, House Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR BUD: On April 16, 1997, the House Committee on Science marked up and reported out H.R. 1271, FAA Research, Engineering, and Development Authorization Act of 1997.

Traditionally, provisions in this bill have been incorporated into the FAA Authorization Acts when considered on the House Floor, indicating your substantive interest in the research components of the FAA.

Because of our Committee's desire to expeditiously consider H.R. 1271, it is my understanding that you will not object to its consideration by the House.

I acknowledge that H.R. 1271 in no way impacts the traditional jurisdictional lines under which the Committee on Science and the Committee on Transportation and Infrastructure have operated for years. Under the Rules of the House, the Science Committee only has jurisdiction over civil aviation research and development funded through the Research, Engineering, and Development account. The Committee on Transportation and Infrastructure has jurisdiction over FAA's other functions. Historically, the Transportation and Infrastructure Committee has had exclusive jurisdiction over the Facilities and Equipment account. H.R. 1271 is not intended to change that.

I appreciate your willingness to work with us to expedite the consideration of H.R. 1271. I look forward to continuing to work with you on these issues.

Sincerely,
F. JAMES SENSENBRENNER, Jr.,
Chairman.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, April 23, 1997.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on Science, Washington, DC.

DEAR JIM: Thank you for your letter of April 23, 1997 concerning H.R. 1271, the FAA Research, Engineering, and Development Act of 1997 which your Committee has reported out. This legislation authorizes funding for FAA's R&D programs for fiscal years 1998–2000.

As you correctly point out, the Transportation and Infrastructure Committee has traditionally taken a great deal of interest in the research components of FAA. The letter is to confirm that because of your willingness to accommodate our concerns about the bill and because of your desire to take the bill to the Floor expeditiously, I have no objections to its consideration. Also, I appreciate your acknowledgment that the bill in

no way impacts the traditional jurisdictional lines under which our Committees have operated, especially with regard to the Transportation and Infrastructure Committee's exclusive jurisdiction over the facilities and Equipment Account.

Finally, I would ask that a copy of our exchange of letters on this matter be placed in the Record during consideration of the bill on the Floor. Thank you for your cooperation and assistance on this matter.

With warm personal regards, I am

Sincerely,

BUD SHUSTER,
Chairman.

Mr. GORDON. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendments to H.R. 1271.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ISSUING CERTIFICATE OF DOCUMENTATION FOR VESSEL PRINCE NOVA

Mr. LOBIONDO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1349) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel Prince Nova, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to request of the gentleman from New Jersey?

Mr. CLEMENT. Mr. Speaker, reserving the right to object, I yield to the gentleman from New Jersey (Mr. LOBIONDO) to explain his unanimous consent request.

Mr. LOBIONDO. Mr. Speaker, this bill authorizes the Secretary of Transportation to issue a certificate of documentation for employment in the coastwise trade for the vessel Prince Nova. The owner operates an auto and ferry service across Long Island Sound between Long Island Sound, New York, and New London, Connecticut.

The company plans to purchase the ferry Prince Nova to improve and expand its ferry service. With an upgraded ferry service, the owner will be better able to meet the growing transportation demands of the Long Islands region. Allowing the Prince Nova to operate in the Long Island Sound will benefit transportation needs in the region as well as foster economic growth and job.

This bill has already been approved by the House as part of H.R. 2204, the Coast Guard Authorization Act of 1997; and the House approved H.R. 2204 on October 21, 1997, by voice vote.

Mr. Speaker, I want to commend the efforts of our colleague, Congresswoman Nancy JOHNSON, for her leadership in bringing this important matter to our attention; and I urge my colleagues to support this bill.

Mr. CLEMENT. Mr. Speaker, I support S. 1349, a bill to authorize the Secretary of Transportation to issue a certificate of documentation to the vessel Prince Nova for employment in the coastwise trade of the United States.

Mr. Speaker, this is identical to the waiver of the Prince Nova that was included in the Coast Guard Authorization Act of 1996, when it passed the House on October 21, 1997. Unfortunately, the Senate has not acted on that authorization act.

The Prince Nova is going to be purchased by the Cross Sound Ferry Service, a family-owned business providing ferry service across the Long Island Sound between Orient Point, Long Island, New York, and New London, Connecticut.

This waiver is needed since the Prince Nova was built in Canada. However, in order to upgrade the vessel and meet U.S. Coast Guard requirements, the Cross Sound Ferry Service is going to have to spend over $4.2 million in a U.S. shipyard.

Mr. Speaker, ferry services are an integral portion to many of our urban transportation systems. Enactment of S. 1349 will allow the ferry service between New London, Connecticut, and Long Island, New York, to grow and flourish into the next millennium.

This bill is supported by the governor of Connecticut, Governor John Roland, and the Connecticut delegation.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise to support this legislation which is so important to the transportation system in my home State of Connecticut. Simply stated, this bill would permit the documentation of a Canadian-built ferry under the U.S. flag as a replacement vessel for essential ferry service in Connecticut. Because of the importance of this service, Governor John Rowland of Connecticut has urged our favorable consideration of this measure.

Cross Sound Ferry Services, Inc., a privately-owned, non-subsidized ferry service in New London, would like to improve existing passenger ferry service across Long Island Sound by acquiring the Canadian ferry PRINCE NOVA. The prohibitive cost of the new construction and the lack of suitable U.S.-built ferries on the market necessitate this purchase. Cross Sound plans to spend well in excess of three times the purchase price for the PRINCE NOVA to upgrade the vessel in a U.S. shipyard. This upgrade is needed both to meet strict Coast Guard safety standards and to modernize the vessel. Cross Sound needs this legislative waiver to document the ferry under the U.S. flag.

Granting a coastwise waiver for this vessel will create the following economic, job creation, and transportation benefits for Connecticut, other New England states, and Long Island:

This waiver will result in 24 new merchant mariner jobs and 11 additional positions related to the vessel's operations.

The bill's requirement to spend not less than $4.2 million will create 17 much-needed new shipyard jobs at the Thames shipyard in New London, as well as increased purchasing of goods and services.

Unlike other ferry operations providing comparable service, Cross Sound will provide this service without the need for public funds or subsidies.

With an upgraded ferry service through the acquisition of this replacement vessel, Cross Sound will be better able to adequately meet the growing transportation demands of the New England region as documented in numerous transportation studies.

In addition to realizing these benefits, enactment of this legislation is needed as soon as possible to avoid very unusual transactional costs associated with any delay related to the purchase, including (1) the outlay of periodic option deposits to retain the right to purchase the vessel, (2) winter lay up charges if the vessel is not moved to the U.S., and (3) the loss of revenue if shipyard work for compliance with Coast Guard safety standards and other vessel upgrades is delayed.

A similar waiver was included in H.R. 2204, the Coast Guard Authorization Act, passed by the House in the First Session of this Congress. Consequently, the substance of this bill is without controversy and objection. Therefore, I am pleased that we are to take up S. 1349 and for the reasons I have stated urge its adoption at this time.

Mr. CLEMENT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1349

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

SECTION 1. DOCUMENTATION OF THE VESSEL PRINCE NOVA.

(a) DOCUMENTATION AUTHORIZED.—Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA (Canadian registration number 320804).

(b) EXPIRATION OF CERTIFICATE.—A certificate of documentation issued for the vessel under subsection (a) shall expire unless—

(1) the vessel undergoes conversion, reconstruction, repair, rebuilding, or retrofitting in a shipyard located in the United States;

(2) the cost of that conversion, reconstruction, repair, rebuilding, or retrofitting is not less than the greater of—

(A) 3 times the purchase value of the vessel before the conversion, reconstruction, repair, rebuilding, or retrofitting; or

(B) $4,200,000; and

(3) not less than an average of $1,000,000 is spent annually in a shipyard located in the United States for conversion, reconstruction, repair, rebuilding, or retrofitting of the vessel until the total amount of the cost required under paragraph (2) is spent.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 5 minutes.

(Mr. GEKAS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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DEFERRALS OF BUDGETARY RESOURCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. PEASE) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report eight new deferrals of budgetary resources, totaling $4.8 billion.

These deferrals affect programs of the Department of State, the Social Security Administration, and International Security Assistance.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 3, 1998.*

TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Missouri (Mr. SKELTON) is recognized for 60 minutes as the designee of the minority leader.

Mr. SKELTON. Mr. Speaker, it is with mixed feelings that I address the House today and preside over this special order. On the one hand, we honor a truly outstanding American and Member of this body. On the other hand, he will be leaving as a Member of the United States House of Representatives on February 6. It is with that as a prelude that I precede my remarks.

I might also say, Mr. Speaker, that we had intended to take this special order up at 5 o'clock this evening, and there are those who are still traveling back to Washington from their districts that I know would wish to be a part of this. Hopefully they will submit their statements for the RECORD at a later time.

Mr. Speaker, in the early and middle years of the 1800s, there was a giant of an orator who spoke in this body and also spoke in the other body, the United States Senate. His name, of course, was Daniel Webster. I doubt if anyone has been measured to his status or his level until my friend RON DELLUMS, who is one of the finest orators of our day, and, I think, of any day and time in this body, came along.

A few years ago, after a very interesting debate, a young page approached me outside the chamber and remarked that Congressman DELLUMS was undoubtedly the finest speaker in the House of Representatives, to which I agreed with the young gentleman's observations.

As our colleague and good friend RON DELLUMS prepares to close this chapter of his life, 27 years as a Member of Congress, I would like to say a few words about the man and about the legacy.

He is one of those rarities, a native who was born in Oakland, California. He served in the Marine Corps, used the GI Bill to go to college, and worked as a psychiatric social worker, a skill he put to good use here years later in this Congress.

How would I describe him? First, he is a friend. He is a teacher, he is a role model. He is also a man of passion, of eloquence, and of intelligence, as anyone who has observed him in countless House debates knows so very well.

He has a liberal badge that he wears with honor, and has been a leading figure in that part of the Democratic Party for over a generation. He demonstrated his courage on several occasions, of his convictions, and he used his position and status as a Member of Congress to draw public attention to an issue he considered important.

I believe it was Speaker NEWT GINGRICH who once described RON DELLUMS as the ''Conscience of Congress.''

RON DELLUMS's accomplishments in the Committee on National Security, formerly known as the House Armed Services Committee, and here in Congress are numerous. He was the first African-American to serve on the House Armed Services Committee in 1973. He was the first to serve as a subcommittee chairman, which was Military Construction, from 1983 to 1989. He was the first to serve as the Chairman of the full committee, from 1993 to 1995.

He has been a longtime opponent of large defense expenditures. At the same time he has always supported, always supported, those measures designed to improve the welfare of the men and women who served our Nation in uniform, as well as their families.

He worked closely with the former Secretary of Defense, Bill Perry, to promote procurement and reform legislation, which passed, Mr. Speaker, with bipartisan support in 1994.

Maybe his most significant accomplishment in Congress occurred with the Anti-Apartheid Act of 1986, which prohibited new investment in South Africa. It capped a 15-year effort on his part and passed with overwhelming support as a result of his persistence. Less than 10 years later, in 1994, he traveled to South Africa and witnessed the inauguration of Nelson Mandela as President of South Africa.

RON DELLUMS can take justifiable credit for having been a leader on that issue in Congress and having contributed to the remarkable and positive outcome in South Africa.

But as part of his legacy here in Congress and on the committee on which I serve, RON DELLUMS conducted himself in exemplary fashion, with fairness, I will repeat, with fairness; with integrity, I will repeat, with integrity; and, of course, with the highest of dignity.

As both Chairman and ranking member of the committee, he was committed to the democratic process. Yes, he had strong views about many issues the committee dealt with, arms control, defense spending, individual weapons systems, and many, many more, but he was scrupulously fair, to ensure that all points of view were heard and were considered, so that no one, no Member was shut out of the democratic process, whether it be in committee or here on the floor of the House.

While Congressman DELLUMS took his responsibilities seriously as a Member of this body, as Chairman of the House Armed Services Committee and as ranking member of the House Committee on National Security, he maintained a down-to-earth attitude about himself. He remained a friend; approachable and bright. When asked for advice, he gave it; when asked for friendship, he gave it.

Congressman DELLUMS can take great satisfaction that he leaves this body, this Congress of the United States, having made a difference, a major difference.

□ 1530

We can also have the knowledge that he leaves many friends here. We hope he will maintain contact with each of us. We wish him and his family health. We wish them happiness and success. We wish them the very, very best in the days and years ahead. I am proud to call him my friend, I am proud to call him my colleague. We will miss him.

I yield to the gentleman from Virginia (Mr. SISISKY).

Mr. SISISKY. Mr. Speaker, it is difficult to say everything in my heart about RON DELLUMS. However, I must follow up on my colleague from Missouri concerning a speech that Mr. DELLUMS gave concerning apartheid in South Africa. It has been my custom when I do not know how I am going to vote on a subject, I come to the floor, not in front of the television set, but come to the floor to see how Members really conduct themselves. I am one of the oldest Members in the House of Representatives, I believe, so I can say

from experience, I have heard a lot of speeches in my lifetime, both before World War II, after World War II. I have never heard a speech like that in my life. I was in doubt, and it was not just the words that he spoke. It was how he conducted himself and the feeling that just permeated, permeated this House of Representatives.

I know how proud he must be to return to South Africa and see the peaceful transformation of government, and I can tell my colleagues that there were a lot of people involved, but I can tell my colleagues this, that he is the one that is most responsible.

I have known RON now for 16 years, and without question, he is the fairest chairman I have ever served under. I remember a chairman I had in the State legislature where a member of another party was shouting something, said, Mr. Speaker, Mr. Speaker, this is not fair, and he picked up the rule book and he said, young man, show me in this book where the chairman has to be fair. He was fair, and I do not know a single Member of this body, both Democrat and Republican, that served on his committee who would disagree.

His faith in democracy has always been the hallmark of his belief that everyone deserved their say, and that is what led him to fight for his views on the committee. But it also is what led him as chairman just as forcefully for the committee bill and the will of the majority, even when their views were not his own. The ability to do that is truly the mark of a truly great man.

It is also the mark of a great man that RON is respected by all men and women, as I said before, on both sides of the aisle. I can assure my colleagues that he won their respect the old fashioned way: He earned it.

Throughout the year when I went through my chemotherapy, Mr. DELLUMS would call me or my staff to see how I was doing and let me know that I was on his mind and his heart. Believe me, it meant a lot to know that every time RON saw my staff, his first concern was about me.

Now, having been here 16 years, there are a lot of stories that I could tell about RON DELLUMS. But RON, you will be thankful to know that I will not tell them. But there is one story that does a pretty good job of explaining how I feel about you.

Several years ago, when RON was still chairman of the Subcommittee on Procurement of the House Committee on National Security, we were in markup, and we were debating something, and I do not even remember what it was. It obviously was not aircraft carriers, because uncharacteristically for me, I had not said anything. So when you looked in my direction, I started putting in my 2 cents, because I thought you wanted me to. When you cut me off, I said I only started talking because you looked like you had expected me to say something. And you replied, Mr. SISISKY, I was not looking at you, I was looking at the brother behind you. And you were talking about my staff guy.

I later learned that when he saw you the next day, he told you that the next time you saw him, do not say the brother, say my brother. And that goes for me too. From the bottom of my heart, I wanted you to know what an honor it is for me to have known you and to call you my brother.

Mr. SKELTON. Mr. Speaker, I yield to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I have not had the opportunity to know RON DELLUMS as long as many others have. I have only been in Congress 10 years where many of the others have served with him as many as the 27 years that RON DELLUMS has been in the U.S. House of Representatives.

Congressman DELLUMS was born in 1935 in Oakland, California. As a lot of my colleagues know also, he served in the Marine Corps from 1954 to 1956. He sure got a lot of formal education, and he was also a psychiatric social worker in California as well, and I am sure that helped him a lot serving in the United States House of Representatives.

He was elected to the Berkeley City Council, but then, in 1970 he had the opportunity to run for the United States Congress and defeated an incumbent who had been here for a number of years.

RON DELLUMS is a special kind of person because he really meets people extremely well, and as I have heard so many people say, he sure has changed a lot since he has been here as well. He is not the same person as he was when he was first elected to the U.S. House of Representatives and was sworn in in 1971. But we all mellow over the years, but what RON DELLUMS has done, from talking to others and watching and observing myself, he really listens to what one has to say. He really cares about what one has to say.

I will never forget when he had the opportunity to move up as chairman of the Committee on National Security, which is now chairman of the Committee on National Security, and a lot of people wondered, what kind of chairman would he be? Should I support him, or not? But he had made so many friends over the years, even though some of them may have differed with him on various issues. But one can have a difference of opinion without having a difference of principle, and that is why it was really unanimous, or almost unanimous, for him to be chairman of the Committee on National Security.

We remember his battles and his fights concerning South Africa and his fight for freedom and independence. We know of his friendship with Nelson Mandela and always standing by Nelson Mandela's side. I have also heard that his grooming sure has changed over the years too from bell bottoms to one of the most best dressed Members of the United States House of Representatives. He is a passionate leader of the old school, eloquent in his causes, and dignified in so many ways. He is intelligent, he is forceful, he is firm, he stands up for what he believes is right in the best interests of the Ninth Congressional District in California, the State of California, and the people of America.

The world has changed, RON DELLUMS has changed from Cold War to the end of the Cold War, from Vietnam to Bosnia, South Africa, and everything else he has done and what he has accomplished for the best interests of America and the best interests of the world, and for world peace, and to keep a strong national defense. Congratulations, Congressman RON DELLUMS.

Mr. SKELTON. Mr. Speaker, I yield to the gentleman from St. Louis (Mr. CLAY), my fellow Missourian.

Mr. CLAY. Mr. Speaker, Congressman RON DELLUMS has been one of the most effective and dynamic Members to serve in this Congress during the 27 years that he has been a Member. I was here when the young fellow came 27 years ago, so I know what he has meant to this body. He has been an inspiration both to his constituents and to his colleagues in his tremendous dedication to this body and to the people of the Ninth District of California. He has elevated both to new heights.

RON DELLUMS came to Congress as a young firebrand to champion causes deemed unpopular by those who opposed social justice and racial equality. He was an early leader in the battle for civil and human rights at home and abroad, a committed advocate for the homeless, the downtrodden and the dispossessed. DELLUMS was an outspoken supporter of protecting the environment before much of our Nation even recognized the need for better environmental protection laws. He has been an eloquent and distinguished voice on behalf of millions of neglected men and women in developing nations around the world.

In 1970, DELLUMS came to Congress as an anti-Vietnam War peacenik with a vision of a better future for our Nation. In those days, no one imagined that he would one day emerge as chairman of the powerful House Committee on National Security. But his keen mind and sharp intellect allowed him to perceive things and events that were not yet to come.

DELLUMS is a visionary who recognized early in his career that in order to be effective in dismantling the military industrial complex and in redirecting the vast resources of government, he had to develop an intrinsic understanding of how the whole system truly functioned.

When he was asked why he joined the Committee on National Security, RON DELLUMS said, and I quote, ''I did not join the Committee on National Security to learn about missiles, planes and ships. I joined because I knew I would need to become an expert in this field in order to argue successfully for military spending reductions that would

free up resources for the desperate human needs that I see every day in my community.''

So RON DELLUMS became an expert. Then he led the battles to free up resources for human needs, and soon the wind was at his back and his community and the Nation reaped the fruits of his labors.

Mr. Speaker, on the surface, DELLUMS is suave and debonair and charming, dynamic, intelligence, dapper, eloquent, urbane, hip and cool, but beneath the surface, DELLUMS is much more. He is heartfelt sincerity, utterly committed to serving the cause of justice and determined to eradicate racism and sexism. Congressman DELLUMS will forever rank among the finest and most effective Members that have ever served in this body. He is a man of grace and integrity. I am proud to have served in this body with RON DELLUMS and proud to call him my friend.

Mr. SKELTON. I thank the gentleman from Missouri. I yield to the delegate from the Virgin Islands (Ms. CHRISTIAN-GREEN).

Ms. CHRISTIAN-GREEN. Mr. Speaker, it has truly been a privilege and an honor to serve for even this brief time with a gentleman of the caliber of Congressman RON DELLUMS. This weekend the Congressional Black Caucus joined in a dinner tribute to Congressman DELLUMS and the legacy he will be leaving not only to our caucus, but to the entire Congress of the United States.

As I join my colleagues in toasting this great leader and public servant, I, as a new Member, reminisced about the few times that we were able to spend time together and thanked him for the lessons that are inherent in the story of his life and time in politics, lessons of courage, of character, of principle, of integrity, and of unswerving commitment and service.

RON, I would be sad at your leaving the House at this time, except that you have given us so very much and enriched our lives and the work of this House so greatly that your presence and your impact will remain with us for many years in Congresses to come. We also take comfort in knowing with a certainty that in leaving you would never abandon the causes to which you have devoted all of your life, but that wherever you go and whatever you do, you will always be our strong, active and dedicated partner in the yet unfinished work of bringing justice and peace to our country and to the world.

So it is with great pleasure that I join all of my colleagues in saying a heartfelt thank you. We also thank your constituents who sent you here to represent them and us these 28 years, and the family who so graciously shared you with us and this country. And we ask for God's continued blessings on you and on them, and may God go with you, my brother.

□ 1545

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. TAYLOR), who is also a member of the Committee on National Security.

Mr. TAYLOR of Mississippi. Mr. Speaker, I thank the gentleman from Missouri (Mr. SKELTON) for yielding.

I am going to divert a little bit from the course. Everyone has spoken at great length of RON's social commitment to our Nation, but I think very few realize how much he has done for the defense of our Nation, and I do not think he ever got the credit that he deserves for that. For the 2 years that the gentleman was Chairman of the Committee on Armed Services, I want the people to what know he has done.

I happen to come from shipbuilding country. It is the major employer where I live. Our country was once a great maritime power and, up until 1980, we were building about 100 commercial ships a year.

One of the ironies of the Reagan years that most people do not realize is, while the defense structure of our Nation went up incredibly during those years and we were building many warships, we went from building 100 commercial ships a year to none by the time President Reagan left office.

The year that RON DELLUMS assumed the chairmanship of the House Committee on Armed Services, this great Nation built fewer merchant ships than the Nation of Vietnam. They built one.

One of the legacies that RON will always carry with him is that, working with his committee, he spearheaded the effort and made it possible for the National Shipbuilding Initiative to become law, for our Nation to take the first steps toward becoming a maritime power again.

The loan guarantee program that the gentleman from California allowed to become law and that he spoke so eloquently for started the first Federal loan guarantees of U.S.-built commercial ocean-going ships since 1980.

Since that date, because of his actions, because of his forceful commitment, the loan portfolio now stands at $2 billion and 260 vessels have either been built or being built. This is a Nation that on the day RON DELLUMS took over the committee was not building one. That is $1.1 billion for U.S. flag vessels; $670 million of vessels that are being built by Americans to be exported; and $130 million for something that the gentleman personally worked to include and that is the modernization of our shipyards so that we could remain competitive with our counterparts around the world.

Specifically, there are 17 commercial ocean-going vessels that have been built as a result of RON DELLUMS' good work. Fifteen of them are double-hulled tankers, so that in the future, if a ship hits a rock or hits another vessel and is carrying oil or chemicals, the chances are nine out of ten that it will not leak into the oceans or the rivers of the worlds.

Ships are being built in the district of the gentleman from Virginia (Mr. SISISKY) at Newport News. They are being built in the district of the gentleman from Alabama (Mr. CALLAHAN). They are being built in, of all places, the home State of F. Edward Hebert, the State of Louisiana. I think Mr. Hebert would certainly want to apologize for some of the shabby treatment that RON got early on in his career, but he was magnanimous to take care of those folks when he had the chance.

Two passenger ferries, five shipyards are being modernized, and one shipyard is being reopened as a result of that. There are approximately 200 liquid, dry cargo, and power barges that have been built as a result of this.

At this present time, there are 20 applications totaling $1.2 billion on file, again, for a Nation that was building no commercial ships on the day RON DELLUMS took over.

But it is not just that. I think in his life and in what he preaches, he believes in peace through strength. I think the best way we would agree to prevent a war is to be so strong that no one wants to go to war with us.

In the 2 years that RON DELLUMS was Chairman, 13 Navy combatants were authorized, including six DDGs Aegis class destroyers, the finest in the world; one LHD; one aircraft carrier; two Navy oceanographic vessels to search the seas for places to hide our submarines and places for the enemy to hide theirs; two support ships; and one mine warfare ship. Because it became so apparently clear during the Gulf War how vulnerable this Nation was and how the world's traffic lanes for ships were vulnerable to the use of mine warfare.

So in addition to all the good things that the gentleman has done from the heart, I think this is something that he did to strengthen our Nation and prevent the next generations from having to go to war and, above all, to put Americans like my family and his family, the people from Oakland and the people from South Mississippi, to give them the chance to make things here in this Nation, things that are important for what the gentleman once described as an ''island Nation.''

Mr. Speaker, I say to RON DELLUMS, ''God bless you and thank you for what you have done.''

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Speaker, I want to thank the gentleman from Missouri (Mr. SKELTON) for giving me this time and also thank the Speaker for giving me time to give some privilege to one of the finest men I have ever met and one of the finest Congresspersons we will ever know.

This man brings dignity to the word Congressman. He brings grace. He brings poise. He brings intellect, which is so direly needed here in Congress. He brings that.

As I have said many times, RON DELLUMS reminds me of a Shakespearian actor. His gait reminds me of it, his

elegance, his articulation, his knowledge of the issues. RON DELLUMS is ''A Man for All Seasons,'' and he has shown us that here in the Congress.

He is a man of peace who boldly, as Chairman of the powerful Committee on Armed Services, kept peace at the top of his agenda. He was able to make peace and armed services compatible to each other. And with that he set a pace, he set a model for this Congress.

Throughout his leadership, the fiery anti-war activist surprised his critics with his stewardship of the committee. He did what he was constitutionally prepared to do when he came into this Congress and that was to carry out the Constitution yet be very, very noble and dedicated to his constituents.

He was not just civil. He was courtly.

Many times, Mr. Speaker, I would come to the floor just to hear RON DELLUMS' speech. I did not really care what he said, but to hear him speak and the way he articulated, the way he stuck with the issues, the way he was able to debate the question and was able to get along with people who did not agree with him and to give them facts and carry those facts through.

Every Congressperson could learn something if they were to sit and listen to RON DELLUMS. He is always in command of the legislative details. He does not come here to fool anybody with buffoonery. He comes here with facts, fair and polite to witnesses and restrained in expressing his own views on defense policy. He managed floor debate on defense issues so efficiently, Mr. Speaker, that he won praise from many of his ardent critics.

During times of peace, RON DELLUMS has consistently advocated for a defense builddown, economic conversion planning, and efforts to retrain workers and to provide community impact aid during this period.

RON DELLUMS is a futurist. He has looked to the future while many of us were able to stay right with the past or to stay right in the future, he has gone forward into the future.

Not one with a hidden agenda, RON DELLUMS pretty much places things right on the line. If he did not agree with you, he would go into the crowd of 39 Members of the Congressional Black Caucus. He was the only one who had a different opinion, but he brought his opinion, and he openly discussed it, and he won many of us over.

Much of his thinking on the military is outlined in his book, Defense Sense: The Search for a Rational Military Policy. That brings out the scholarly acumen of RON DELLUMS, how he is able to convert his ideas and to put them on paper.

The other scholarly aspect of RON DELLUMS is his intellect in articulating what he feels. He is an intellectual. He is an idea man. He loves ideas, and he loves to debate them. That is RON DELLUMS.

Mr. Speaker, I will not talk any longer, but my colleagues should know what I know about what he did for South Africa when he helped America to understand about South Africa and how he was able throughout his career to be a man of peace.

Mr. Speaker, I say to the gentleman from California, ''RON, you go and you leave us with a legacy. That is a legacy of peace, that is a legacy of understanding, and that is a legacy of intellectual acumen.''

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I thank the gentleman from Missouri (Mr. SKELTON).

The gentleman from Missouri and the gentleman from California (Mr. DELLUMS) and I, we shared three offices in a corner of the Rayburn Building for 10 years. And I know that the gentleman from Missouri felt ideologically isolated for most of those 10 years in between the two offices of MARKEY and DELLUMS. But, without question, the atmosphere of collegiality and conversation was one where both IKE SKELTON and ED MARKEY could agree that for 28 years RON DELLUMS has been the conscience of Congress on peace and arms control issues for this country and for this globe.

He fought the neutron bomb during the Carter administration. He fought the B–1 bomber during the Carter and the Reagan administrations. He fought the MX missle throughout the Reagan administration. He fought the Trident II–D–5 missiles throughout the Reagan administration. He fought the B–2 bomber through the Reagan, the Bush, and the Clinton administrations. And he has also been one of the leaders in pushing for a negotiated arms control agreement.

He was one of the prime leaders of the nuclear freeze movement, fought for a comprehensive test ban, fought for a ban on antisatellite weapons. He opposed the efforts to abrogate the ABM treaty to exceed the SALT II limits.

And then in what I believe is his most famous speech here on the floor, his famous ''Litany of Lunacy'' speech, discussing in eye-watering detail each one of the increasingly more stupid basing modes that were designed for the MX Missile, dense pack, rail mobile, small underwater missiles, and point defense ABM deployment, each one of them devastated by the DELLUMS' knife to the heart.

Now, some people say, well, he was a gadfly in the early years, but he matured over time. Well, I do not think in his third year in Congress Richard Nixon put RON DELLUMS on his enemy's list because he was a gadfly. One has to be a lot more effective than that than to come to the President of the United States' attention on a little list he is keeping inside of his top drawer.

When he came out and said that we should put economic sanctions on South Africa, he was a gadfly. But of course the one thing that turned Nelson Mandela from a political prisoner into the President of a country was RON DELLUMS' efforts over 10 years as the gadfly, but then as a visionary as the world begins to accept his understanding of what had to happen in order to change the climate in this world.

When he became Chairman of the Subcommittee on Military Construction, all the members said, he is pretty reasonable on those issues. And when he became Chairman of the Subcommittee on Research and Development, they said he is pretty reasonable on those issues. And when he became chairman of the National Security Committee, everyone started to say he is pretty reasonable on those issues. But he never compromised his principles at any time.

Now, as far as I am concerned, one of the great things that is going to come out of this is that we will all remember RON DELLUMS as someone who, not only sounded good on every single issue that he ever spoke to on this floor, but never, ever looked as good as RON DELLUMS when he was out here on the floor.

This is a combination that is unique to RON DELLUMS of all of the Members that I have ever known in my 22 years in the United States Congress. For me, the most poetic, ultimate result of his career will be that, for eternity, his portrait will sit above the Chair in the National Security Committee, looking down at every chairman of every Joint Chiefs of Staff that will ever testify before the National Security Committee. And RON DELLUMS will be peering down at him asking him the question: Yes, sir, I understand your interest in every weapon system that has been put as a blueprint on the design board of the Pentagon, but have you considered all of the other needs of society? Have you balanced your request so that all of the other problems in our society can be dealt with as well?

RON DELLUMS, you are my friend. You are my hero here in Congress for my 22 years. I mourn your leaving, but I am glad for you because you have served our country as well and nobly as any man in your generation, and I thank you for it.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, when Members retire from this institution, many of us stand up out of politeness to pay our respects. Today is different. Today, all of the Members of the House speaking truly speak from their heart.

The world has changed much since a young RON DELLUMS came to this body. He came here when we were mired in the depths of the Vietnam war. Today the world is at peace. He came when school children were fearful of being bombed by nuclear weapons from the Soviet Union because of the Cold War. Today they no longer have that fear, and the world is at nuclear peace.

□ 1600

He came when Nelson Mandela was a prisoner and now he is a President. And

in all of those steps of progress of history is the footprint of RON DELLUMS. He has made a difference for our country, and he has made a difference for our world. And as we sit here and listen to the great accomplishments of RON DELLUMS, I must say as his friend that we respect him because of what he has accomplished. We respect him for what he has done. But truly, we love him because of his deep personal character. Winston Churchill once said that we make a living by what we get; we make a life by what we give. Based on what he has given both in making a difference and in his personal character, RON DELLUMS has led a great and productive life.

Mr. Speaker, when I think of RON DELLUMS, I think of four words. Dignity is the first, perhaps his lasting legacy to this institution. Always speaking from the heart when he came to this floor, always dealing with the indignities he once had to face as a new Member having to share a seat on the Committee on Armed Services, facing that with great dignity to the point that he rose to become the chairman of that very same committee.

I think of fairness when I think of RON DELLUMS, someone who respected the will of this House, was willing to listen to all Members from different points of view and from both parties, and in letting every Member of this House have his or her say.

I think of the word ''caring.'' As one who represents over 43,000 Army soldiers, I want to express my thanks to RON DELLUMS for helping protect the impact aid program which sees that if our military families are off fighting in a war thousands of miles away from their homes, at least they can do so knowing that their children will get a first class education back home.

Despite the fact of his fairness, for which we all respect, let no one mistake the fact that RON DELLUMS has been effective. Listen to the stories that have already been told. Talk to two of the greatest leaders, great defenders of the B–2 program. I think it says a lot that the most effective fighters in favor of the B–2, the gentleman from Washington (Mr. DICKS) and the gentleman from Missouri (Mr. SKELTON), are here on this floor to pay their respects to the man who literally led the fight against that major defense program.

Fortunately our Founding Fathers were wise enough to design an institution that is bigger than any one of us. This institution will go on when RON DELLUMS retires. But, Mr. Speaker, I know I speak for all of us when I say that this institution will be less because of his retirement but more because of his service and his lasting legacy of dignity to this great body and to this country.

We salute you and wish you well, our friend, RON DELLUMS.

Mr. SPRATT. Mr. Speaker, if the gentleman will continue to yield, Mr. DICKS is out here to argue with DELLUMS about the B–2. He has not buried that axe yet.

Mr. SKELTON. Mr. Speaker, I yield to the gentleman from Missouri (Mr. GEPHARDT), the minority leader of this House.

Mr. GEPHARDT. Mr. Speaker, this is a very, very important time to tell one of our departing Members how much we think of him, respect him, care about him and recognize the tremendous contribution that he has made to the House of Representatives, to his district, to his constituents, to the country of the United States, and finally I would say to the world, which can be said about very few of us who come through this place.

There is a whole list of things I could say, many of them have been said. I would like to repeat all of them, but I do not want to do that because it is not necessary. RON DELLUMS has excelled in so many ways in the years that he has been here. There are two things I want to bring out about him that I think are maybe the most important.

All of us come here to make a difference. It is the only reason to be here, it is the only reason to take on public service. Public service is hard work. It takes from your family, takes from your private time, and the reason to do this is to make a difference.

RON DELLUMS, you have made a difference in many, many ways, but I want to pick out two that I think are the most important.

First you made a difference in the way you have conducted yourself in the House in terms of getting all of us to remember and understand that even though we come here with deeply held beliefs and views, the most important thing we have to do here is to be able to reconcile those views with one another, to resolve conflict. That is the great achievement of the Congress is that with all the views that come here from all over the country, from all kinds of backgrounds, from all kinds of States and places, here in this hallowed room we resolve the conflict. You have been chairman and now ranking member of one of the most important committees in the House, the Committee on Armed Services, the defense function, which is our first commitment to our constituents. And you, in probably the best way it has ever been done, resolved the conflict in that committee.

Let me read what the Almanac of American Politics says about RON DELLUMS: His performance is a fine example of how a chairman can preside fairly and with dignity while conscientiously disagreeing with the views of his colleagues even when different from his own.

That is high praise, and it is well deserved. Every member of that committee would say, you are the best that has ever been in the leadership of that committee because you fairly resolved the conflict on a minute-by-minute, day-by-day, year-by-year basis.

The second example of achievement in making a difference is South Africa. I remember, I was here in the early 1980s when RON DELLUMS came onto this floor and argued to us and to the world that America should stand for certain values of freedom and human rights, and all of the opponents of that position came out and said, well, he may be right on the values, but no one will follow. Other countries will not follow our lead. Then others said, we will lose business because we will lose contracts in South Africa. And finally people argued, well, it will hurt the good people of South Africa, you will be hurting the very people you are trying to help.

And RON DELLUMS kept coming back on this floor repeatedly after he had lost over and over and over again. He kept saying what in his heart he felt was right for the people of South Africa, the people of America and the people of the world. And finally, we overrode a veto. The first time Ronald Reagan as President was overridden with a veto was on that bill authored by RON DELLUMS, and we changed the policy of the United States.

And a few months after that I am looking at the TV on a Sunday morning, and here they are looking at a field in South Africa, and out of prison came Nelson Mandela. Tears streamed down your face as you saw the fulfillment of the commitment of RON DELLUMS to the values and morals that this country was founded on. He understood that in the Declaration of Independence, when it said, these inalienable rights, that they were universal rights and human rights across the world, not just for the United States. And because RON DELLUMS, you stood for those inalienable universal human rights, Nelson Mandela today is the President of South Africa. And those rights have been held up once again by America as inalienable, universal human rights.

Mr. DELLUMS, you made a difference, you made a big difference, not only in this Chamber and in this body and in this country, but in the world. Few of us, if any of us, can say that. We are going to miss you. You are leaving at a time in your life when you can go on and do great things in other places. We wish you well, and we are here to support you and help you in any way we can. God bless you.

Mr. SKELTON. Mr. Speaker, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, I want to compliment the minority leader, DICK GEPHARDT, who has been our majority leader and caucus chairman, for an outstanding speech. I came over here today because I have had the privilege of working with RON DELLUMS for 22 years. We have had days when we have been allies, when we have fought against the antisatellite weapon and against Star Wars, and we had a different airlifter than maybe the one that the Pentagon wanted, and there was never a better man to be an ally with. And we have had days over here,

as someone has mentioned, where we disagreed on a few issues.

But the thing that I appreciated about RON DELLUMS, and I think that it is something that we have gotten away from in the House, is that he is always willing to stand up here on the floor and engage in true debate on the issues and to have a discussion and to challenge your ideas, but he is always willing to let you challenge his, and out of that I think comes an understanding of these technical issues that we are forced to deal with in the area of national defense.

I can tell my colleagues, when people talk about fairness, even though Mr. DELLUMS and I would disagree on certain issues but we would be allies on others, when you needed a friend, and in this Congress you have to go home and get reelected, and one time I had a terrible problem and that was on the Nisqually River. We wanted to build a fish hatchery for salmon, which now has become an endangered species in the Northwest. I went to Chairman DELLUMS and I said to him, the best place to have this fish hatchery is on a piece of Army land. And he said to me, what do you want to do about this? I said, the Army will not let us have the piece of land, but they have suggested that if you can get Mr. DELLUMS to put it in the military construction authorization bill, that we will transfer the land to the Nisqually Indians. And so DELLUMS, as he could synthesize this, said to me, are you telling me that you want me to take this land away from the Army and give it to the Indians? And I said, yes. And he said, right on, brother. And I will tell you, that was the fastest transfer we ever got.

And there are other issues where we worked together on a school district and a whole bunch of other things. But as the gentleman from Missouri (Mr. GEPHARDT) mentioned, I think all of us will remember the fight over South Africa and also the great debates that we had during the Cold War era of whether we are going to maintain arms control, whether we are going to make certain that we did not breach the ABM agreement. We did not override the SALT II limits, all those things we were allies.

And I will just tell you this: There are a lot of people over at the Pentagon, a lot of people in the industry who were very fearful when Mr. DELLUMS became chairman of the Committee on Armed Services. But we never had a fairer, better chairman. Even though sometimes he did not even vote for his own bill, he brought it to the floor, let everybody debate it, passed it and got it done, got the work done. And most importantly, in another era where he is sometimes forgotten, is that when he had to go sit down with the United States Senate, he did well on behalf of the House of Representatives.

So even though we have had our disputes, I am going to miss RON DELLUMS because I am not going to know who to debate anymore. Where is the challenge going to be? Who is going to be the leader on the more liberal side of our caucus?

But I have admired him. I admire his commitment to his constituency, to his family and just not a better man to work with and serve with. I am proud of the fact that we have been friends and we will be friends in the future, and we will work together on important issues, I am sure, when you come back to the Congress from time to time to see your old friends. God bless and good luck and we appreciate your great service to this institution.

Mr. SKELTON. Mr. Speaker, I yield to the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, we all know that RON DELLUMS was the first African American member of the House Committee on National Security.

□ 1615

I came in the 103rd Congress, when he was chairman, and I can testify that in those two years not one single Democrat, not one single Republican ever criticized him.

It has been said repeatedly today that he was without question one of the fairest chairs this House has ever had. And all I can say for some chairs—we do not have too many of those old autocrats any more—but all of us could take a lesson from RON as to how to conduct a meeting. He was fair. Everybody had their say.

He was much like Phil Hart, who chaired Senate Judiciary: The Southerners had their say, the Northerners had their say. And his colleagues in the Senate named a building after him. RON, all the buildings seem to be gone, but you never know around here, you might get one named after you yet.

In modern times we all know that he was one of the few who chaired two full committees in this House, the other being the District of Columbia. He also continued his cause for civil and human rights that he has been committed to all his life, and he still did that as a Member of Congress and as a chair, as has been noted with the South African situation.

It is his personal dealings with individual Members that I think all of us remember; that he treated our requests with respect, and he did the best he could do about those requests. He was a very accommodating chair.

But I think what has not been mentioned since I walked onto the floor is he has a tremendous sense of humor. And I think my favorite RON DELLUMS story is when he participated in his first conference with, we shall say euphemistically, the other body. And he sat there with great interest, and across from him was one Member of the other body. On his side of the table, there were about 30 Members of the House. And there was a staff member that was next to the Member from the other body. After the Senator across the table had said a few paragraphs, the staff member took over the meeting. Everybody on the House side was used to it, RON was not. He and each of his colleagues were prepared to discuss each section of the bill with representatives of the other body. The Senate staff member kept on. Finally RON just let out a big yawn. Since he is rather tall, and has a commanding presence, when RON says something you turn around and listen. Someone said, ''What's the matter, RON?'' There was a pause and RON replied, ''Well, I am just wondering, if I die and I am going to be reincarnated, what would I like to be? And there was a longer pause. And he mused: ''I think I would like to be a Senate staff member.''

That comment broke up the tension of the meeting. We all regret RON DELLUMS' decision to retire. Of course, he has a great sense of humor. But more important, he is a compassionate man. He has been an effective legislator. He is truly a beloved colleague of Members on both sides of the aisle. RON, I thank you for all you have done for America and human rights in the world, and not simply for the free state of Berkeley, California.

But you are a great colleague, RON. We are all glad to have you as a friend.

Mr. SKELTON. Mr. Speaker, I yield to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding to me. I rise to pay tribute to my good friend and colleague, Congressman RON DELLUMS. Like many of my colleagues, I was saddened to learn that RON was leaving us, especially when I realized that he was leaving us so soon.

I want everyone to know that I respect RON and that I consider him a pioneer, I consider him a mentor and I consider him a friend. I consider RON DELLUMS a pioneer because he came to this House as a Representative at a time when there were very few minorities in Congress.

He led the way for African-Americans, he pioneered the way for women, for Hispanics and other minorities. He did not shy away from issues of importance to these groups and others. He boldly stood on this floor and in the committee and passionately debated matters of grave concern to this Nation and to the world. In so doing, he raised issues that others would rather ignore, but he knew that they must be brought and discussed here in this body.

I consider RON DELLUMS a mentor because from the day I joined the House Committee on National Security he always was available to answer any questions and provide guidance to those of us that were new to the committee. He was quick to share his expertise and to mentor new Members. For that I really appreciate your friendship.

RON DELLUMS took time to bring the freshmen members of the committee together on many different occasions about many different issues, and he shared his knowledge of the process, of the experience, and he took time to guide us through a very nasty mine

field of the authorization process, and we really appreciate that, RON.

I consider RON DELLUMS a friend, first and foremost, because I could always come to him to ask advice. I could always count on him for lending some sort of rationalization and levity to sometimes a cantankerous atmosphere.

I think that, RON, you, more than other Members of this institution, realize that you have always been an integral and an important part of a process that is as real and vital as America itself. I want to wish you all the best and know that in the next chapter of your life you will continue to make a significant impact on the lives of many others.

I want to end by telling you, my good friend, vaya con Dios, mi amigo, mi hermano, go with God, my friend and my brother. God bless.

TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 7, 1997, the gentleman from South Carolina (Mr. SPRATT) is recognized for 60 minutes.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I have prepared remarks, as so many do, but I have much more in my heart that is not written down in these prepared remarks, and so I will include them.

They talk about my sadness in hearing of RON's decision to retire. Not sadness for him, because for him it is the right thing to do at this time, but sadness for his colleagues and his friends, his brothers, as my colleague who previously spoke enunciated; sadness for the people of California and of Berkeley and of his district; sadness for this institution.

RON DELLUMS is a tall man. He is a stately man. The Washingtonian called him one of the best dressed men in Washington. He is indeed one of the best dressed men in this country. But those are superficial distinctions, because the measure of the man that we know as RON DELLUMS is not on the outside, it is on the inside. A man of great conviction, which he couples with great courage, which he applies to deeply held principles as he debates the issues of the day and, indeed, of the centuries. RON DELLUMS is a man of purpose, a man of humor, and a man of serious resolution. RON DELLUMS is a man who has demonstrated the best there is in this body.

Many of us will rise and say from time to time we disagreed with RON DELLUMS and, very frankly, we could say that about any person in this House, because never do we always agree with everybody else. But there was never, ever a disagreement that RON DELLUMS was one of the most respected, if not the most respected person in this body. And when he rose to speak, people listened, not because they were convinced they would agree but because they were convinced that they would learn and they would hear the best side of the argument.

We are all very sad, RON, that you are leaving this body. It will be a lesser body for your leaving. We will be less happy for your absence, but we will be eternally grateful to God that he gave you to us to enrich our lives, enrich our intellects, and expand our knowledge.

RON DELLUMS tells a story about being a Negro when he tried to join the Marines. And he joined the Marines and was considered to be an officer. And because they found he was a Negro, not an African-American, not a black, but a Negro, he was not admitted to OCS. How ironic that he would rise to be the chairman of the Committee on Armed Services of the House of Representatives, one of the most powerful representatives of the defense establishment in America.

And the great thing about RON DELLUMS is he looks back on that without rancor, without anger, but with a conviction that America has changed, and America has changed for the better. It has done so in part because of the leadership of our friend and our colleague, a great American, a great Member of Congress, and a great member of humankind.

Thank you, RON, for all you have given and all you have meant to all of us.

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to a dear friend of mine, Congressman RON DELLUMS of California. It is with great sadness that I note that RON will be retiring from the 105th Congress, after serving in this body for 27 years.

RON brought a tremendous amount of insight to his work in Congress. Having once worked as a social worker he ran for the Berkeley city council in 1967, starting his political career. In 1970, he beat a Democratic incumbent to win a seat in Congress.

Times were turbulent when RON entered Congress, particularly in his home town of Berkeley, California. He immediately sought and won a seat on the Armed Services Committee, where he became a leader in helping to craft American military and foreign policy and advocated for an end to the Vietnam war.

RON used his seat on Armed Forces to push for arms reductions, peaceful resolution of international conflict and for alternatives to the use of military force.

Representing Berkeley and Oakland, California, RON used his position on Armed Forces to advocate for funding of social programs to invigorate and renew these two cities. He pushed for money to be spend on the poor and uneducated and gave voice to those in society who often do not have a voice in government.

In 1993, he became chairman of the Armed Service Committee. His chairmanship is remembered as being very even handed with a strong respect for the input of all committee members. As chairman on the committee, and continuing this Congress through his role as the ranking member, RON has consistently examined the military's role in the post cold-war era, while advocating for stronger rules on sexual harassment and discrimination in America's Armed Forces.

While he and I have sometimes differed on our national security goals, RON has always taken the views of other Members into his consideration. This sense of fairness and respect for this institution is what will be missed.

Along with identifying himself as a progressive expert in military affairs, RON has been a consistent champion of civil rights and equal rights for all Americans. In 1971, as a freshman Member, RON first proposed sanctions against South Africa. Throughout a bitter battle in the 70's and 80's these sanctions were finally passed in 1986. Through his dedication and leadership, Congress imposed sanctions on the apartheid government of South Africa, which led to democracy and full party participation. The highlight of RON DELLUMS work on bringing this issue to the attention of Congress and the American people was when South African President Nelson Mandela addressed Congress. This day must have been one of RON's best days and fondest memory while serving in Congress.

I will miss my friend RON and the work we have done together. The institution of Congress is losing one of its finest Members, not to mention one of its best dressed according to Washingtonian Magazine. His tireless advocacy for the poor, and less fortunate will be missed by myself and many Members of this body.

I wish RON the best of luck and continuing success in all of his endeavors.

Mr. SPRATT. Mr. Speaker, I will now reclaim my time for a short time.

RON, we go back 15 years. A long time. When I came here in 1983, you had just reached the first plateau of power in the House. You had become a subcommittee chairman. It took you 12 years to rise up the seniority ladder, which tells us a lot about your doggedness, your determination and diligence. Even when you reached this point, you were not really at the pinnacle. You were the chairman of the Subcommittee on Facilities and Installations, better known as the MilCon subcommittee.

There was some rumbling in those days among the barons on the committee, the upper tier, about letting this gadfly have the reins of power, even this subcommittee, which was a subordinate subcommittee, because you were not cut from the same bolt as the rest of the committee. You did not always vote, rarely voted for the defense authorization bill, much less supported it on the floor. And they worried you might take the subcommittee chair and use it to roll the committee.

Of course, no one dared to breathe these concerns in the open. And it was a good thing, because in a few months time they were totally allayed. They were allayed because you took the chair of the subcommittee with the dignity that comes to you naturally, and you wielded that gavel with such civility that even your opponents came to praise you.

I was on the floor, I was on your subcommittee and on the floor when we brought the first military construction

bill to the floor under your chairmanship, and I remember it as clearly as yesterday Members like Jack Edwards from Alabama and Sonny Montgomery from Mississippi rising one after the other, not just because they had been accommodated in the bill, but because they had been dealt with fairly and squarely and they felt this was an effective player, expressing their appreciation for the role you had taken.

I was always glad to go to your hearings. I was one of the loyal attendees at those hearings, partly because of the way you conducted them, but I found out that RON DELLUMS is a lot more than just good form. You chaired this subcommittee, which had a dull, unexciting jurisdiction, but had once been the subcommittee with the only annual authorizing authority in the Committee on Armed Services, because in those days, back in the late 50s, early 50s, base structure affected force structure. It was a critical determinant. So Members wanted to serve on this committee, and you still grasped the significance of that point.

You reoriented the committee away from just nickeling and diming the MilCon budget to using the MilCon budget as a fulcrum for asking lot bigger questions about what we were buying and why.

We have been lots of places together. We have landed in C–130s in South America that I would not even want to drive up to in a Land Rover. Aguacate. Why were they building this landing strip at Aguacate?

□ 1630

We would have found out. It was a CIA headquarters supporting the Contras.

Someone, I think it was in the Reagan administration, it might have been outside the administration, suggested that, with enough shovels, survival in a nuclear war would be no problem; civil defense was feasible. And you were, in classic style, indignant. You called this person before the committee to defend his position, and you presented a series of witnesses, the sort of whom we seldom saw on the Committee on Armed Services, Physicians for Social Responsibility.

The room was packed that day; and they came and gave dramatic, graphic evidence of what would happen in the event of a nuclear attack and how no hospital in America, even the hospitals in New York City, would be remotely equipped well enough to handle a nuclear attack, even a small nuclear attack.

Now others understood these arguments and they made them, but you drove them home relentlessly. So much so that, by the end of the Reagan years, even Ronald Reagan himself would say, nuclear war cannot be won and must never be fought. That was your contribution to this place.

Now a lot of folks may say, well, he came from Berkeley. It was easy. You did not have to go home in South Carolina and defend those positions or Texas, which was, I think, originally your native home. You went back to Berkeley, and those things were easy to defend in Berkeley.

But they missed an essential point about RON DELLUMS. I do not think the subject matter was of your natural bend. I think you could have spent 20 years here far more pleasantly following your own interest in manpower training or maybe even staying on the Committee on International Relations and pursuing questions of foreign affairs or dealing with human rights and civil rights and things that really did inspire you.

A lot of Members come here and serve effectively. But most of them come here, including myself, and we carry water for our own constituency. Those are the axes we grind.

The significance about your service and one of the examples that you set is that you came here and took up a topic that was really not something that was your natural bend. You stayed with it doggedly. You pursued it, and you never let go of it, and you made an enormous contribution by mastering the subject and being a fair and impartial critic.

Throughout the 1980s, we had heard Ed Markey tell the story; and everybody here who lived through that period could come and give an anecdote about those different fights: the MX, not 1 year but 5 or 6 years; the B1; then the B2; the Persian II; SDI; Star Wars; and, of course, apartheid in South Africa and a number of other things.

You made an enormous contribution. You saved the country money. You swam against the stream at a time when a lot of people were criticizing you for the course you were taking, and I guess the happy irony is that you served long enough to see the stream actually turn in your direction.

I remember one time in the late 1980s or the early 1990s when the administration brought its budget to the House Armed Services Committee and you intercepted the Chairman and said, Mr. Chairman, you have to permit me this leeway so that I can say that this budget seeks less than I sought in the Black Caucus budget just 4 or 5 years ago.

That is how much things changed in your direction and how much I think you have indicated.

In the end, what you will be remembered for, what we remember you for is not the fight over the MX or the B–2 or any individual episode about that. I remember the trip we took to Central America. We were coming back and you told me why you were in politics, that you had come out of the Vietnam protest movement at Berkeley and Oakland, street fights in the City Council, vehement politics, and you had risen among these who were convinced there was no way to move the system, no way to change the establishment, and insisted against all the odds that rational discourse mattered, that if you were persistent enough and patient enough, that if you tried hard enough and were articulate and passionate and rational, discourse could make a difference. And you wanted to bring that to this institution and institutionalize it in the House of Representatives and American democracy.

That is what you will be remembered for because you succeeded. You succeeded because you were passionate, you were indignant, you were forceful, you could easily be raised to anger. But, in the end, you were rational, fairminded and civil and a classy guy, all and all.

I am one of those who say, I am sad to see you are going. We fought some together and fought some against each other, but it has been a great battle along the way. But I know, serving on the committee, that more than any other Member, we will have an omnipresent reminder of RON DELLUMS.

There is a stunning portrait, almost an icon, of RON DELLUMS hanging in that room today; and it will hang there for a long time to come. Indeed, Ron looked around the room not long after it was hung and said, ''You know, this place is filling up. They are going to have to remove some of these portraits one of these days. But I do not think they are going to remove mine,'' he said with a wry smile, ''because I am the only brother hanging on the wall.''

We are not going to remove that. It is going to hang there as a message of a kind of gravatus that we all are called to when we deal with questions of war and peace, of the kind of high mission that we all should be about, not the bazaar where we were swapping off interest and brokering deals and things like this. These are questions of life and survival of war and peace, fundamental questions that are important that you constantly called us to the significance of.

That is the message that RON DELLUMS will leave in that room. To every witness who sits in that chair, to every Member who comes in the room, that portrait of you will be a call to conscience.

You taught us what democracy is about. You made this great institution, the Republic, work a lot better.

I am proud I have been your colleague, proud to have been your friend; and I say with a heavy heart that I hate to see you leave. But I will never forget the example that you left for me and all the rest of us.

Mr. Speaker, I yield to the gentleman from New York (Mr. GILMAN).

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, over the past 25 years, I have had the honor of working with RON DELLUMS in a number of capacities in the Foreign Affairs Committee, on the Postal and Civil Service Committee. I am confident that Members on both sides of the aisle are going to miss RON. We are going to miss his strong

leadership and his presence here in the Congress on so many important issues.

He has served his constituents in the 9th District of California and all Americans well during his 27 years here in the Congress. It is a long time to be in public service.

The first African Member of the House Armed Services Committee, RON soon became chairman during the 103rd Congress, where he stressed the basic principle of majority rule; and his colleagues on both sides of the aisle noted his evenhanded manner during committee meetings.

Known more for his opposition to excessive military spending, RON displayed a sense of fairness and integrity that not many of our Members possess. Being a leader for quality education, RON has helped to aid Americans from all backgrounds, races and creeds. His vision helped to develop the national movement known as the Rainbow Coalition.

During his years here in the Congress, I met many Members from all walks of life. However, RON DELLUMS stands in a class by himself. He is a true gentleman, the embodiment of integrity, fairness and compassion.

RON has been one of our most effective orators in this body, engaging in many historic debates, in defense of B2, aircraft carriers, Bosnia, South Africa, human rights, just to mention a few. While we may not have always agreed with RON's arguments, we have had the highest regard for him and the highest amount of respect.

RON, you have left your mark on this body. You have left your mark on our Nation. We are going to miss you. We wish you happiness and wealth and success in the years ahead. God bless.

Mr. SPRATT. Mr. Speaker, I yield to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. Mr. Speaker, I thank the gentleman for yielding.

I think I would like to address my remarks to the RON DELLUMS who is known outside of this body. As a former peace activist, a person who ran a peace institute, RON DELLUMS was the shining home for us that there was somebody there who cared about peace, who stood for peace, who worked for peace. That was so important to those of us outside this body.

When I came to this body, the greatest honor that I have had in my few years here is that I served while RON DELLUMS was Chairman of the Armed Services Committee. I served on that committee. And he acted so fairly, with such honesty, that there was truly space in that committee for a peacenik like myself and the most hawkish other Member. He treated us all with respect and all with dignity.

But I want to tell a little thing about a personal insight that I think I may have on the impact of RON DELLUMS, an impact beyond this place.

I think we, as Members of Congress, we all think we are pretty well known. Well, we might be well known in our own district. Maybe some of us are known in our own district. But I had the great honor to travel with RON to South Africa for the great moment when Nelson Mandella, who he had helped free, became the president of South Africa. And I noticed there that little children who were around us would come up to RON. They knew him. They knew him not as a Congressman. They knew him as a man of peace who was a warrior for justice. And we all, all have to thank you, RON, for being that, the man of peace, the warrior for justice. Thank you.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I thank the gentleman for yielding.

I, too, join today with my colleagues in saluting a great American, a wonderful friend, a wonderful colleague. The United States Congress and the constituents of the 9th Congressional District in California will sorely miss you, RON.

One of my first days on this floor in the 104th Congress I had a chance to witness what I believe is one of the greatest orators of this chamber, and that was you. You inspired me that day. You delivered a speech that was so important in my life. And I think of the fights we have had since, not against each other but for common issue, and that was the B–2 bomber. And I learned so much. I learned so much.

I think the greatest thing we can do in this body is share knowledge and share opportunity with your colleagues to make this country a better place, and you have shared more than you can ever imagine with this young Member from Florida.

I have learned style. I have learned grace. I have learned about equality. I have learned about patience. I have learned that there is a time to speak and there is a time to listen.

You have taught me so much of those great lessons here. You have been able to reach out across the audience. You have been able to reach out across the aisle. You have been able to focus on some of America's greatest strengths and shore up some of our great weaknesses.

I believe you brought together people of all races, all ethnicities in the fight for a strong defense. But you also taught me that a strong defense does not mean just throwing money at the Pentagon and hoping it makes the right destination. When we joined together in the fight against excess spending and waste, it was not about shortchanging our men and women, it was about making certain that they, in fact, had more, that we treated them better, that we took care of their housing, that their families lived above the poverty level. But the only way to do that was making choices, difficult choices.

I know you did not come here to argue against this defense contractor or that or this weapon system or that. You came here to make a difference. And you have done that. You have continued us on a course of military strength but, more important, fiscal sanity.

I will miss deeply the debate when it arrives again for some of these important projects. There will be not one voice that can replace you, I can assure you. There will be no one in this Congress that can rise to your level of eloquence in debate nor, I believe, rise to your level of sincerity.

You have been a true patriot, a fine American, a role model for all children. I wish you well and Godspeed in your new career, and I wish your community its best in finding someone who will pick up the challenges, be as good to the constituents as you have been, be a role model that you have been and fill that big void that will be left by your departure.

I do wish you well, RON. You are a wonderful human being, and it has been my distinct pleasure and high honor to serve with you in this Congress.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Ohio (Mr. STOKES).

☐ 1645

Mr. STOKES. Mr. Speaker, I want to thank the gentleman from South Carolina (Mr. SPRATT) for taking out this special order in honor of our colleague, RON DELLUMS. For the last 27 years, the Ninth Congressional District of California has benefitted from the leadership and dedication of one of America's finest lawmakers. Ron's retirement will bring to closure a distinguished record of public service for California and for the American people.

When RON DELLUMS was elected to Congress in 1970, he brought to Capitol Hill the determination to make a difference in the Vietnam War, in the war against poverty, in the social and economic injustice in this country. His previous service as a member of the Berkley City Council helped prepare him for the task at hand. His advocacy for peace in a turbulent world caused his reputation to precede him in the Congress. RON DELLUMS CAME TO CONGRESS AS A LEGEND.

RON DELLUMS came into the Congressional Black Caucus at the moment he came into the Congress. We welcomed him in the Congressional Black Caucus.

I recall the battle that we undertook during his first term in order to secure a seat for Ron on the Committee on Armed Services. There had never been an African American to serve on that committee, and the committee did not want RON DELLUMS. They rejected his application because he was too militant. They felt that they did not want him on that committee.

To the credit of the Congressional Black Caucus, we stood up for RON DELLUMS and demanded that he be

given an opportunity to serve on that committee. Nothing could have made me prouder and other Members of the Congressional Black Caucus who were here at that time than the day we saw you become chairman of the committee on which they wanted to deny you a seat. As others have said here today, there is the pride all of us take for the great service you gave, with your picture hanging with dignity and distinction in that Committee on Armed Services room.

It was on this committee that the Nation began to take notice of this young, articulate legislator. It was RON DELLUMS who challenged the Congress to cut defense spending and invest in our children's future. He challenged the Nation to put families first, reminding us of the human needs that he saw in his congressional district and cities across America. He was a fearless advocate in opposition to what he often referred to as our insane military policy.

Mr. Speaker, others have mentioned RON DELLUMS' opportunity to sponsor legislation in this body that helped change the world. In 1971, he introduced legislation calling for the economic sanctions against South Africa in an effort to end that country's racist apartheid regime. RON DELLUMS utilized the halls of Congress to call our Nation to conscience. He led protests at the South African Embassy. He was vocal, and, most importantly, he never wavered. Fifteen years it took before the Congress passed his antiapartheid legislation over President Reagan's veto. When we welcomed Nelson Mandela to Capitol Hill upon his release from the South African prison, the first person he asked to see was RON DELLUMS.

All of us were proud when we went to South Africa and our delegation stood there in celebration of the inauguration of Nelson Mandela, whereas the speaker before me, the gentlewoman from the State of Oregon (Ms. FURSE), mentioned that RON DELLUMS was known by even little school children. RON DELLUMS' name until South Africa, to all of our pride, is a household word.

RON DELLUMS' service on the Committee on Armed Services, the Permanent Select Committee and the Post Office and Civil Service Committee earned him the respect and admiration of his colleagues on both sides of the aisle. I am also proud of RON's leadership as the past chairman of the Congressional Black Caucus.

Mr. Speaker, as he departs this chamber, many of us can say that we shared a special relationship with RON DELLUMS. As I reflect upon our time in the United States Congress, I will always remember the very special personal friendship that RON and I shared in this body.

I will also remember, RON, your advocacy for health legislation, the RON DELLUMS comprehensive health legislation that you fought for for such a long period in this body. I will remember also you were the architect for many years of the Congressional Black Caucus budget. You saw that as a means of setting priorities for the Nation and for the Congress.

I will always remember your eloquence, how all of us took pride any time you walked in the well of the House, the eloquent way in which you debated anyone who was willing to take you on.

We will also always remember the Dellums amendments to military bills. You did not always win, but you always fought.

Mr. Speaker, we salute RON DELLUMS today for his tenacity, his courage, and his commitment. Few individuals leave this chamber with the type of legislative accomplishments which can be credited to RON DELLUMS. His leadership will be missed. I will miss him as a good friend, a treasured colleague, someone who has been a credit to his race, to his Nation, and in particular to the United States Congress in which he served with great distinction.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, as I was listening to my colleagues, I thought what a special moment this is that we get to share with each other and how grateful I am to have this opportunity to share this moment with all of you.

RON, I think of you as a very beautiful man inside and out. I think of you as a great legislator, and I do not use that word advisedly, a great legislator, an outstanding chairman, and a true friend to so many. I think you have more friends in this place than any other Member of Congress.

I think of you as very gracious, highly intelligent, gentle, but very strong, and an absolute wonderful articulate spokesman for the causes you had every reason to believe so passionately in.

As I was listening, I realized I had never seen you fulfill a partisan role. When you spoke, I never thought you were speaking as a partisan.

RON, you helped bring out the very best in all of us, you help bring out the very best in this institution, and you don't even ever have to wonder if you have left your mark. You have left your mark with everyone here, with so many people around this country. You left a mark that cannot be replaced.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my good friend and colleague, the gentleman from South Carolina (Mr. SPRATT), for calling this special order. I join him and all of my colleagues in paying tribute to an extraordinary Member of this House, the gentleman from California, RON DELLUMS.

He is my friend, he is my colleague, and he is my brother. I knew RON DELLUMS long before I came to Congress. I knew him as a progressive thinker and a rare, gifted political leader.

When I came to Congress in 1987, I sought out RON DELLUMS because of his steadfast commitment to principles. On all the big global issues, he is always leading the pack, serving as a compass for the right thing to do. As a supporter of disarmament, a crusader for social justice, and a defender of human rights, RON DELLUMS has been a sure and steady voice for investing in human needs, rather than the B–2 bomber.

As the chairman and the ranking member of the Committee on National Security, RON DELLUMS fought hard for a rational military policy, a policy that calls for reduction in the use of arms and the downsizing of military manpower and in the budget.

Through his hard work, he sought peace rather than war. Although he came to this body as a former marine, he must be looked upon today as a peaceful warrior, not only here in America, but around the world.

His record in Congress has followed a very old Biblical teaching: They shall beat their swords into plowshares, and their spears into pruning knives; nation shall not lift swords against nation, or even again be trained for war; and each man shall dwell under his own vine, under his own fig tree, undisturbed.

Some of the great lovers of peace are those who have known war. RON DELLUMS has known war and has courageously sought peace. He has sought to build a world community, a community at peace with itself.

RON DELLUMS, as I said before, is my colleague, our colleague, our friend, and my brother. We are more than lucky; we are truly blessed that he has brought honor to our country as a champion of peace.

RON, we are going to miss you. We are going to miss your clear and distinct voice. We are going to miss your ability and your capacity to speak about building a world community based on peace, rather than division. We are going to miss your warm and abiding spirit.

I told you this before. I must tell you again. I hate to see you go. You know, if I was out on the street, I would say it another way. I probably would say, brother, maybe I would say, you are one that I hate to see go.

Your contribution has been so great that your absence will leave us weakened and less determined. We need you and people like you in public service now more than ever before.

You have told this Congress, you have told the American people and nations around the world to lay down the tools and instruments of violence. Time and time again you have stood in this well and told us to redirect our resources toward human beings, those who need food to eat, those who need

to learn, and those who need to have a livable wage.

I hope one day as a Nation and as a people we heed your call, and I hope that day is soon. God knows, your call for peace is the right thing to do.

As you leave us this week, I know you will go on with your life's work, and I know you will be welcomed home by your family and the people of California's Ninth District. And, as you leave, may your journey continue to be blessed. And I want to thank you for your gift of public service to this Nation and to this world. Thank you, RON DELLUMS. Thank you, RON DELLUMS, for being you. We respect you, we love you, and we will always admire you.

Mr. SPRATT. Mr. Speaker, I yield to the gentlewoman from Michigan (Ms. KILPATRICK).

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

□ 1700

Ms. KILPATRICK. As I sat here this afternoon, Mr. Speaker, and listened to my colleagues talk about Mr. RONALD DELLUMS, there really was not much I could add that has not already been said, but I thought I better come anyway, RON.

Over 20 years ago I was elected to the Michigan House of Representatives and it was during that time 20 years ago that I started watching RON DELLUMS from this well. Your integrity, your strength, your confidence, that you showed Americans around the world, when we are public servants and believe that this is the land of the free and the brave, that we can do anything and, inspired by God, that we are, and we must, represent.

So as I sat here today and listened to my colleagues talk about you and your strength and your dignity, what comes to mind, as I finally got here 20 years later to actually serve with you, I am honored to have had the opportunity. You really do not know how many people around this country know and feel that when you are on this floor and take this mike, we know it is going to be all right.

I want you to know that as you leave here this week, this Congressperson, as well as many of us in this Congress, as well as State legislatures, know that you are our role model, that in spite of the many difficulties that many of us feel and witness on a day-to-bay basis as elected officials that we truly can rise above the fray. Since I have been here you told me one day that your will, in addition to speaking out and representing, is so that men, particularly African-American men, can know that we have the strength and the integrity to build America, to offer hope for our families and our communities.

So as you leave here this week, my brother, your spirit lives in this House of Representatives, and as men and women who serve in this body, if we can have the strength and the determination that Mr. RON DELLUMS has shown by his actions, the world will be a better place. Your family is waiting for you and I know you will serve them well. As elected officials, we sometimes shorten our families. So you have to be there when you have to be there, but we are going to miss you.

I want you to know from the bottom of my heart as I serve in this Congress and as I served in the State legislature, your spirit, your integrity, and your strength has certainly made me a better woman. God bless you, my brother.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Speaker, I am very honored today to be able to rise and speak about my good friend, RON DELLUMS. I am pleased to be able to rise on behalf of my family who, if every member of my family who has ever worked with RON could be here standing in my place today, they would be doing so and a lot more eloquently than I am about to do. But nonetheless, if my eloquence has anything to do with it, it has definitely been because I have been listening to you, RON, for the last 3 years as my ranking member of the Committee on National Security. I think if anybody in this House thinks about you and how articulate you are, how educated and intellectual you are, and how principled you are; moreover, how principled you are, RON, they know that they have heard the best debates about where this country should go and where it has not gone the way it should be going from you over your many years in public service.

I have been fortunate to be able to come to know you in the 3 years I have been in the Congress and to be able to really consider one of the great opportunities I have had in this Congress to serve with the likes of yourself. A good friend of mine is a daughter of the late Al Lowenstein, and in the book about Al Lowenstein I saw that you were there campaigning for him as you were for the causes that he believed in stopping the Vietnam War and really fighting for peace and justice for all.

I think today I could go on and on as so many have about the many accomplishments you have had in this Congress, but I wanted to talk about one accomplishment that you had that I know will go down in the history of this country and of this Congress and which I think epitomizes your service in this legislature, in this body, and that is the singular effort that you made in Congress to change the course of this country's relationship to the government of South Africa, such that you could bring about the independence and apartheid by using your position in the United States Congress to raise the level of awareness in this country towards the racism and the dictatorial regime in South Africa and helped marshal support in this Congress to eventually see victory in the sanctions legislation. I think it epitomizes you as a man of courage, first for standing up for what was right and for what needed to be done. Despite a lack of popular support at the time, when you first came to the Congress, and in 1971 first introduced this legislation, you only did so with one other original cosponsor of the bill. Your strength is embodied in this effort, because you stuck with it. You knew the moral conviction that you had was right. Despite all the political pundits all aside, you stayed on this fight because it was the right fight, as you have done on every fight of conscience that you have faced in this Congress.

Finally, this fight showed you as a man of patience. We all know of your marathon quote of how it takes time to get legislation passed in this Congress, and once again, your fight very early on for the United States sanctions for apartheid was emblematic of your long struggle to see something through from beginning to end. Despite President Reagan's veto, you got the Congress to override his veto, and I know from my father, speaking to my father, he said you were the singular leader on that fight and has always spoken about your great leadership there.

I think that there is nothing that can make you feel more proud than to have seen Nelson Mandela come to be President of that great country and to know that you have had a hand in changing the lives of so many people in the world, not only as a Member of this United States Congress, but as a leader for the right principles, no matter where they are. Whether they are in your district, whether they are in my district, whether they are in the confines of the continental United States, or whether they are around the world, you have stood for the kinds of principles that we should all measure ourselves by, no matter what legislative body, because you stand for humanity, and humanity is the most basic principle of all. No matter who we are, where we come from, we all share the same humanity, and you have helped bring that back into perspective on every issue that you have ever tackled. RON, it has been a great honor for me to serve with you. I love you, and I wish you the best for your future.

Mr. SPRATT. Mr. Speaker, I yield to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I almost feel guilty taking this time to say something about my friend, RON DELLUMS. Just a night or so ago, I had the opportunity to introduce him, and I took 17 minutes in the introduction, and enjoyed every minute of it. I could not let this moment pass, despite the fact I took 17 minutes to introduce him and say a lot of things that I wanted to say about him. I want my friends out there in America, however, to know how I feel about RON DELLUMS.

RON DELLUMS is my friend, he is my colleague, and he is a man that I have admired for many, many years. I do not know exactly when I first came to know RON DELLUMS. It seems as if I

have known him all my life. I do know that over 20 years ago, I was so moved by his courage and his commitment, so moved by what he stood for, I called his office and said, I want to do a fundraiser for RON DELLUMS, because I heard that someone is going to attempt to oppose him. And so I remember the joy that I experienced putting that fund-raiser together. I did not go simply to our friends in the African-American community or in the civil rights community; I went to my friends in Beverly Hills and other places who were involved in the peace movement, and we had a wonderful venue and a wonderful home, and that gathering was like much of what I am seeing here today. It was a real rainbow gathering of the rich and the not-so-rich, of whites and blacks, Latinos, Asians, it was a mixture of people who represented America, people who too were attracted to RON DELLUMS, because of his commitment and his courage and what he had done for all of us. We were able to raise some money for RON DELLUMS, but my life came in contact with his after that time in so many different ways.

RON DELLUMS defended me on the floor of one of our State conventions where we were fighting to keep Mr. Ziggy Arrowitz off the delegation because of what he had done on the question of affirmative action and some other kinds of things.

RON DELLUMS and I have worked together in many ways. I was inspired by his 15 years of work trying to dismantle apartheid. I carried the counter bill in the State legislature, and we were able to prevail after RONALD DELLUMS was able to lead this country and this Nation to dismantle apartheid by way of sanctions. I sat with RON DELLUMS in South Africa at the inauguration of Nelson Mandela, and I watched his face as the leaders of the world paraded past us, and I watched his face when the military did the great formations in the airplanes that went above us, and I watched his face when Nelson Mandela took the podium. I know that RON DELLUMS could not help but feel proud of his contributions of the work that he had done on behalf of his constituents and this Nation.

I come today, along with people like the gentleman from California (Mr. CUNNINGHAM), who is sitting here on the floor, waiting to speak about RON DELLUMS. MAXINE WATERS on the left, Mr. CUNNINGHAM on the right, and those in the middle. What a testament to a man's work; what a testament to what he has been able to contribute.

This speaks more than any initiative the President could have about race and race relations. This speaks more than the President can ever talk about when he talks about his vision for peace, or any President, for that matter. This man has done it.

I would like to close with a quote from RON DELLUMS when he was asked in 1984 in a response to an invitation from Harper's to draft an acceptance speech as though he were the Democratic presidential nominee that year. He said a lot of things, but this is what I will always remember and what moves me. RON DELLUMS said,

> I offer a new agenda: An agenda for world peace and for a just and compassionate society here at home. It is an agenda that proposes a foreign policy of nonintervention and international cooperation, an agenda that redefines our legitimate national security interests as the defense of the United States, an agenda that rejects any attempts to control the internal affairs of other sovereign nations through economic extortion, political intimidation, or overt or covert force. True peace entails more than the absence of war. It requires an unceasing effort to eliminate militarism, racism, and social and economic injustice and to promote personal freedom and human dignity.

That really says it all.

Let me wrap it up by saying to those who used to say to RON DELLUMS: We want you to be President; we want you to be the Secretary of Defense. RON DELLUMS would simply say, I do not want to be the President, I do not want to be the Secretary of Defense; I want to be the Secretary of Peace, and I guess that says it all.

RON, we love you, we will never forget you. Most of us will always aspire to be like you, to have the integrity that you have shown, that you have demonstrated. Most of us would always want to be what you have shown us we could be and what we should be. We love you today and we will love you forever.

Mr. SPRATT. Mr. Speaker, I simply want to explain to everyone on the floor the situation we find ourselves in. We are down now to 5 minutes about, before 5:20, at which time the time belongs to the gentleman from Texas (Mr. DELAY). He has already delayed an hour. He will be here to claim the time at 5:20 for an hour. If he is not here, other Members can ask for recognition for 5 minutes until he arrives here, as I understand the procedure, but once he arrives, the procedure for today is over, and those who would like to make a statement will have to come tomorrow.

I have a list that I am not going to be able to accommodate in that period of time, but I would ask everybody whom we can reach in the next few minutes to speak as succinctly as possible.

The SPEAKER pro tempore (Mr. PEASE). The gentleman is correct with respect to the procedure in the absence of the gentleman from Texas. That is by of course unanimous consent.

The Chair also reminds all Members that for those who are unable to make their comments presently to the gentleman from California, there is general leave insertion where comments may be included in the RECORD.

□ 1715

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Speaker, ''His life was gentle and the elements so conspired in him as to cause all nature to stand up and say this was a man.'' Those are the words Shakespeare puts in his play to be spoken of Julius Caesar.

I was thinking of those words, and then our remarkably eloquent colleague spoke. I cannot match the gentlewoman from California (Ms. WATERS) in eloquence, but we know where the eloquence comes from: the combination of mind and heart. When those two come together, there is an eloquence that inspires even those less gifted, of whom I am one.

So, without apology, Mr. Speaker, I offer to all the House this tribute to RON:

You stood up to a President of the United States because you believed in the Constitution. You believed that the United States should not put men and women in harm's way without the approval of Congress. You had the courage to bring that lawsuit, RON. You stood up to Presidents of the United States more than once because you believed in the Constitution and you believed particularly in the war-making powers given by that Constitution to the people of this body.

Secondly and lastly, when I was out of office, RON remembered me. I ran for office in 1992 for another office. I lost. My wife works for the University of California at Berkeley. She needed some assistance. RON, you did not forget who I was.

That is the person as to whom all the elements shall stand up and say this is a man. You are that man. On my wife's behalf, I am grateful. On behalf of people of Oakland and Alameda and Berkeley, we are grateful.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, excuse me. I am out of breath. I just ran down from a meeting of the Committee on Rules, but I was afraid that I would not be here to pay my respects to someone that I would say is the man that I respect the most in this entire Chamber of 435 Members.

RON DELLUMS and I, 20 years ago, had many, many fights on this floor. We went at each other with every strength that we each had. But, over the years, this man has taught me a lesson; and that is if you are sincere, if you believe in your principles, that the other side would respect you.

RON, I am going to tell you something. On this side of the aisle, you are a man of integrity. You are a man of more sincerity than anyone else I know, and we are going to sorely miss you. You are a great Member and a great American, and I hope that you will always come back to visit us because you belong in this House. You are a great man; and I salute you, sir.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Speaker, I thank the gentleman from South

Carolina (Mr. SPRATT) very much for yielding. I do not think we have 3 minutes, so I will speak briefly and put the rest of my remarks in the RECORD.

The so-called Berkeley radical who became a Statesman, RON DELLUMS, deserves the time he has had on the floor and far many more hours that may be accorded before too long. But we are going to miss him, and we are going to miss him largely because he was a unique Member of this institution, a man of great complexity, a man of great contrast who grew in this job in a way that few can.

He started out as a social worker and became conversant with the complexities of SDI and all of the other issues and weapons systems that were the meat and potatoes of the Armed Services Committee. Here he is, a Marine Corps veteran who became, as the gentlewoman from Oregon (Ms. FURSE) said earlier, the symbol of the Peaceniks, the people who came here because they wanted to make a difference in the broadest sense of that term.

Here he is, a guy who is most proud of his race, but who never failed to reach out to anybody who differed from him; a man who is a proud African-American, but who studied his personal history and was proud of every element of his ancestry. Maybe, in that sense, the beginning of a new kind of multiracial American who made a real impact on Members across the political spectrum and certainly across all those other lines that sometimes divide us: race, ethnicity, religion.

I had the great privilege to travel with RON DELLUMS to Africa, to Zambia, to South Africa, to Namibia, not at a time when we could enjoy Nelson Mandela being sworn in but at a very difficult time when the Nationalist Party was moving toward accommodating the reality of the black majority in that nation.

RON DELLUMS was the right American to lead that delegation, just as he tried to lead the Congress to an overwhelming margin, enough to override a veto to bring together a consensus on this floor for a policy on South Africa.

Mr. Speaker, I simply have a lot more to say that I will say in the RECORD, but I want to indicate personally how much I appreciated the contribution he made and also how much I wish him and his family well. He is leaving now most appropriately not for us but for himself and for the people he loves the most and who need him; and for that we understand and offer you, in the knowledge that it is appropriate and timely, Godspeed.

It is with reservation that I rise today to try to put into words what the service of my friend RON DELLUMS has meant to this institution, this country and nation on behalf of his constituents, I say I have reservation only because of the difficult task inherent in speaking about one of the most eloquent speakers this chamber has ever known. It is his eloquence combined with his passion that has made RON DELLUMS the effective leader he has been.

Many, if not the majority, in the Chamber have disagreed at one time or another with RON DELLUMS. But who in this chamber could ever disagree with the way RON DELLUMS made his point? At its best, this is a house of civility and courtesy, and while many have forgotten this, RON DELLUMS constantly reminded us of this each and every time he was recognized on this floor. He truly perfected the art of disagreeing without being disagreeable.

RON DELLUMS had the pleasure of representing an East Bay constituency that demanded to be heard. They could not have found a better spokesman. And over time RON DELLUMS has become not only their spokesman, an advocate, but a statesman.

Like it or not, RON DELLUMS tells you how he feels. With this in mind, I will tell you how I feel. Thankful. Thankful for your passionate commitment, it is unparalleled. I can only hope that someone in this body can carry on your legacy, but they will never replace you because you're an original in your time. It is often said, you only take with you what you leave behind. Well RON, your legacy has never been in doubt. We are all better off because you chose to serve here. Thank you RON for all of your hard work and tireless effort on behalf of your colleagues, constituents, the State of California and your country and indeed the world.

Mr. SPRATT. Mr. Speaker, I yield to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman from South Carolina for yielding. Had he not taken out this special order, there would have been 100 Members to come to the floor who would not have allowed RONALD DELLUMS to leave this Chamber without expressing their views.

Mr. Speaker, we have heard about the gentleman's extraordinary record of services on the Armed Services Committee, the Committee on National Security, about South Africa, about the Vietnam war, about civil rights, about helping people get out of poverty. But I am here to talk about a committee that RON DELLUMS chaired for 17 years, the Committee on the District of Columbia. I am here to speak for the people I represent in thanks and in great gratitude to RONALD DELLUMS.

His attitude toward the city and toward the Minority during the time he chaired the Committee on the District of Columbia was a virtual model for this body. Toward the minority, the gentleman from Virginia (Mr. BLILEY) will tell you there was collegial disputatiousness, always willing to join an issue, always as an officer and a gentleman joining an issue.

Let me tell my colleagues as toward this city, I look at it now as what surely must be its low point as it rises; and I remember that RON DELLUMS chaired the committee at its high point, perhaps second only to when the city got home rule. It was when he was chairman that we got a 40 percent increase of Federal payment to make up for years of no increase.

RON DELLUMS was no pushover. He believed in appropriate oversight. He had impeccable judgment about exactly what that meant, because RON DELLUMS was the ultimate democrat with a small D. RON was called to preside over people who had not elected him. He did so with grace in principle and with elegance.

Mr. Speaker, in the name of the 600,000 residents of the District of Columbia, Representative RONALD V. DELLUMS, I am here to thank you this afternoon.

Mrs. MINK. Mr. Speaker, it is a great honor for me to join my colleagues in this tribute to RONALD V. DELLUMS—an advocate for peace, justice and equity for all in this nation and throughout the entire world.

From humble beginnings, with a strong belief in equity and opportunity, RON built a life of helping others. RON often tells a story about a time when he was given a choice—a job or an education—and he choose an education, because of his strong belief that education was the equalizing factor in this country, and that with a good education one could advance not only themselves, but their ideas, their principles and their causes.

This is precisely what RON has accomplished throughout his life—advancing the causes of justice, equity, peace, of equal education and employment opportunities for the most disadvantaged and vulnerable in this nation. I have no doubt that as he leaves this House he will move his crusade forward and continue to do everything in his power to make this world a better place.

RON was not one to take the House Floor often, but when he did we all remembered it. We can all remember at least one occasion, when this body so embroiled by heated debate, with both sides raising their voices to make their points, was quieted by the impassioned and calm voice of RON DELLUMS. When RON spoke people listened—if they agreed, or disagreed with what he said—they listened. Throughout the entire history of this House there are few who can match the oratory skills of RON DELLUMS.

It was 27 years ago when RON came to the House. I remember that class of 1970 and the passionate voice of reason that he brought to the House in those troubled times. It was war, not only in Vietnam, but in the rhetorical battlefield at home. I have fought beside RON in many wars, not with weapons of destruction, but with the might of justice and peace on our side.

In those days it wasn't unusual for just 10 or a dozen Members to stand together on uncompromising principle, and make an unpopular vote. Often I'd look at the voting board knowing my name would be one of the few, and knowing I was in good company because RON DELLUMS' name was there too.

When I returned to the Congress, after a 14 year-break, one of the first key votes I had to take was on the authorization of the Persian Gulf War in 1991. So many things about that situation reminded me of our debates over Vietnam—one of which was the reasoned leadership of RON DELLUMS.

His efforts related to the Gulf War, including a lawsuit to preserve Congressional authority over the declaration of war, was born of the many struggles we faced in those tumultuous years of the early 1970s.

Over the years of his service, RON has marked a number of firsts. The first African-American to serve on the House National Security Committee (formerly Armed Forces

Committee) and first African American to Chair the Committee.

A progressive member in support of reduced military spending, many had their doubts when RON became chair. But his integrity and character proved true. He accomplished the work of the Committee, in a fair manner, allowing the will of the Members to prevail. Of course it never stopped him from advocating his progressive agenda—offering amendments to reduce the B–2 or other weapons systems on the floor—but never using his position to an unfair way to push his agenda.

RON has done many great things during his tenure in the House many that have been mentioned today. One of the things I will always remember is the annual Black Caucus Budget. The establishment of this alternative budget which focused on the basic human needs of our country—health, nutrition, education, housing, etc. * * *—served as a document of conscience for our nation. Today we are closer to the goals of that budget than we have been in decades. RON and his effort to craft those budgets each year, even in times of enormous deficits or when military might was more in vogue, always served to remind us of what was truly important in this country—the lives of our children and families, their health and education.

With all his responsibilities in the Armed Services Committee, with his many causes and crusades, RON was a man who listened. I appreciate RON because he listened to the people of Hawaii. When we sought to obtain $400 million from the Navy to clean-up the island of Kahoolawe, Rep. ABERCROMBIE and I went to RON DELLUMS and asked for his help. He understood the unique situation in which this island which had been used for bombing by the Navy for decades was not being returned to the Hawaiian people. He listened and understood as we explained the significance this island held for the Native Hawaiian people. It is a fact that without his help, the clean-up initiative now underway on Kahoolawe would not have happened. Hawaii owes a great debt of gratitude to RON, for helping us bring to resolution one of Hawaii's greatest dilemmas in recent years.

RON we will miss your passion, or levelheadedness, your understanding and compassion. But we know that you move on to take those genuine qualities and continue working on behalf of the people of this country. *Mahalo* and *Aloha* for your service to this House and to this country.

Ms. DELAURO. Mr. Speaker, I would like to thank Representative SKELTON and Representative SPRATT for giving us the opportunity to honor and bid farewell to our friend and colleague, Representative RON DELLUMS.

RON DELLUMS has set a tremendous example for all of us. Throughout his 27 years in Congress, he has always been a gentleman, something that requires true strength today. In the midst of all the battles here, he has always treated every person with the same high level of respect. For this he will always be honored.

In the more than a quarter of a century that RON DELLUMS has represented the 9th District of California, he has also remained true to himself and to his principles. This is sometimes even more difficult than always remaining a gentleman. Trained as a social worker, he has dedicated his life to serving others. He understands that our national security must rest on a solid domestic foundation. When our citizens are well fed, well housed, well educated, and there is justice for all, our Nation is secure.

His passion for ensuring security and justice for all Americans has formed the foundation of his leadership on so many fronts. As chair of the House Armed Services Committee and the ranking member of the House National Security Committee, which I had the honor to sit on with him, he worked to keep Congress focused on halting the nuclear arms race, and combating racial discrimination and sexual harassment in our military. He has led the fight to protect the civil rights of all Americans, and to achieve comprehensive healthcare throughout the country.

The House is losing a great leader. He leaves behind a high standard of respect and commitment that all of us should strive to reach. Only then might we begin to fill his shoes.

Mr. SPENCE. Mr. Speaker, the National Security Committee will meet tomorrow to officially honor and pay tribute to our friend and colleague RON DELLUMS. As public officials, we always honor somebody, somewhere, for heroic deeds. It is a sad statement on this job, however, that we tend not to honor our own frequently enough or well enough. So it is entirely appropriate that so many of our colleagues have come down to the floor to participate in this special order.

It is appropriate that we honor and thank our friend and colleague, RON DELLUMS, for his outstanding service during a long and distinguished career as a member of the Armed Services and National Security Committees and of the House.

I took special note of RON's eloquent words last week during the farewell ceremony in his honor hosted by Secretary of Defense Cohen—words I wish everyone could have heard. RON spoke to the inadequacy, at times like this, of words such as ''thank you.'' I could not agree more. Simply saying thank you seems small and inadequate. Yet most of us know of no other way to recognize our feelings after more than 25 years, for us old-timers, of working with him.

Members who serve on the National Security Committee represent all regions of the country and cover the political and ideological spectrum. Yet, I believe that the committee consistently functions on a more bipartisan basis than any other committee in the House, and possibly the entire Congress. And there is no one I have served with over the many years who has done more to protect and promote the bipartisan nature of this committee's deliberations than RON DELLUMS. As I observed during the ceremony to unveil his portrait last September, regardless of the issue at hand, RON has always tried to ensure that the ''idea'' never got lost in the ''politics.'' I believe that this is the truest testament to RON's integrity and his leadership.

Anyone who has worked with RON is aware of his talents and his accomplishments. I think it is also safe to say that anyone who has worked with or against RON, whichever the case might be, has come away from that experience having had to dig a little deeper and think a little harder. Of course, if you happen to be on the other side of the issue from RON, you also come away hoping next time you will be on the same side. While we are here to honor RON for the many years of dedicated service to his constituents and the nation, many of us are here, I suspect, on a more personal level, in recognition of the influence he has had on our lives. I know he has had a great influence on mine.

Although RON's memory will be a strong presence in the National Security Committee for years to come, a presence which is also guaranteed by his impressive portrait that hangs over my shoulder, his day-to-day presence will be missed. I wish RON and his family the best in what I hope is a long, healthy, and productive retirement from public service.

Ms. PELOSI. Mr. Speaker, I rise to pay tribute to our distinguished colleague, Congressman DELLUMS. The unwavering determination and fighting spirit of this political hero will be sorely missed when he leaves this body.

First elected to Congress in 1970 as an advocate for peace, Mr. DELLUMS remains as passionate and dedicated to his ideals today as he was almost three decades ago. Never one to shy away from the tough issues, RON has gained the respect of all those he has encountered because of the strength of his convictions, his commitment to democracy, and his ability to disengage from partisanship.

Congressman DELLUMS carries the distinguished honor of being the only Member to chair two standing committees. For seven Congresses he chaired the District of Columbia Committee and recently served as chairman of the Armed Services Committee, since renamed the National Security Committee. Currently, Mr. DELLUMS is the ranking Democratic Member to the National Security Committee.

Through his tenure on the National Security Committee, RON has become an expert on defense issues, an important resource for all those committed to peace. RON's contribution was fittingly recognized last week when Secretary of Defense William Cohen presented him with the Distinguished Public Service Medal, the military's highest civilian award. I was fortunate to attend that ceremony, an event made more momentous when you consider that when Congressman DELLUMS was first elected to this body he was an outspoken opponent of the Vietnam war.

Congressman DELLUMS' contributions to this House are legion. We will miss particularly his humble spirit, his tenacity, his eloquence and humor, and his unbending commitment to improving our country. I join with all of my colleagues in wishing our friend well as he moves on to his new challenge.

Mr. MCGOVERN. Mr. Speaker, I rise today to honor one of the truly great Members of this body and to regretfully wish him farewell—the Honorable RONALD V. DELLUMS of the 9th Congressional District of California.

When RON DELLUMS spoke on the floor of the House, people listened. He was always eloquent. Always well-reasoned. Always a passionate intellect.

When RON DELLUMS spoke out about the evils of apartheid in South Africa, at first it seemed his words fell on deaf ears. But no one can remain deaf to the power of his words and his reason. Over time, the nation listened to RON DELLUMS and the Congress acted to impose sanctions against the apartheid government of South Africa. It would not have happened without RON DELLUMS.

He was among the first to hear the cries of the people from Central America, from Haiti, from Bosnia. He was often the voice of the

voiceless on the floor of this House. And what a voice he brought to their struggles. The voice and acts of RON DELLUMS have saved lives around the world. And thousands are grateful for his advocacy, both here and abroad.

And when RON DELLUMS—whether in the National Security Committee or on the floor of the House—spoke about the need to examine truly the priorities and purpose of our military budget, everyone listened. It didn't matter where you stood on this debate. You listened. Because no one has researched, reflected upon, or debated alternatives to our current military planning more than RON DELLUMS. And his voice and influence on these matters will be sorely missed.

RON DELLUMS set a standard that I hope I and all my colleagues will try to emulate. A standard for intellectual integrity. For democratic debate and dialogue. For respect and honesty in all his dealings with friends and foes. For passionate engagement in the challenges that confront our nation and our people. And for oratory that moved debate on issues forward with its eloquence, reason and compassion.

I had thought I would have more time to learn from this great Member of Congress. I will miss his presence deeply in the halls of this Congress. I wish him well in his new endeavors. And I hope that he will continue to remain engaged in the domestic and foreign policy-setting of this country he has served so well.

Mr. MURTHA. Mr. Speaker, it's been a great honor for me to work with Congressman DELLUMS over the past twenty three years since I came to Congress. By the time I arrived, in 1974, Congressman DELLUMS was already an experienced Member of Congress and a member of the House Armed Services Committee, staking out his reputation as a scholarly, well-informed and thoughtful debater of military policy. People often asked how RON and I could work so well together—we start from different philosophical bases, we represent very different areas of the country—but the answer is simple. We share a deep concern for the individual American soldier, we share a deep concern for the nation's defense being strong, and we share a goal of finding the common ground that will keep America's domestic and military policy in balance. But it is also because I highly respect him. RON DELLUMS is a man who has always been true to his convictions, but still fair and open-minded; a man who has deep and abiding respect for our legislative traditions built on the foundations of free speech and open debate; a man who has studied and has had a clear grasp of the major national security issues of the day; a man who could be a formidable legislative opponent but a fast personal friend at the same time; an honorable man whose legendary statesmanship in the House of Representatives retained a needed measure of grace in an increasingly belligerent forum. He will be missed, and will certainly leave behind a hole in the fabric of this Chamber that will not easily be filled. I wish him the best of luck and happiness in his future endeavors.

Mr. BLAGOJEVICH. Mr. Speaker, I rise today to join my colleagues in paying tribute to our friend and respected colleague, Congressman RON DELLUMS, on his retirement from the U.S. House of Representatives.

As I stand here today to pay tribute to Congressman DELLUMS, I am reminded of the often repeated story about Vice President Hubert Humphrey. Legend has it that on the day that Humphrey was celebrating his 60th birthday, he was playing with one of his grandchildren. They were having a good time, and at one point the child looked up at Humphrey and said, ''Grandpa . . . how long have you been fighting for working people?'' Humphrey thought for a moment and said ''I've been fighting for working people for 65 years.'' The boy said, ''But Grandpa . . . how can you have been fighting for working people for 65 years if you're only 60 years old today?'' Without missing a beat, Humphrey answered ''Easy—I put in a lot of overtime.''

Well, in his twenty six years in the U.S. House of Representatives, RON DELLUMS has put in a lot of overtime—working for freedom in South Africa and around the globe, fighting for the interests of working men and women, striving to complete the agenda of the civil rights movement and to secure equal rights for women, and acting as a respected voice in the field of military policy and the defense budget. In that time, Congressman DELLUMS has earned a reputation as one of the hardest working, straightest talking and most respect people ever to serve in the United States Congress. He has rightly been called one of the finest orators to ever serve here, and ''The conscience of Congress.''

RON DELLUMS was elected to Congress in 1970 during our great national debate over the Vietnam war. Congressman DELLUMS passionately advocated for an end to U.S. involvement in that conflict, and for a more rational foreign policy for our nation. During his time in Congress, Congressman DELLUMS worked tirelessly for civil rights for women and other minorities, for measures to protect our environment and for increased investment in our communities and our citizens. Perhaps more than any other single person in this country, Congressman DELLUMS years of work helped to bring about an end to Apartheid and a peaceful transfer to power in South Africa. He introduced the first bill calling for economic sanctions against that country in 1971. That legislation passed fifteen years later over President Ronald Reagan's veto.

Congressman DELLUMS has been a respected leader in efforts to curb military spending and to reverse the nuclear arms race. His leadership has been crucial in defeating needless weapons systems like the MX and Pershing II Missiles, and the B–2 Stealth Bomber and to fundamentally change the way we think about the defense budget.

Congressman DELLUMS was the first African American member of Congress to serve on the House Armed Services Committee. He later served as the Chairman, and as Ranking Member of that Committee. RON also served as the Chairman of the House Committee on the District of Columbia—the first Member ever to chair two different standing full committees of the House of Representatives. He also served as the Chair of the Congressional Black Caucus and on the Permanent Select Committee on Intelligence.

As a freshman Member of the House, I have only had the opportunity to serve with RON for a brief time. But I can honestly say that working with Congressman DELLUMS has made a lasting impression on me and on what I view as the model of a Member of this House. RON's hard work, his sense of values and unwavering commitment to his beliefs and the interests of the men and women who sent him here are an inspiration and a model for anyone who wants to know what a public servant ought to be.

I am proud to have serve with RON DELLUMS and to have had the opportunity to call him a colleague and a friend. And while this House will be losing a tremendous asset, I know that Congressman DELLUMS will bring the same dedication, passion and drive to his future endeavors as he has to his career here. RON, thank you for your help and good luck to you.

Mr. MILLER of California. Mr. Speaker, it is with great admiration and heavy sadness that I rise tonight to pay tribute to one of the greatest Members of Congress this Country has known.

This Friday, our colleague, RONALD V. DELLUMS, will officially resign the seat he has held since 1970.

My colleagues and many in the public that watch Congress are familiar with RON—with his style, his passion, his eloquence, his issues, and his brilliant mind.

He's always been known as the best dressed Member of Congress. He's always been known as one of Congress's great orators, colorfully and articulately dancing in the well of the House to draw support for his positions. And he's always been known as one of the greatest advocates for peace and human rights.

It will not be easy for me or my colleagues to adjust to a Congress without RON DELLUMS. Many a good team has gone on to win without one their star players. But it isn't easy.

RON DELLUMS changed Congress and he helped to change America. I have enjoyed every year we have spent together fighting for peace, justice, and dignity.

It has been said that RON DELLUMS is the conscience of Congress. We will miss him for that. But we will also expect him to let his conscience be felt from wherever he may be. And knowing RON, he will not shy away from that responsibility.

RON has been our modern day ''drum major for peace.'' He saved us from many weapons systems that we didn't need, couldn't afford, and probably couldn't control.

He stopped the MX missile years ago. And he should be credited with helping to drive the final nail into the coffin of the senseless B–2 bomber.

RON DELLUMS brought the titans of apartheid to their knees, dragging a reluctant American government along the way.

He fought for civil rights for all Americans.

More than nearly any other Member of Congress he helped to clearly draw the connection between a bloated military budget and the many starving communities throughout our country.

Whether it was the war in Vietnam or the Cold War against the Russians, RON DELLUMS brought the facts and the passion to the table every time to argue against further gorging the giant while ignoring the children.

He has been here to serve the people of America and to fight for human rights around the world. He was never here to fight for the monied special interests that only seek to use Congress to further their already privileged positions in society.

And RON DELLUMS always helped his friends. When it came time to close down the military establishment in the Bay Area and other communities, RON fought to ensure that

the base closure process was fair and expeditious.

We all owe him a huge debt of gratitude. Like many of you here, I will miss him in the Halls of Congress. And like you, I will be calling out his name when we need a helping hand.

We have a job to do in America. RON DELLUMS did not fight in Congress all these years so we could go on vacation. Wages are too low, defense budgets are too high, and wars are still to frequent.

So the challenge remains for us all. Maybe if we all learn to dress as well as RON does, to dance on the House floor as he does, and to carry the convictions of a more just society with us to work every day as he does, just maybe we will be able to make America even better and the world a little bit safer.

RON, if it is not too late to ask, please, don't go. But if you must go, go in peace, and go with the satisfaction of a man who did all he could to achieve his goals on behalf of this great Nation.

Mr. WAXMAN. Mr. Speaker, February 6, 1998 will mark the retirement from the House of Representatives of one of the most respected Members of Congress, our friend and colleague RON DELLUMS.

RON was first elected to the House of Representatives in 1970, a tumultuous time in our nation's history when we were being pulled apart by the War in Vietnam. Since that time he has been a tireless and impassioned critic of war's human toll. He has never wavered in his belief that the strength of our nation rests in the care with which we invest in our people and their communities and not in the accumulation of weapons.

As a champion of the Congressional Black Caucus' alternative budget, RON expanded the terms of the debate on the federal budget to include the kitchen-table interests of the American people—jobs, access to health care, affordable housing, and education. Ron has made an immeasurable contribution to the debate on our national priorities and his departure will leave a large void for us to fill. We are fortunate to have his tremendous legacy to serve as a guiding example of principled and committed public service.

In his work on some of the most contentious issues before Congress, RON has been eloquent and gracious, always acting out of principle and never out of personal or political gain. His liberal values have never weakened and he has been one of Congress' most distinguished spokespersons for the powerless in our society. RON has raised the level of discourse in every debate he has participated in. No Member has done more to preserve the decorum and dignity of the House and he retires with the respect and admiration of Members of both parties.

I wish RON all the best as he begins this new phase in his life.

Mr. WATTS of Oklahoma. Mr. Speaker, our colleague, Congressman RON DELLUMS of California, is not only a fine and distinguished Member of this body. He is also a fine American, a man whom all of our children should study as a role model . . . not because of his impeccable dress, especially today, in an era when kids are content to run around with baseball caps turned backwards and inside out . . . but for his example of what leadership and statesmanship is all about.

Congressman RON DELLUMS has paid some serious dues over the course of his life to get to where he is today. He is a man who decided early on, at age 18, to enlist in the United States Marine Corps and risk his life for this country's prosperity. After many years as an activist, working to give a voice to the voiceless in the San Francisco Bay Area, RON DELLUMS decided to serve his country once again, as a Member of the United States Congress.

As a member of the House National Security Committee for over 26 years, RON DELLUMS has worked tirelessly to advance the interests of America's military men and women. Even in instances when Members on the Committee have disagreed with his views, Congressman RON DELLUMS has been fair, deliberate and open-minded.

In my dealings with him, I have noticed that RON DELLUMS has always worked tirelessly to resolve disputes within the National Security Committee and move along the business of building the best American military possible. He was truly a positive force in United States House of Representatives, an honest leader, a true statesman.

Mr. Chairman, it has really been a pleasure to work with my colleague, Congressman RON DELLUMS. It has also been, for me, a learning experience. His grace under fire, his poise and his confidence in his work are qualities that all of us should emulate.

Every Member of this institution, regardless of party affiliation, should respect and honor the contributions that Congressman RON DELLUMS has made to the United States Congress, and indeed, to the United States of America. RON, Godspeed and God bless.

Mr. PICKETT. Mr. Speaker, our friend and colleague RON DELLUMS is a man of high principle and integrity who has undertaken his duties and responsibilities in the House of Representatives with vigor and determination. I knew him best as chairman of the House Armed Services Committee where he was recognized by all for his fair, even handed, and collegial way of leading the Committee to the conclusion of its annual work of producing a Defense Department Authorization Bill.

This is no easy task. Partisan and personal agendas often derail progress. Keen perception and mature understanding were essential to bring together the competing interests.

RON DELLUMS had the patience and willingly devoted the time needed for full and thorough debate and consideration. No one was ever denied the opportunity to participate.

But his performance as an accomplished and proud chairman of the Armed Services Committee is only part of the story.

He is a respected and admired member of this body who has worked tirelessly and diligently to establish a record of solid achievement. He understands better than most the corrosive effect of unmet social needs in American society today. And he hasn't been bashful or reticent about forcefully and eloquently voicing his views about what is needed to bring about a more just society in our nation.

Perhaps more than anything else RON DELLUMS has established himself as a role model. He has shown that in America today you can still rise from modest beginnings, overcome adversity, and make a positive and beneficial contribution in the government of our nation.

RON DELLUMS is destined for even greater things. RON, I join my colleagues in congratulating you on your long, honorable and distinguished service in the House of Representatives and wish you every measure of happiness and success in your new endeavors. May God bless you.

Mr. UNDERWOOD. Mr. Speaker, I join my colleagues today in paying a special tribute to the distinguished gentleman from California. Congressman RON DELLUMS was a leader in the quest for a rational military policy that included forcing the armed forces to cease abusive excesses in spending in the mid 1980's. At the same time, he led the way towards creating a more robust and responsible military. Congressman DELLUMS' sense of fair play and integrity was transparent throughout every aspect of his long career. He campaigned tirelessly to rid our military of racial discrimination and sexual harassment. He demonstrated to our military leaders, in clear and insightful diction, that there is a way to institute fiscal austerity that respects and maintains the dignity of dismissed civilian employees by providing retraining and early retirement incentive packages.

Mr. DELLUMS' commitment to the National Security Committee, has constituents, and his friends is unparalleled in the history of this institution. From my own experience, has concern and compassion to reach out and help members of the National Security Committee feel included in the legislative process brought only more laurels on an already well respected leader. His deep concern to stop and listen to members with lesser known but no less critical issues was comforting and appreciated. Mr. DELLUMS never criticized a reasonable request and welcomed creative solutions to complex problems no matter where they came from.

Mr. DELLUMS was the kind of man who could put forth his own agenda, question the accepted truth and raise his skepticism towards a poor idea without being a spoiler to the process. His genius was in his ability to educate and shape ideas. He could raise awareness on an esoteric issue and present his case in logic so clear that one would come away with greater understanding of the issues that truly mattered.

It will be a very long time before this institution will see the likes of a RON DELLUMS again. His presence as a leader, a colleague and a friend will be sorely missed by myself, the National Security Committee, and this Nation. From the bottom of my heart, Mr. DELLUMS, I bid you a heartfelt Si Yu'os Ma'ase for your service to your country and your dedication to your friends.

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to my friend who is a brilliant legislator, and a patriot whose passion is peace.

I have been honored to serve with RON DELLUMS on the House Armed Services Committee, where we worked together as Members and which RON later chaired. Since 1995, RON leads the Democratic Members on the National Security Committee in the creation of defense policy in an incredibly fair and democratic fashion. There are a host of things that people can say about our friend RON DELLUMS, but the thing that will most often be associated with him, by those who worked closely with him day in and day out, is his dedication to basic fairness.

I told someone once that RON DELLUMS had more integrity in his little finger than most men will ever have. But there is no doubt at all that RON's legacy here in the House of Representatives, and in the House Armed Services or

National Security Committee, will be his innate fairness in all the things that he did. I imagine that most of you know this already, but RON has a most decided opinion about nearly everything that has to do with U.S. defense policy. During our service together, we agreed almost as much as we disagreed.

But there was never, ever any question about how RON would approach policy questions—he bent over backwards to make sure everyone was able to express an opinion and make their argument. He never exclusively favored his side of the opinion while he was Chairman—or anytime—he heard arguments, took the vote, and cherished the democratic principals that bind us all together. He believes very strongly in the concept of reduced Pentagon spending, and has strongly advocated his concerns via amendments to the Budget Resolution and Defense Authorization Bill. But that philosophy never conflicted with how he conducted the business of the committee that wrote defense policy.

He is a man who personifies the dignity of public service. He is also a student of the human condition and an avid student of U.S. Defense policy. His study of the former has led him to develop deep friendships that surpass party and politics; and his study of the latter makes him one of the most knowledgeable Members of the National Security Committee. His depth of knowledge of the issues makes him a formidable advocate for U.S. taxpayers in the budget wars we fight in Congress each year.

RON, I will miss you very much, on many levels. Most of all, I will miss your personal presence and your friendship on the Floor of the House each day and in the National Security Committee. I also will miss your intelligence and your wit as a colleague in the realm of making public policy. Your presence will be sorely missed, mi amigo. Adelante . . .

Ms. BROWN of Florida. Mr. Speaker, I rise today to recognize the achievements of my colleague and our distinguished United States Representative of the 9th Congressional District of California, RON DELLUMS. Congressman DELLUMS will retire from Congress on Friday, February 6, 1998.

Congressman DELLUMS, currently in his 13th term, has remained a vigorous advocate for arms reductions, peaceful resolutions of international conflict, and for alternatives to the use of military force and covert intervention as a principle investment of U.S. foreign policy.

During Congressman DELLUMS' first campaign, he embraced the agenda of the Civil Rights movement, for the Equal Rights Amendment for Women, along with other elements of the social justice and human rights agenda. He remains a staunch advocate for these causes having noted:

> I did not join the Armed Services Committee to learn about missiles, planes, and ships; I joined because I knew that I would need to become an expert in this field in order to argue successfully for military spending reductions that would free-up resources for the human needs that I see in my everyday community.

Throughout his tenure in the United States Congress, Mr. DELLUMS has provided critical leadership in the effort to curb military spending and in effect, reverse the nuclear arms race. He has often been the first to articulate the danger, waste, or redundancy of weapon programs. In addition, he has vigorously examined the state of our military establishment including its purposes, its budget and other issues including sexual harassment and racial discrimination in the armed forces.

After serving two years with the U.S. Marine Corp, Congressman DELLUMS received his A.A. degree at Oakland City College, a B.A. from San Francisco State University, and a M.S.W. from the University of California at Berkeley.

This distinguished gentleman, born in Oakland, California began his career as a psychiatric social worker, a job training and development program manager, and a nationally prominent consultant on community job-development programs.

Being a United States Representative who served in the armed forces and provided expertise in the field of social work, Mr. DELLUMS has often used the words of the Reverend Dr. Martin Luther King, Jr. with regards to the social effects of our military spending, which states: ''The bombs that are being dropped in Vietnam are exploding in the ghettos and the barrios of America.'' Mr. DELLUMS, like the Reverend Dr. Martin Luther King, Jr. saw the burden that the Cold War placed on the economy as it robbed our communities of its vital resources.

During 24 years of service in the U.S. House of Representatives, Congressman RON DELLUMS has served in many capacities, including: Foreign Affairs Committee; Select Committee to Investigate the Intelligence Community; Post Office and Civil Service Committee; Permanent Select Committee on Intelligence; chair of the Congressional Black Caucus in the 101st Congress; and as the representative and military panel member of the North Atlantic Assembly.

We have been most fortunate to have Mr. DELLUMS in our United States Congress for he has been a leader for rational military policy and has remained committed to the belief that world peace leads to social justice.

Today, we not only recognize our U.S. Representative, RON DELLUMS, but we salute him as a great American hero.

Thank you Congressman DELLUMS for your dedication and commitment to serve our Nation. You will be missed.

Mr. MATSUI. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to our colleague Congressman RONALD DELLUMS. As you know Congressman DELLUMS' 27 year career in the House will soon end as he retires from public service on Friday, February 6, 1998.

A former Marine and graduate of San Francisco State University and the University of California, Mr. DELLUMS has spent the better part of three decades advocating the progressive social policies endemic to the Ninth District of California. Compromising the cities of Oakland and Berkeley, the Ninth District has long served as a stage for the healthy exchange of political dialogue.

Upon arrival to the capital in 1971, Mr. DELLUMS won a seat on the Armed Services Committee as an opponent to the Vietnam War. He is quick to point out that our former preoccupation with the Cold War and the Soviet Union adversely impacted our public policy decisions. His contention that this preoccupation led to large federal debts and underfunded social programs inspired his fight for social responsibility. Mr. DELLUMS lent his voice to those who called for cuts in defense spending and pleaded for the redirection of those funds to social programs.

Mr. DELLUMS has demonstrated time and again that social justice fosters peace amongst us all. He has been a strong proponent of policies such as the 1991 Civil Rights Restoration Act, the Americans with Disabilities Acts and the reauthorization of the 1967 Voting Rights Act. He also has been one of the most vocal advocates for reproductive choice and public funding for women dependent on government supported health care.

Mr. Speaker, I have had the honor and privilege of working with Mr. DELLUMS to secure redress for World War II Japanese-American internment camp internees. As battles raged overseas, many Americans incurred wounds of injustice on our own soil. Mr. DELLUMS recognized this breach of civil liberties and fought for the reparations due those wrongly imprisoned in their own country.

Few could replicate Mr. DELLUMS' noble sense of justice. In 1971 he introduced a bill which would enforce economic sanctions on the apartheid regime of South Africa. Patience and persistence prevailed when, in 1986, Mr. DELLUMS finally won the fight with passage of the bill. His determination paid off, democracy reigns in South Africa and apartheid is no longer.

Mr. Speaker, in recognition of Mr. DELLUMS' years of dedicated service to the people of the Ninth District, his commitment to the advancement of progressive social policies and the leadership he has given the Armed Services and House District of Columbia Committees, I ask my colleagues to join me in saluting him and wishing him a very happy and active retirement.

Ms. HARMAN. Mr. Speaker, it is with mixed emotions that I join my colleagues in bidding adieu to RON DELLUMS, and wishing him fair winds as he starts the next chapter in his admirable life.

It has been a honor to serve with him, both as a member of the California Delegation and as a member of the House National Security Committee. In all my dealings with him, RON has extended to me, and others, a degree of fairness and sincerity rarely found in this body. He has also afforded me opportunities that, if strict seniority were followed, I would not otherwise have bad.

For example, as a freshman member of the then-Armed Services Committee, which RON chaired, he turned the gavel over to me one day. it was a long day's hearing to receive testimony from the newly appointed Secretary of Defense, and our former colleague, Les Aspin. I was at the very bottom tier of seats, and, much to Secretary Aspin's credit, the hearing had already lasted for hours. Suddenly, one of the Committee's aides came up to me to say that Chairman DELLUMS wanted to speak to me. What horror! What had I done to draw attention from the Chairman? What protocol had I violated? But, in fact, RON invited me—one of the most junior members—to chair the hearing while I asked my questions of the witness. To others, an inconsequential act. To me, a very generous gesture.

Such examples of RON's largess are not uncommon. Indeed, his entire public career has been devoted to giving voice to the aspirations of individuals at the bottom rungs of our society, or in my case, the committee. Individuals disadvantaged or facing discrimination from any source came under RON's caring wings.

Undoubtedly, this caring attitude was shaped by early events in his life. One story RON has told, in particular, stands out in my mind.

As a new Marine recruit, RON scored the highest possible on a test the Marines used to select potential candidates for officer training. Called into the office of a superior responsible for reviewing such candidates, RON stood at attention, saying with Marine precision ''Private RON DELLUMS reporting, sir.''

To his surprise, RON was asked what his race was. ''Negro,'' he said clearly and distinctly. ''Dismissed,'' replied the officer.

Such institutional bias has always been a source of great concern to RON. His, for example, was one of the earliest voices calling for strong U.S. policies to break the much-hated, but institutionally-rooted, policy of apartheid in South Africa.

Similarly, as a member and chairman of the Armed Services Committee, RON has fought for the average soldier and has fought to change the military's policies toward women and gays. At a ceremony last week when Secretary Cohen awarded him the Defense Department's distinguished service award, RON pointed out that his disagreement with policies deploying forces never translated into anything other than the greatest of respect for the soldiers who were the instrument of those policies.

This respect was also showered on his colleagues in this body. Indeed, if for noting else, RON will be remembered for his ultimate decency and his admonitions to others to avoid personality and invectiveness in the course of heated debate on the House floor. As he has often said, debate over ideas need not be blackened by harsh and unnecessary attacks on the motives of the individuals debating. Ideas, in their own right, will rise or fall on the arguments and evidence supporting them, not on the character or failings of their proponents.

Mr. Speaker, fortunately, the record is replete with the many successes of RON DELLUMS. Though often in the minority, RON has caused this body—both collectively and as members individually—to think before moving forward on a policy. In exercising his conscience, he has shaped many policies and he has influenced and touched many members, including this one.

I wish my friend, his family and staff, a fond adieu.

Mr. BERMAN. Mr. Speaker, RON DELLUMS started his political career as an ''outsider''—working to change the establishment and speaking out against the Vietnam War.

Twenty-eight years later, he has risen to the top of the establishment and is a distinguished authority on military policy.

When contemplating his progress, two points stand out:

One—He has advanced in stature while holding fast to the values and ideals that first brought him to Congress, and

Two—In a very unique manner, he has earned enormous respect for his ideas and his leadership, even from those who vehemently disagree with him.

I'm sure that many in the military thought that the ascension of RON DELLUMS the Chairmanship of the House Armed Services Committee was Armaggedon itself.

Instead, they found a careful and intellectual examination of the military establishment that won RON DELLUMS the regard of many of its staunch defenders, as well as those who thought that most military dollars would be better spent elsewhere.

RON DELLUMS has been a champion for peace, for social justice, for human rights, for the environment, for arms control, for equality and for the working men and women of America. —and all this while maintaining his position as one of the best dressed Members in Congress...

It is impossible to overstate the range and depth of his influence. We will greatly miss his leadership.

Mrs. FOWLER. Mr. Speaker, I rise today to honor our colleague RON DELLUMS of California, who is departing the Congress after serving here for 27 years.

Whether coordinating community activism in the Bay area in the 1960s; deliberating on policy issues as a member of the Berkeley City Council, to which he was elected in 1967; or posing critical questions about defense, civil rights, and human rights policies while serving in the United States Congress, where he has been a continuous presence since 1971, RON DELLUMS has stayed true to his principles. He has always been guided by a passion for what he believes in, and has never been afraid to speak his mind—even if that meant he has sometimes stood alone in doing so.

I first got to know RON DELLUMS when I joined the then-House Armed Services Committee as a freshman member in 1993. RON served as the committee's chairman during the 103rd Congress, replacing our former colleague Les Aspin, who was appointed Secretary of Defense.

Though I often found myself in disagreement with RON on matters of policy, I consistently found myself drawn to him on other grounds. He was an eminently fair chairman, who gave even the lowest-ranking members of his committee, majority and minority alike, the opportunity to speak their piece. As a freshman member, I was especially grateful for this.

But I soon realized that RON's open and welcoming style of leadership was emblematic not just of a fundamental sense of fairness, but of much more. Just as important, it stemmed from RON's respect for the rights of others and his recognition that, above all, we are each elected to this great House to do the people's work. He has always understood that free and open debate in service of the people we serve is what brings the greatest value to that which is accomplished here. While RON enters every important debate prepared to articulate his own views with characteristically sincere passion, he has always respected and given his fullest attention to the views of his colleagues. Most of all, he has always been determined to facilitate a level of debate that would do service to even the weightiest issue being examined. In my mind, these are qualities that have often set him apart.

Though RON now leaves our company to pursue new challenges, the quest for justice and human dignity remains his lodestar. I have learned much about character and leadership from my association with him, and though I am sorry to see him leave this body, I am confident and pleased that his pursuits will both challenge his own intellect and further his noble goals. Mr. Speaker, I offer him, most sincerely, my very best wishes for the future, and look forward to our paths crossing again soon.

Mr. FROST. Mr. Speaker, it was with great regret that I learned of the retirement of my friend, Congressman RON DELLUMS. One of our most esteemed Members, and the second longest serving Member in the California Delegation, RON DELLUMS has decided to retire after spending 27 years working on behalf of America's families.

As a young man, RON DELLUMS has worked to end conflicts around the world and find alternatives to military force. He has also campaigned hard for stronger civil rights in this country, for equal rights for women and for greater environmental protections.

I'm also proud to say that Congressman DELLUMS' father was from Corsicana, Texas which is in my district. Corsicana can be truly proud of all the Dellums and their contribution to American society.

During his tenure in Congress, RON DELLUMS was the first African-American Member ever appointed to the House Armed Services (now National Security) Committee. As Chairman of that Committee in the 103rd Congress, Congressman DELLUMS provided critical leadership during a difficult time of cuts and reductions in our military capacity.

It has been an honor and a privilege to serve in the House with Representative DELLUMS. Clearly, RON's hard work and dedication to public service have improved the lives of all Americans, and he will be sorely missed. I wish him well in his retirement.

Mr. SENSENBRENNER. Mr. Speaker, I rise today to pay tribute to a dedicated public servant. For more than two decades, RON DELLUMS has provided an example of tireless service to his constituents. The House of Representatives has been a fortunate beneficiary of RON DELLUMS' experience and talents, and among both his constituents and colleagues, his contributions will be greatly missed.

Mr. DELLUMS made his mark as a staunch defender of human and civil rights. He never failed to remember the social concerns of the people who entrusted him with his office. Yet, Mr. DELLUMS also displayed a commitment to fiscal responsibility, devoting much of his career to reducing military spending.

Mr. DELLUMS was elected to the House of Representatives in 1970. He served a term as Chairman of the House Armed Services Committee beginning in 1993, allowing him to more effectively pursue his goal of a leaner post-Cold War military. He developed a reputation as a thoughtful legislator who advocated collegial debate on even the most divisive issues.

Although we have differed on many policy matters, I believe RON DELLUMS to be an honorable legislator and a valuable colleague. He

has served this body with integrity and dedication. I join my colleagues on both sides of the aisle today in bidding him farewell.

GENERAL LEAVE

Mr. SPRATT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this tribute to the gentleman from California (Mr. DELLUMS).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2625, RONALD REAGAN WASHINGTON NATIONAL AIRPORT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–411) on the resolution (H. Res. 344) providing for consideration of the bill (H.R. 2625) to redesignate Washington National Airport as ''Ronald Reagan Washington National Airport,'' which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 107, CONCERNING ATTORNEYS' FEES, COSTS, AND SANCTIONS PAYABLE BY THE WHITE HOUSE HEALTH CARE TASK FORCE

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–412) on the resolution (H. Res. 345) providing for consideration of the joint resolution (H.J. Res. 107) expressing the sense of the Congress that the award of attorney's fees, costs, and sanctions of $285,864.78 ordered by United States District Judge Royce C. Lamberth on December 18, 1997, should not be paid with taxpayer funds, which was referred to the House Calendar and ordered to be printed.

FURTHER TRIBUTE TO THE HONORABLE RONALD DELLUMS AND THE NAMING OF RONALD REAGAN WASHINGTON NATIONAL AIRPORT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas (Mr. DELAY) is recognized for 60 minutes as the designee of the Majority Leader.

Mr. DeLAY. Mr. Speaker, I came down to the floor to take a special order to talk about another Ronald; but I am going to take this opportunity to talk about this RONALD that I have come to respect, a gentleman that, when he was Chairman of the then Arms Services Committee, was one of the most giving, open, and stalwart, a real stalwart man when he was Chairman.

I was shocked this morning. I knew it was coming, but I was shocked this morning as I was sitting in that chair waiting for 1-minutes, and the Chair read the gentleman's resignation.

It came home that the gentleman from California (Mr. DELLUMS) is actually leaving this House. We are losing one of its finest Members, a Member that I have great respect for, because he always did his homework, was so articulate and eloquent on this floor.

He always got my attention when he stood up and took the microphone. He would stop every Member in their tracks to hear what he had to say, and there are very few Members that have served in this body that can claim the respect that both sides of the aisle had for the gentleman from California.

And the incredible reputation that the gentleman from California (Mr. DELLUMS) has brought to this House; he has elevated this House. He has elevated the distinction of this House by serving here, and this House will greatly miss him when he leaves.

Mr. Speaker, I am glad to yield to the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Speaker, let me just say that there really are not enough minutes here for me to speak, and I am going to have to visit my friend in his office, my great friend, Mr. DELLUMS.

He and I started hanging out together. That early day, I was very much alone, as you remember, RON, because a lot of Republicans could not figure out why you and I had become such great friends; and it is so amazing to see so many Republicans come to the floor and salute you.

The fact is that we relate to each other best when we can touch each other's hearts; and it really does not matter in the Congress of the United States if, at the end of the day, whether we think differently. What matters at the end of the day is, are we honest of heart and are we willing to put ourselves on the line for what we believe in. That is why people come here today and salute you, because you are pure of heart, and you do put your shoulder to the wheel to try to bring about change.

No one ever questions your sincerity or your dedication to your country. That is why I feel so strongly about you.

But it is not as a colleague, is it, Ron, for you and me? RON DELLUMS came to my wedding; and he gave me an elephant, a crystal elephant, which was hard for him to begin with, not give me a crystal donkey, right? He gave me a crystal elephant.

He wrote a note to my wife and to me, and it said: Dear JOHN and Karen, no matter where I am and no matter where you are, you should know that I love you both.

That may be one of the most prized, maybe is the most prized gift that I have ever received from anybody in the House of Representatives. Because no matter where you are, my wife and I love you and yours, your family. You are going to leave here, but you are not going to be able to get away from me, and I am not going to be able to get away from you.

You are a very special man that has been able make all of us feel better about our work in the House of Representatives. But what I am most proud of is that I have made a lifelong friend who will stand with me and I with him no matter what the circumstances, no matter what the day. Whether the sun shall rise or whether the rain shall fall, we will be together for the rest of our lives.

God bless you and Godspeed, friend RON DELLUMS.

□ 1730

Mr. DELAY. Mr. Speaker, I thank the gentleman from Ohio.

I yield to the gentlewoman from Houston, Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the gentleman from Texas (Mr. DELAY), and I thank my friend, the gentleman from California (Mr. CUNNINGHAM). I think in this time of personal acknowledgment, when we all have issues to discuss, I think we should let the American people realize that we are part of the human family. I have said to someone that I was going to come and hug the gentleman on the floor so that I might get some time to be able to share my thoughts. And I did not hug the gentleman from Texas (Mr. DELAY), but I appreciate him realizing how important it is for me to come and share some very personal moments.

RON, my dilemma and my frustration, my sadness is that I cannot say that I had 30 years or 10 years or even 5 years. But I think I have reminded you on a regular basis that I got by extension some of the kindness and the love and the brotherhood that you shared with our mentor and friend from Texas, Mickey Leland. It was through Mickey that the 18th Congressional District, the people of the 18th Congressional District got to claim RON DELLUMS.

I would say to you that I am sad that you are not my President, not my Secretary of Defense or my national security chairman, if you will, or advisor to the President. I would have liked that, though I respect all that you have done and what you chose to be.

Interestingly enough, we have words on paper, but I want to just say these words as I share briefly with you, this is your story. It is his story, the story is yours of what you have done for this Congress and for the American people. We could come here and humorously talk about the time that he came first to this body and first to the committee that you chaired and had to sit in one chair with another colleague of yours, Pat Schroeder. We can all laugh about that, but we can take the intensity of the time and how unique you were. But we can also take from that that you did not lay down the gauntlet, refusing to continue and persevere, and you wound up as the chairman of the Committee on National Security, now

named, and as well you now pose in that committee with the most striking portrait that I think we will ever see and your humorous comments to the artist who said, do you want me to take this wrinkle out, this blemish out, this wrinkle out. And you said, absolutely not. It took me a long time to get all these warts and wrinkles and I want everybody to realize it. I am proud that you did that.

You have always been willing in debate to listen to the other fellow or the other lady. You have always been willing, though you have had an independent voice in time of crisis, and I came here during Bosnia, and you were eloquent in explaining to those who would be for or against what your position was, so I think that in this Congress we have been blessed, one by your power and your eloquence, your love. I have been blessed by brotherhood through Mickey. His family has been blessed. His boys have been blessed because they know RON DELLUMS. And certainly I would say that you have taken the responsibility of chairmanship, and I respect the leadership role of our majority leader and our majority whip, in this instance the gentleman from Texas (TOM DELAY). They have to gather people together. You had the chairmanship. Therefore, you had to gather people together. But as the chairman, you wielded a lot of power.

I think the American people need to realize that you never impeded someone else from gaining, from expressing, from fighting and from being successful. That is key. Robert Frost said that the road less traveled by, and that has made all of the difference. I believe that you went the road less traveled by for the other road was so very crowded but an easy road to travel. You took it upon yourself to say, as the others go this way, I am going the road that may be the most difficult or the bridge or the mountain most difficult to climb.

As I close, so many of us always quote Dr. Martin Luther King. I have always said that he left us a legacy, whether we realize it or not, more than his actions during his life but it was his words. And we always quote the famous words that he offered about the content of one's character not being judged by the color of one's skin. I always believe that those words are easy to say. But it is really doing and acting upon those words, to really have character that others can watch and see and feel and touch and say, I like that guy. I like that lady. I like what they exude or what they stand for.

So I simply want to say that my frustration comes to a close. The words are not enough. They are not eloquent enough. They are not spiritual enough. They are not strong enough. I am leaving sort of not complete because I do not feel that I have captured your spirit of who you are. But I hope you know by my presence here this evening by a small measure you not only have my love and admiration and respect, but the people of the 18th Congressional District and the spirit of Mickey Leland watches you every day and wishes you the very best with your family, continuing to be strong.

I always tell my children, fly high where the eagles fly, fly high where you belong. God bless you, RON DELLUMS. God bless you and your family. The United States is blessed by your legacy and your story. God bless you.

With the announcement of his sudden retirement from the Congress last month, Representative RONALD V. DELLUMS, the esteemed Former Chairman of the House National Security Committee (previously called the House Armed Services Committee), began to write the final chapter of a brilliant legacy of public service spanning well over three decades, that simply can not go without recognition.

After a distinguished tour service in the United States Marine Corps, Congressman DELLUMS began to prepare himself to pursue a career of helping others. Congressman DELLUMS was the first member of his family to attend college, and completed his studies with a Masters degree in Social Work from the University of California. The Congressman's chosen field was that of psychiatric social work before he realized his true calling was in the area of public interest.

While serving as a well-respected community activist in the Bay Area, Congressman DELLUMS was persuaded by friends that he could be an even greater good to the local community by serving on the Berkeley City Council. The Congressman consented to these requests, and was elected to the Berkeley City Council in 1966. After four years on the City Council, in 1970, Congressman DELLUMS challenged the incumbent of the Ninth Congressional District of California, and won. From this point on, I guess one could say that the ''rest was history''.

DELLUMS, upon his arrival in Washington in 1971, emerged as one of the most controversial figures on Capitol Hill. Always willing to be a balanced and independent voice in times of crisis, Congressman DELLUMS soon rose to national prominence as one of the most intelligent and articulate members of this Congress. Congressman DELLUMS was widely recognized as the kind of man that did not just give lipservice to his announced legislative priorities, but actually worked tirelessly to meet these objectives in order to better serve his constituency and the nation at large. There is only one word that can accurately describe a man like this, integrity.

Mr. DELLUMS, first as Chairman of the Acquisitions Subcommittee and then as the Full Committee Chairman, showed the kind of exemplary dignity befitting of the Chairman's gavel. Even though, Congressman DELLUMS was always an advocate of lower military spending, he never used the power of the Chair as a means of impeding any opposing views held by his colleagues. DELLUMS used only his intellect and his vote as a way of expressing his views on pending legislation, and I am sure that this is how the framers of the Constitution envisioned a Congressional Representative would conducted his or herself.

I honestly can not think of a higher compliment to give to a lawmaker than to say that he consistently stood upon their convictions in the face of opposition with honor and dignity. RONALD V. DELLUMS, without exception, remained this kind of man of convictions, during his nearly thirty years of service in the United States Congress, and this must be applauded, Like Robert Frost said, Congressman DELLUMS took ''the road less traveled by, and that has made all of the difference''. In conclusion, I believe that few will disagree with me when I say, Congressman DELLUMS, it is unlikely that we will see your kind again any time soon, rest assured that your labors in this place will not be forgotten.

Mr. DELAY. I thank the gentlewoman from Texas.

Mr. Speaker, I yield to the gentleman from California (Mr. CUNNINGHAM), my dear friend.

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman from Texas for yielding to me. This is really special for me because quite often it is hard to say you are wrong. When I came to Congress, I did not respect RON DELLUMS. Coming out of the military, I had preconceived ideas, notions. As a matter of fact, I thought he was unfair at times, and we even came once, when there was an issue on the conference where they had 14 Members one year on conference, and I had winnowed my way to number 13, and then they cut it to 12. I came to the chairman and said, Mr. Chairman, you are unfair. It got pretty heated right back here in this back room. And both of us in the heat of the battle looked at each other both with tears in our eyes, and we ended up embracing each other, I would like to state for the record in a manly way, Mr. Speaker.

But since then I think over these past few years, I say quite a few years since I have been here, Ron and I have become good friends. And it does not mean that we do not differ on issues. I disagree vehemently with national security issues with my friend from California and come from a different perspective. But I want to tell you one thing, one of the hardest things that there is on this floor, and I think my colleagues would agree with, is when you are really dedicated in your heart trying to help something and someone accuses you, whether it is cutting education or cutting Medicare, and you are trying your best to do what you believe is right for this country, RON DELLUMS never did that. He always spoke to the issue. He never spoke through partisanship or anything. I think that is part of the reason, RON, that you were fair. I was wrong.

I think there is a Jewish proverb that I think that best exudes what the gentleman from California represents. It was taken from a movie called the Jazz Singer. He and I are old enough to remember Al Jolson. And then Neil Diamond later played in that movie. But it was about a father who had lost a son, not to death but to an argument. And the father wanted his son to be a cantor, and the son wanted to be a jazz singer. And there was so much conflict between them that the father ripped his coat in a Jewish fashion and disavowed that he had a son. I have two daughters. You can use this same proverb. But the proverb goes like this, the

father calls to his son and says, son, come home. We have argued too long. And his son replies, father, I cannot. There is too much between us. And the father replies, son, come as far as you can, and I will come the rest of the way.

RON DELLUMS has always come the rest of the way. I think that is why most of us, even though we disagree a lot of times with politics, do I want you as President? No. Do I want you as Secretary of Defense? No. But I want you as my friend for life, and I want you to always know you are welcome at my table in my home with my family. God bless you, RON.

Mr. DELAY. I thank the gentleman from California.

For other Members on the floor, I came down to the floor to give another kind of special order, so I have agreed to two more speakers, and then I will go to Mr. DELLUMS. Then I have to, because I am running out of time, go to my special order.

I yield to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I appreciate my friend from Texas allowing me to speak.

The tribute that we have witnessed this evening on the floor of the House of Representatives has never been equal. I took out an hour special order that was used. The gentleman from South Carolina (Mr. SPRATT) took out an hour which was used. We are very grateful to our friend from Texas for allowing us to have a few more words of tribute honoring RON DELLUMS.

This gentleman will be sorely missed. But I tell you, RON DELLUMS, that this tribute that we have participated in and witnessed this evening hopefully in days and years ahead will warm your heart to know of the friendship, the respect and the affection with which we hold you. We wish you the very, very best in the days to come.

Just the other day you received a distinguished service medal from the Secretary of Defense. He told a story about how Bishop Tutu was honored. And he spoke about how the words ''thank you'' sound so little but yet mean so much. So let me say to my friend, thank you.

Mr. DELAY. I thank the gentleman from Missouri.

I yield to the gentleman from California (Mr. LEWIS), the distinguished chairman of the Subcommittee on VA, HUD and Independent Agencies.

Mr. LEWIS of California. Mr. Speaker, I appreciate my colleague from Texas yielding to me. It indeed is a great honor for me in just a few moments sharing the thoughts that I shared personally on more than one occasion with and about my dear friend RON DELLUMS. It is one thing to talk about how you feel about public affairs. It is one thing to talk about how you feel about friends and family. But if you have spent much of your life in a thing called public affairs and serving people, it is impossible to begin to tell your colleagues and your friends just how much you would wish that your life could in a small part emulate that which has been my experience with RON DELLUMS.

I first heard about this fellow at a time when he certainly had no idea that I might be around. I was then a graduate intern in the San Francisco area, assigned as a part of that work to the East Bay Labor Council where I had the privilege to spend a good deal of time with a fellow by the name of Jeffrey Cohelan. When I really heard about RON DELLUMS was a few years after that when RON DELLUMS had the audacity to run against Congressman Cohelan in a primary and defeat that incumbent Member of the Democratic Party in the House.

RON DELLUMS, from the perspective that was a Republican perspective, was from the radical left. I mean, indeed, he was the heyday of the Berkeley days. And my perception of him was so different than one could get from afar by way of just that background and experience of mine. I mean, he beat a guy who had been good to me, and he was obviously one of these guys from the nutty left.

And then years after that, as I began to look at public affairs in a different kind of way, recognizing that very few of our problems are solved by partisan politics alone, recognizing that the importance of work in public affairs comes down to the quality of the people that we attract. It says on one of those buildings in California, bring me men to match my mountains. And in many a way, our people have a way of doing that regardless of the label.

RON DELLUMS is one of the great Americans to ever serve in the House of Representatives. I want to say that from the bottom of my heart, but I want to say much more than time will allow. So I will take this moment to tell RON that the time that we have spent together here on the floor, the time we have spent together, special time in other parts of this building, I have grown to have an affection for you that I can express about few others outside of my family, there are few that I care for more. RON DELLUMS is exactly the kind of person that gives me hope for the future of our society as well as the future of our government. If we can continue to attract people of this talent, of this ability to communicate verbally and otherwise, people who really care as he cares, then the country, the Republic and indeed much of the world, not only will be better for it but has a great future in reflecting upon his work.

□ 1745

RON, God bless you and your family, and to say the least, we will miss you. So farewell, my friend.

Mr. DELAY. Mr. Speaker, as usual, when we get on the floor, we have to yield to more Members, and I will yield to the other Californians that are here. But I warn anybody that may be on their way over to the floor, that in 5 minutes I am going to take my special order.

So I will yield to the gentleman from California, (Mr. FARR).

Mr. FARR of California. Well, Mr. Speaker, I thank the gentleman very much for yielding to me. I appreciate the fact that he is on the floor tonight to take special order time to talk about another great Californian, Ronald Reagan, and we are taking that time to talk about another great Ronald, RONALD DELLUMS, both from California, and I appreciated the gentleman's yielding.

I am here as a relatively new Member, only having served 5½ years in the House. But I think that the history of the 70s, the history of the 80s, the history of the 90s saw incredible change in our country. And this House, during all that period, probably spent more time discussing our national security, our national defense, the Vietnam War, Panama, and the Middle East. We had lots of problems.

Probably history will point out that the most talked about person of these eras, two-and-a-half decades, is going to be RON DELLUMS, because in the people's House, he was an unusual person. He represented people that had not been represented before in Congress. He spoke about unusual ideas, many of which were unpopular. And they became the position of our Nation. He just said them before anyone else.

He provided new leadership. Nobody of African-American descent had ever been chair of the Committee on Armed Services. And the fact he was taking that chair and had the opportunity to be there, he had life threats against him in this building as a Member of Congress.

So as a newer Member to the people's House and one who is interested in the history of this House, I think that RON DELLUMS' legacy will be something that will be talked about for decades to come. Our country will be proud of him, and is, but most importantly our grandchildren will know about RON DELLUMS.

You served us well. You will be remembered forever. Thank you, Mr. Chairman.

Mr. Speaker, it is with both honor and sadness that I rise to pay tribute to one of our colleagues, and a fellow Californian, RON DELLUMS, who is retiring from Congress after nearly three decades of service in the House of Representatives.

RON has had a long and honorable career in public service, and his district knew him well long before he ran for Congress. He was involved in social work, economic development, and community politics for many years before being elected to the Berkeley City Council in 1967, a momentous time in Bay Area politics. Three years later, he ran for Congress for a seat which had been held for decades by the Republican Party. RON not only won the seat, he has kept it ever since, frequently winning by sizeable margins.

Needless to say, RON came to the House of Representatives in 1970 as one of the most

progressive progressives. When he joined the Armed Services Committee, he was considered so extreme that he had to fight—literally—for a seat on the dias. Knowing his views were in the minority, RON nonetheless spoke out eloquently and repeatedly against bloated and wasteful defense spending. His speeches on the subject stand among the very best ever delivered on the floor of the House: well-reasoned, intelligent, compelling, and eloquent.

As many will attest, one of RON's greatest talents is his ability to balance his strong, outspoken beliefs with a deep sense of fairness. I was honored to serve under his leadership when I served on the Committee on Armed Services; in fact, RON was my first Chairman when I came to Congress in 1993. As the most junior Member of the Committee, RON accorded me the upmost respect and assistance, for which I am deeply grateful. As Chairman, RON was always open, fair, and willing to listen to all arguments, whether he agreed or disagreed with them. His respect for the minority, acceptance of opposing views, and tremendous rhetorical skills are worthy of emulation by those in positions of leadership.

RON's long tenure attests to his effective service to his district. So beloved is RON that some of his constituents have actually become offended when someone dares challenge him in an election year. Indeed, RON's stature is such that he is known and admired by people throughout California. I know that some of my constituents were just as sad to hear of RON's retirement as those from his own district.

It has been a tremendous honor to serve in the House of Representatives with RON DELLUMS. The Bay Area, the State of California, and the U.S. House of Representatives will greatly miss his presence, and I wish him and his family the very best in the years ahead.

Mr. DELAY. Mr. Speaker, I yield to the gentleman from California (Mr. ENGEL).

Mr. ENGEL. Well, it is actually the gentleman from New York.

Mr. DELAY. Mr. Speaker, I apologize to the gentleman.

Mr. ENGEL. Mr. Speaker, I want to thank the majority whip for yielding me this time, and it just shows that RON DELLUMS is appreciated all the way from California to New York, across the country and then back.

One of the nice things about serving in this body, and this is my 10th year in this body, is when you first come to Congress you meet people who are giants, you meet people you have read about, you meet people you have seen and that you really did not know. And the thought that you, as an elected Member of Congress, as a new Member, are a colleague of somebody whom you have heard about and read about and seen is really something to behold.

I felt that way when I first came to Congress, and I still feel that way with regard to RON DELLUMS. And I would never have forgiven myself if I had not come to the floor this evening to say just a few words in tribute to RON, because you can never say enough to really capture the whole image of the man.

I think of all the people I have served with in Congress, there is nobody kinder, there is nobody greater, there is nobody who cares more about this country. There is nobody who is a better friend than RON DELLUMS. We have broken bread many times together at lunch and had many, many great talks.

At first RON DELLUMS came to my attention when he was leading the protests against the Vietnam war. And a lot of us at that time felt as he did, but he seemed to capture everything and knew just exactly what to say. And in the course of the 10 years I have served with RON, I have never known anyone to have more integrity, more concern for this country, more love for this country, more love for the people with whom he served in the House of Representatives.

We are really going to miss RON. It's very nice, RON, to be able to hear people say all these nice things about you while you are still alive. It is really, really nice. But I think you can see from the heart both sides of the aisle, people who would call themselves liberals and conservatives and moderates and everything in between, are all saying the exact same things.

And at a time in Congress when many people do not agree with many other people, we all agree about one thing, and that is that RON DELLUMS is a class act. Thank you, my friend. I am going to miss you, and I hope you will keep in touch. But you have served this country well, you have served your friends well, and class act is really the word.

And I want to thank the majority whip for granting me the time.

Mr. DELAY. And, Mr. Speaker, once again I apologize to the gentleman from New York, but well said.

My last Speaker is the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. And, Mr. Speaker, I thank the gentleman for letting us do this. I promise I would have been here earlier, but I was on an airplane coming from a very rainy, rainy California.

I tell RON this story because it made such an impact on me. RON DELLUMS came to my district and spoke in front of a group of my friends. He spoke outside and the birds stopped singing because they were listening to him. There was not a person listening that had a dry eye. Every single person in that group, and there was at least 100 some people, had a story that they remembered about RON DELLUMS and what he has done for this country. So then I had the fortune to come here and work with you, RON, and I am so privileged that that has been part of my growing up here as a very junior Member of this Congress.

And I appreciate you for daring all of us in this House of Representatives by giving us the challenges to go and do more than we thought we should do and could do. You dared us to not just settle for what is politically possible. You dared us and you inspired us to think beyond the day-to-day battles, to look at the big picture; to think about what we are doing and how it relates to our children, our families, our seniors, our communities. You did not ever have one small vision of what you were doing and talking about.

I, like those ahead of me, could go on and on, but I want to tell you, RON, that I have always thought of you as the dean of our delegation, of the Bay Area delegation, the California delegation; the person that has taught me the most about integrity. But what I am going to miss the most with your leaving us is that booming voice here on this House floor. I am going to miss that. I am going to miss your leadership and I will miss your message, but I will not forget it. Thank you for being my friend.

Mr. DELAY. Mr. Speaker, I yield to the gentleman from California (Mr. DELLUMS) for a response.

Mr. DELLUMS. Mr. Speaker, I thank my distinguished colleague from Texas for his generosity, and in respect to the special order that the gentleman is calling, I shall be brief and I appreciate his gesture of generosity to my colleagues as well as to myself.

First, let me say in a humorous spirit, to capture the notion of my colleague from New York, it is kind of like a funeral, but the marvelous thing is I am still alive to hear it and to walk away, and so that is good. Hopefully, at some point before my service has ended on Friday the 6th, I will have some opportunity to take the well and to speak to all of my colleagues about what for me has been an extraordinary journey of 31 years across four decades in public life, 27 years of them here.

Suffice to say at this moment that I want to thank the gentleman from Missouri (Mr. IKE SKELTON) for setting up this special order and to all of my colleagues who took the time to participate. My heart is full at this moment. My heart soars like an eagle at this moment. And in the course of these few hours, I have felt every emotion from laughter and joy to tears and sadness.

Just suffice at this moment to say that I never came here to become a celebrity. I never came here to become a big personality. I am just a guy from the Bay Area who came here to try to do a job. I have been extremely honored to serve in the Congress of the United States. Late night talk show host jokes about politicians notwithstanding, it is indeed an honor to have gotten up every single day to march to the floor of the United States Congress with life and death in my hands, along with 434 other colleagues, to try to shape the course of history in this country and throughout the world. It has been an extraordinary honor.

Later, hopefully, I will be able to say more, but I leave without cynicism. The day that I take the plane out of Washington for the last time, know that I go with my optimism and my idealism intact and that I will miss all of you here, friends and foes alike, supporters and adversaries alike.

We have become a family. You are part of my consciousness. Those of you

I had to challenge, stay up to 3 and 4 and 5 in the morning to try to be sharp enough to debate you because I figured you would be up to 3 and 4 getting ready for me, hopefully, we made each other better people. I am a better person for having served here.

Thank you very much for an evening that I will remember. It has been a most stunning and extraordinary and amazing evening. I am full by the evening and I am humbled by the evening. I thank you for your generosity, and I yield back to the gentleman.

Mr. DELAY. Mr. Speaker, I can only say that it is indeed a tribute to have as many Members come down to this floor. It shows you what kind of man the gentleman is. He is a great American, as the gentleman from California says, and the House will remember him and revere him and he will go down in history and young people will read about him. So we say farewell, but we always want him to come back.

I also rise to pay tribute to another Californian, another Ron, one of the greatest Presidents of this century, Ronald Wilson Reagan.

Now, later this week the House will take up a bill that will name the National Airport after Ronald Reagan. This legislation will be a fitting tribute to the greatness of Ronald Reagan. It will signify the soaring spirit of this man who did so much to lift the spirits of the American people.

Now, some people, especially my colleagues who occupy the far left of the political spectrum, disagree with this legislation. They say that we should not name the National Airport after Reagan because of his actions with the air traffic controllers. Well, let me just set the record straight. By breaking the PATCO union, Ronald Reagan struck a blow for the American people and for the American taxpayer.

Let me quote President Reagan. ''I believe in the collective bargaining in the private sector. I do not believe in it for the public sector because I do not believe that public employees can be allowed to strike. Public employees are striking against the people, and the people are the highest sources of power, other than the Lord himself, that the government has.''

Ronald Reagan sat a very important precedent when he battled against that union. He established that no special interest could hold hostage the whole of the American people. Some Democrats may not appreciate that principle. After all, the Democrats are the party of the special interests.

Ronald Reagan was a President of principle. That is why the American people still love him so much. That is why we will celebrate his birthday this week. They knew where he stood on any issue. They knew he believed in the American spirit and that he lived the American dream. Born in a small town in Illinois, Ronald Reagan came not from a background of wealth or privilege. He worked his way up from tough circumstance to become the President of the United States, a President we could all believe in.

It was Reagan who said, ''Don't let anyone tell you that America's best days are behind her; that the American spirit has been vanquished. We have seen it triumph too often in our lives to stop believing in it now.'' Today, we need a President who stands for the best that America has to offer. Ronald Reagan was that kind of President. We still feel the impact of the vision of Ronald Reagan: It is a vision of hope, a vision of opportunity, a vision of faith and a vision of freedom.

It was Ronald Reagan who said that the government was too big and it spends too much. It was Ronald Reagan who said the answer to government that is too big is to stop feeding its growth. It was Ronald Reagan who said raising taxes will not balance the budget, it will only encourage more government spending and less private investment; raising taxes will slow economic growth, reduce production and destroy future jobs, making it more difficult for those without jobs to find them and more likely that those who now have jobs can keep them.

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It was Ronald Reagan who campaigned so effectively for a line item veto, something that my colleague, the gentleman from New York (Mr. SOLOMON), worked so hard to get signed into law. It was Ronald Reagan's wife, Nancy, who led the fight against illegal drug use. Her campaign that urged children to ''just say no'' inspired the American people to take responsibility for their actions. It also inspired a 67-percent drop in illegal drug use. Now that is the kind of moral leadership that we need. It is leadership based on the principles of freedom and personal responsibility.

Today we are working on an agenda that is inspired by the Reagan vision for America, and this agenda has four pillars: First, we want to make the Government smaller and smarter so that it takes up no more than 25 percent of the average family's income. Americans are overtaxed, overregulated and overgoverned. It is not right that most people spend half the year working for the Government.

Mr. Speaker, I just challenge the American people who, during this week, look at today and tomorrow. Today, the American people are still working for the Government. Tomorrow, it will not be until after lunch that they start working for themselves this week. Over 50 percent of the American family's income goes to the Government.

If we add up local, State, and Federal taxes and the cost of regulation, 50 cents out of every hard-earned dollar goes to the Government. No wonder it takes one parent to work for the Government, while it takes another parent to work for the family today.

Washington confiscates too many of the hard-earned dollars, spends too much; it wastes too much and has too much power and authority over our lives. This was true when Ronald Reagan was president, and it is still true today. The only way to return power and authority from Washington back to the people is to limit the amount of money politicians get their hands on in the first place.

Look at what is happening to the Clinton budget that was introduced just yesterday. All of a sudden, the President and the politicians have found what they think are surpluses in our budget. Because of a good, sound, fiscal policy, we actually may balance the budget and surpluses may flow. And what is their first reaction is to raise the size of government, start taxing and spending again.

Think about it. Just think about it. The less that we send to Washington, the less Washington can waste. Hard-working Americans deserve a break today, and we are committed to keeping more of their money in their pockets and less in Washington.

Our focus in 1998 will be to increase family income by cutting taxes and making Government more accountable for the way it spends the people's money.

But tax relief is only the first step. The only way to ensure limited government and individual freedom is to eliminate the IRS as we know it today. We believe it is morally wrong for a free people to live in fear of any government agency. We believe it is morally wrong for citizens in a democracy to be assumed guilty until proven innocent.

Yet even IRS reform is not enough. The real problem lies with the Tax Code itself. It is too long, it is too complicated, and it is simply unfair. It makes lawyers and accountants rich and the rest of us poor. It punishes achievement and discourages hard work and savings and innovation.

Mr. Speaker, let us replace the Tax Code with a new system that is fair, consistent, easy to understand, easy to comply with, and less coercive and intrusive. We need a Tax Code that encourages savings and investment. Most importantly, we need a Tax Code that confiscates less for Washington and keeps more in the people's pockets. Now, that is a Ronald Reagan vision.

A second pillar of our agenda is education. A philosopher once said that ''only the educated are truly free.'' Our schools have to improve if we are going to protect our freedom. Nothing is more important than the education of our young people.

I have struggled with this issue. Because, while I believe that education should be a top priority for the American people, I also believe that this priority is best accomplished at the local and the State level. But I do believe that the Federal Government can play a role and that role should be in promoting greater freedom and greater choices for the parents of our children.

Our education plan proposes fundamental change. Official Washington

now has 760 education programs and 39 different bureaucracies, spending over $100 billion a year. It is mind boggling. That does not make any sense. It does not make any sense for Washington to tax the people's community and then graciously give back the money with all kinds of strings attached.

We want to cut those strings. We want to remove outdated rules and restrictions that are holding back our schools from the future. Even the best teachers cannot get results when their school is a dangerous, violent place.

We hope the President will stop his opposition to our proposal to give freedom of choice to low-income families in Washington, D.C. These families have children who are stuck at dead-end, drug-infested schools. We want those families to have the same option exercised by all of us, including the President and the Vice President, the option to choose the kind of education that best meets the needs of their own children. Republicans believe that American education should be the best in the world.

The third pillar of our agenda is the war on drugs and crime. When a mother sends her son off to a foreign war, she worries ceaselessly about his safety. Yet every day, every day, millions of mothers put their children on the school bus and send them off into a domestic war zone. Ronald Reagan understood the plague of drugs and he stood firmly against illegal drug use. He was a role model for the American people.

The leadership from the White House today is less clear, and that explains our current problems. Teen drug abuse has reached epidemic proportions, and there are no safe havens from this insidious modern plague. Overall, teenage drug use has nearly doubled in the 1990s; and, perhaps most frightening of all, nearly half of all 17-year-olds say that they can buy marijuana within an hour.

The scourge of drugs and horrible violent crimes are reminders that a good economy is not everything. We have to guard against America becoming rich in things but poor in spirit, and that starts at the top with our police and our elected leaders of this country.

Too often I think Government's well-intentioned programs have backfired, have led to dependency and illegitimacy and despair in the area of welfare, for example. We have some solutions to this problem.

First, if we wish to solve the drug crisis, we have to start with the family and the school and in our churches and synagogues. Teens with families that eat together and play together and pray together are the ones that are least likely to try drugs. If the battle against drug abuse is waged at home, the war is half won. Ronald Reagan understood that fact, and his lovely wife Nancy's campaign to ''just say no'' was effective. We need that kind of moral leadership in the White House today.

Second, parents must demand that their schools be made drug-free. We need to empower teachers so that they can kick drug dealers out of their schools. We have to demand accountability and zero tolerance by principals for any drug use on school grounds; and if those principals do not adhere to zero tolerance, we need to get rid of those principals and replace them with ones that will.

Third, the Federal Government has an important role. We must do a better job in defending our borders, our national borders, from drug dealers. We have to be more diligent in our policing and arresting and prosecution of anyone who sells this poison.

Next, we need to get as tough on these people as they are on us, ending parole for violent offenders, increasing prison capacity, mandatory penalties for crimes committed with a gun, cracking down on juvenile criminals, and making the death penalty a very real threat. If we are truly committed to protecting the innocent, we must do more to punish the guilty.

Finally, we have to set examples for our children. For those who say that sin is not important, that morals are not important, that setting examples are not important, I say no wonder we cannot win this war.

The fourth pillar of our agenda for the future is also a part of the Reagan legacy. Ronald Reagan signed the law that saved Social Security for the next generation. Now we have to take steps today to save and strengthen Social Security for the next century. Today, more young people believe in UFOs than believe that they will ever see a Social Security check; and we have to make this system one that all Americans can believe in.

President Clinton's proposal to hold on to any surplus until we reform Social Security is just flat wrong. In fact, it does not even make any sense. I believe that this is just a sneaky way for the Government to keep more of the taxpayers' money. But we need to fix Social Security. Ultimately, it comes down to the question of control. Who should make these key decisions about the people's retirement? The people or the Federal Government?

Now, we believe that the American people need to play a more active role in designing a retirement system that they can control, and I think we can design a better system that all Americans will believe in. A national commission or a national debate with the active participation of the American people will help us design such a system. Such a debate would be a further reflection of the Reagan legacy.

According to press accounts, Bill Clinton is worried about his legacy once he leaves office. The legacy that a president leaves is not just the legislation he signs, not the programs that he proposes or even the speeches he makes. The legacy is also the vision he promotes for a better America.

President Reagan saw the brighter side of an American dream. He saw a land of boundless opportunity and a people of boundless energy. He saw an America that served as a shining city on the hill, an America that served as a beacon of light for the rest of the world. He believed that a government that preserved freedom was a limited government that knew its role in society. He believed that freedom, coupled with personal responsibility, created wealth and fostered happiness. He knew that the world was a dangerous place and that an America was a force for good in making it a less dangerous place. He also knew that the position of the president of the United States was not only a job but also a symbol of freedom to people across the world.

Reagan also knew that, as president, he did serve as a role model for the Nation's youth; and he did his best to bring dignity to the office and to the Nation. I knew Ronald Reagan. I served under Ronald Reagan. Ronald Reagan was a friend of mine.

President Clinton, you are no Ronald Reagan. Ronald Reagan had his enemies, but even his enemies respected his vision of America. They had no choice.

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I wanted to wish President Reagan a happy birthday, and I am sure that the current fight to name the National Airport in his honor bewilders him and Nancy. It bewilders me. But we should not let this partisanship get the best of us. We should adopt Ronald Reagan's good humor and push forward on this legislation. It will be the best thing we can do for the image of this city and the image of our capital.

Mr. COX of California. I wonder if the gentleman would yield.

Mr. DELAY. I would love to yield to the gentleman that worked for Ronald Reagan in the White House, the gentleman from California and the Chairman of the Policy Committee, Mr. COX.

Mr. COX of California. I thank the whip, and I thank him especially for his inspiring remarks about an inspired man, a hero of mine and his and so many Americans.

What happened during the 20th century, which really spans Ronald Reagan's lifetime, was nothing less than the rise of totalitarianism as a model of the state and its defeat in the great war, World War II, that our folks, some of us here in Congress, fought in, and its defeat subsequently in the Presidency of Ronald Reagan, when he led the victory of the West in the Cold War, and he led the intellectual victory that results now in Democrats and Republicans agreeing on the central point that free enterprise, not a state-run economy, is the model for America and the whole world and for the creation of jobs and opportunities for people everywhere.

In that sense, Ronald Reagan, while he was a Republican by registration at the end of his life and a Democrat to campaign for FDR and Harry Truman earlier in his career, was really a person who transcended partisan politics.

He had Democrats and Republicans voting with him every single time he did one of the great things for which we remember him. Of course, that was the good Democrats and the good Republicans who always were siding on the majority with Ronald Reagan. But it took those Boll Weevil Democrats to join with the Republicans in the House to bring us those incredible tax cuts.

I remember when President Reagan spoke when I was a freshman here in Congress, having worked for him in the White House, he spoke to us towards the end of his term, in January, but he did not stand at your lectern, he stood at the one on the other side, which is, of course, where the Democrats address the House, not Republicans.

Halfway through his remarks, some of us, since he was speaking only to the Republican Conference, I am sure you remember it, some of us thought he just made a mistake and didn't understand how the House worked and showed up on the wrong side of the aisle. But halfway through the remarks he crossed over to the lectern you are speaking at right now, and he said, I am crossing the aisle right now to talk to you because that is what I did midway through my adult lifetime: I changed parties, and, as he was always so fond of saying, I didn't leave the Democratic Party, some of the people in the Democratic Party left me.

Nowhere was that more true than in the area of foreign policy and national security, because while Ronald Reagan was winning the Cold War in Europe, bringing about ultimately the collapse of the whole Soviet empire and the freedom of what we then referred to as the captive nations of central Europe and the Baltics and so on, he also was fighting for democracy right here in our hemisphere, nowhere more forthrightly than in Central America.

I remember what was at stake at that time. I remember that the Sandinistas, the Communists, with the aid of Soviet troops, Soviet military spending, Soviet advisors, Bulgaria and East German advisors, were building a very expansionist Communist state that threatened the new democracies of Central America in the 1980s. Not only Ronald Reagan but many in Congress felt very, very strongly this had to be stopped and contained. The Sandinista Communist Government of Nicaragua, which had come to power by force, told all the workers who they were supposed to be liberating that the right to strike was now abolished; it would be illegal to go on strike, because this was, after all, a Communist government and they didn't allow such things.

They shut down La Prensa, the main newspaper, that had been such a wonderful outlet for the views of competing political interests in Nicaragua, and they assassinated the editor of La Prensa. The editor's widow, Violeta Chamorro, quit the revolutionary government of Nicaragua to fight for democracy and to talk about democracy, to the extent that the government would let her, in the pages of La Prensa.

Well, in this climate, the President sought humanitarian and military aid to the people who were fighting to get democracy back in Nicaragua, and the United States Senate went along with him. He asked, because everything hinged on the vote here in the House of Representatives, to come and stand where President Clinton just stood the other night, to address us about the importance to the whole world, and certainly to the cause of democracy, of winning this battle and of sending that aid to the freedom fighters in Nicaragua.

But the Speaker of the House turned him down. So I got a request from Don Regan, then the Chief of Staff, to answer this legal question, if you will: Can the Speaker of the House, Jim Wright, turn down the President of the United States when he asks to come and address the body? Has this ever been done before in American history? Is there precedent for it, and can he get away with it?

Well, it turned out as a matter of tact, judgment and political comity, it was a huge mistake, but as a matter of law, yes, the Speaker of the House had the right to bar the President from coming to address the Nation and the Congress, which he did.

President Reagan was not a lawyer, so while I was disappointed to have to give him that legal answer, what he said in reply, very quickly, was, ''They have TV's up there on Capitol Hill in their offices, don't they?'' Of course, you know what happened. The President went on national television and addressed the country and, incidentally, all the Members of the Congress in their offices, and as a result of the speech that the President made explaining his case, laying it out, just as Harry Truman did, he pointed out in that speech when he was seeking aid to stop communism in Europe after the war, he won.

Here in the Democratically-controlled House of Representatives, where the Speaker of the House prevented the President from speaking and making that pitch, the vote was 221 to 209 for the Edwards-Skelton-Ray-Chandler amendment to the MILCON bill, the military construction appropriations bill, and we provided $100 million in humanitarian and military aid, which the Senate had already agreed to, to the freedom fighters in Nicaragua.

Of course, Violeta Chamorro became the democratically-elected President of Nicaragua, and Nicaragua, along with Guatemala, Honduras and the rest of the nations enjoying democracy in Central America, became part of this late 20th-century tide against statism, against communism, for free enterprise, for democracy, for individual rights, for the right to strike, for free press, for all of the things that communism was against.

So, when I think of that story, I think not only of what Ronald Reagan accomplished, but what it tells us about who he was. He was not a creature of Washington. He was much closer to the American people than he ever was to politicians on Capitol Hill. Even those of us who are now in Congress who so strongly support and agree with everything Ronald Reagan did understand the reason we love him is because he is just like we are when we are at home with our constituents, not like all the back room wheeling and dealing that we see here on Capitol Hill.

He is a remarkable figure, and I considered it an honor to have worked for him. I am delighted that very shortly in honor of his birthday we will be naming, in bipartisan fashion, I am quite sure, just like everything Ronald Reagan ever accomplished, we will be naming the National Airport in bipartisan fashion, the National Airport, the Ronald Reagan National Airport. It is a small thing to do in honor of a very, very great man.

Mr. DELAY. I thank the gentleman from California. His words are like a paintbrush, painting who the real Ronald Reagan was. Many of us that serve in this House serve in this House because of his inspiration, and getting us involved in politics and dragging us out of the private sector, and making us stand up, as he did, for freedom and personal responsibility. I appreciate the gentleman for coming down and helping me with this special order.

DEVELOPMENTS IN ARMENIA

The SPEAKER pro tempore (Mr. ROGAN). Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 10 minutes.

Mr. PALLONE. Mr. Speaker, I rise today to speak to my colleagues and the Armenian people, as well as the American people, about the situation in the Republics of Armenia and the Nagorno Karabagh.

I had actually planned to come to the floor of the House to discuss my trip to the region of Armenia during the January break and the peace process in Nagorno Karabagh and the American role in that process, and I hope to do that during this time. But events today in Armenia require that I first provide an update on important developments in the past few hours.

Earlier today, Armenia's power, Mr. Levon Ter-Petrosyan submitted his resignation. According to wire service reports, barely five hours ago, President Ter-Petrosyan announced, ''That I have faced demands to resign. Considering that in this situation exercising the President's constitutional powers may cause a serious destabilization of the situation, I accept this demand and announce my resignation.''

Given president Ter-Petrosyan's academic background, it is not surprising his resignation speech, broadcast on

Armenian television, adopted a philosophical tone. But I believe he reflected the broad pro-democracy consensus of his country when he stated, ''I call on you to display restraint, keep the order in the country, and run legal, civilized elections of the new president. That will be a manifestation of the maturity of the state we have formed for the last eight years, and a deposit of maintaining the image abroad. I wish the new president success for the good and welfare of the Armenian people. I am very grateful to you for your trust and support. If I did something good, I do not expect any gratitude. I ask your indulgence for all my errors and the things that I did not do.''

While details about the political situation are still emerging, it is my understanding that a new election will be held within 40 days. What we can say at this early hour is this: Today's developments prove that Armenia has firmly established itself as a functioning democracy, where the rule of law is observed and obeyed.

In the midst of political turmoil, president Ter-Petrosyan's decision to step down was done in a peaceful way, in the spirit of a civil government with a clear constitutional framework. In many other emerging Democrats, such a political crisis may well have led to violence and instability.

Considering the potentially volatile nature of the situation with Nagorno Karabagh and the ongoing threat of aggression from the neighboring Republic of Azerbaijan, today's developments demonstrate the impressive maturity that the Armenian democratic political system has already achieved in little more than half a decade.

Mr. Speaker, President Ter-Petrosyan has served as President of Armenia since the country first gained its independence when the Soviet Union collapsed in 1991. Indeed, he was one of the most important leaders in the struggle by the Armenian people to achieve their independence from Moscow.

He also was instrumental in one of the galvanizing issues for the Armenian for the Armenian nation, the independence of Nagorno Karabagh, known to the Armenians as Artsakh, the Armenian ethnic enclave which Stalin's map-makers gave to Azerbaijan, but which is historically Armenian territory.

Born in Syria, Mr. Ter-Petrosyan moved to Yerevan, the Armenian capital, as a one-year-old in 1946. He spent much of his life as an academic, writing six books on Armenian history, and was arrested by the Soviet authorities in 1966 for his involvement in the dissident movement. He first came to power in 1991 and was reelected in 1996.

I had the privilege, Mr. Speaker, of meeting with President Ter-Petrosyan on several occasions, both here in Washington and on my two visits to Armenia.

President Ter-Petrosyan first came to this building, the U.S. Capitol, in 1990, when Armenia was still theoretically part of the Soviet Union, at least in the minds of the communist leaders in Moscow. But it was clear at that time that we were in the presence of one of the new generation of post-Soviet leaders, people who until recently have been outsiders, marginalized, even imprisoned, but were now prepared to assume the burdens of leadership in a new era of democracy, market economies and respect for human rights.

This quiet and serious scholar impressed many of us with his sincere dedication to the pursuit of truth and his obvious love for his country and people. I believe it was Senator KENNEDY who at that time described him as the George Washington of Armenia.

Whatever the outcome of the current political situation, several things should be clear: First, Armenia is a stable, constitutional democracy, and the transition of power is being handled and will continued to be handled in an orderly and peaceful way.

Second, President Levon Ter-Petrosyan will, I believe, in the long run, earn the respect of supporters and opponents alike for leading his country through the often very difficult and confusing early years of democracy emerging from decades of dictatorship and foreign domination.

His country has stayed on the democratic path, despite the stress and economic hardships brought about by the illegal blockades brought about by the illegal blockades maintained by Armenia's neighbors, Azerbaijan and Turkey.

During my visit to the region last month, it was apparent that differences on how to address this situation of Nagorno Karabagh were causing deep divisions among the various political factions within Armenia.

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Yet despite the differences over strategy, the basic goal is clear: The Armenians of Karabagh fought off aggression to protect their homeland. All Armenians, in Karabagh and the Republic of Armenia and Armenian Americans, will not stand idly by to watch the people of Karabagh lose their hard-fought independence. They will not accept any settlement that compromises the security and self-determination of Karabagh.

Which brings me, Mr. Speaker, to the issue that I had planned to talk about before today's dramatic political developments happened. On both of my visits to Nagorno Karabagh, I had the privilege of addressing the Karabagh Parliament, and I believe I am the only Member of Congress to do so, although I know several of my colleagues in this body have visited Karabagh. I met with the various civilian and military leaders of Karabagh. On my recent trip, I had the opportunity to go to the front lines in the tense standoff between the Karabagh and Azerbaijani forces.

The conflict has become a diplomatic priority for the United States. A special U.S. negotiator for the region has been appointed, and the United States is a cochair, along with France and Russia, of the so-called Minsk Group, the Conference of the OSCE, commonly known as the Helsinki Commission, charged with resolving the Karabagh conflict.

Mr. Speaker, I am sorry to say, I am not pleased with the way these negotiations are going, and I believe that our own U.S. foreign policy is pushing Armenia and Karabagh into accepting proposals that are unacceptable. My primary concerns have always been to promote a lasting peace, guarantee the right of self-determination and maintain a long-term U.S. engagement with all the nations of the Caucasus region. I have been particularly concerned that the Minsk Group process does not result in a settlement being imposed upon the people of Karabagh.

In light of my second visit to the region, in which I had the opportunity to inspect frontline areas, as well as to meet the civilian and military officials in Stepanakert, it is now clear to me that the top priority of the negotiations must be better enforcement of the cease-fire. This point was brought home to me in a very powerful way during a front-lines tour when the military officials I was traveling with were fired upon by Azeri forces. The members of my party indicated to me that the incident was fairly commonplace.

It is abundantly evident that the cease-fire is shaky, at best. I believe the Minsk Group negotiations must address the following objectives: Establish a separation of the Karabagh and Azeri forces by at least 1 kilometer; and, that an international observer force be put in place to monitor the separation of the parties.

The peace process should also set as a priority direct negotiations without preconditions between all sides. As is abundantly clear to anyone who has visited or simply read about this conflict, it pits forces from Karabagh against force from Azerbaijan. While the good offices of the United States, France and Russia can be helpful in facilitating the negotiations, only direct talks between the two warring parties will finally resolve the conflict and establish the confidence-building measures that will help build a lasting peace.

Finally, Mr. Speaker, the issue of security guarantees for the people of Karabagh must be addressed. It is my opinion that a phased approach for withdrawal from certain territories while leaving the crucial issues of status unresolved, as the Minsk Group and including the United States has proposed, will continue to cause the Karabagh Armenians to feel insecure. The people of Karabagh are not about to negotiate the very factors that enhance their bargaining positions, the occupied areas, without ironclad provisions governing their status and a

clearly stated mandate for safeguarding the security of a future status arrangement. Direct negotiations between the parties would improve the chances of achieving an agreement that leaves the people of Karabagh with a sense that their security needs will be addressed.

Mr. Speaker, as the cochairman of the Congressional Caucus on Armenian Issues, I have been pleased to work with colleagues from both sides of the aisle to help the people of Armenia and Karabagh. Late last year, just before adjournment, members of the Appropriations Subcommittee on Foreign Operations succeeded in approving for the first time direct U.S. humanitarian aid to Karabagh. I am concerned, however, that not all of the relatively modest amount of $12.5 million will even get to the people in Karabagh who need assistance and I will continue to monitor closely the provisions of said aid to Karabagh as I am sure will many of my colleagues, including the Speaker, who is here this evening.

As of yesterday, we are beginning the fiscal year 1999 budget process, and I am sure that the pro-Armenia forces of this Congress will again work together to show our support for the people of Armenia and Karabagh, and we will continue to urge our State Department to pursue policies in the Caucasus region that will promote peace and stability, while recognizing the precious value of self-determination for the people of Karabagh.

I just want to say once again, Mr. Speaker, that this evening we heard about the President's resignation. It is a momentous occasion, but it was done with an incredible amount of dignity and respect for the democratic process, and I think it bodes very well for the future of Armenia, as well as relations between Armenia and our country.

CENSUS 2000

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida (Mr. MILLER) is recognized for 60.

Mr. MILLER of Florida. Mr. Speaker, tonight I want to introduce myself to the American people and to all the stakeholders in the 2000 decennial census. My name is DAN MILLER and I represent the 13th Congressional District in Florida. I am the new chairman of the Subcommittee on the Census. The task of our subcommittee is to work with and to oversee the Census Bureau to ensure that we have a successful 2000 census.

For many Americans listening tonight, the 2000 census may not seem like the most interesting subject. I know it is tough to get excited about how to count people. We do, after all, count sheep in our head to try to fall asleep. But the census is important, and it has real impact on us and our government.

Why do we take a census every 10 years? For two reasons. Let me repeat that, for two reasons. First, we take the census to apportion the Representatives, and the House Representatives among the 50 States. As the population grows and shifts between States, the numbers of Members each State elects to represent it in this House may increase or decrease.

The second reason is to redraw the district boundaries of congressional and legislative districts to equalize those districts' populations. That is done so each Member represents the same number of people.

This must be done for congressional, State legislative, county and even city council districts. This is necessary to preserve the historic gains of our civil rights laws and guarantee one person, one vote. The census is the underpinning of our entire Federal, State and local government systems.

There is a lot of other important data that we receive from the census, like how many people in homes, our ethnic heritages, how many of us are married, how many people have dependent children, et cetera. But these issues are secondary. We must do a fair, honest and accurate census every 10 years so every American can be represented and have a voice in their government.

The House of Representatives, as the voice of the American people, therefore is the preeminent Federal stakeholder in the census. The Senate does not need a census to exist. The executive branch does not need a census to exist, the judicial branch does not need a census to exist, but the House of Representatives literally needs a census conducted every 10 years to exist as a constitutional body. The legitimacy of the House of Representatives and the American system of democracy rests on a successful census.

So let me say what should be obvious. The House of Representatives must have a huge say in the planning, preparation, and implementation of the 2000 census. It would seem crazy if the executive branch would ever consider moving forward with a plan which the majority of the House of Representatives does not support. The President has preeminence in conducting foreign policy, but the Constitution clearly gives this Congress the lead in conducting the census. But crazy as it sounds, the Census Bureau has unilaterally decided to try a radical new approach to conducting the census. They know Congress disapproves, but they still plan to carry out this untested, risky method that in all likelihood will not even work. The Clinton administration has known for at least three years now, since they released the outlines of their unprecedented plan, that many Members of the House have serious reservations. Chairman Clinger made it quite clear in 1996 in a report from the Committee on Government Reform and Oversight. The report stated, ''The committee is seriously concerned'' about the Bureau's plan. Chairman Clinger added that the committee was concerned that the Bureau's new method ''may undermine public confidence in the decennial census and reduce public participation.'' Chairman Clinger concluded with this serious concern: ''It appears that the fundamental constitutional purpose for the decennial census, which is to apportion the House of Representatives, has been deemphasized.'' In other words, the Census Bureau seems to have forgotten what the census is all about.

The Census Bureau's own Inspector General took the Census Bureau to task last fall for poor relations with Congress. The Inspector General stated in clear terms, ''The Bureau needs to increase its credibility with Congress.''

Just last November, a clear congressional majority passed the funding bill for the Commerce Department, and in that legislation the House and Senate made clear its position. We believe that the Census Bureau's plan, let me quote from the legislation, ''poses the risk of inaccurate, invalid and unconstitutional census.''

I would think that statement alone, which was included in the legislation signed by the President, would send a strong signal to the Census Bureau that their new plan does not have enough political support for it to move forward. Yet, they do not seem to get the message.

Some say Congress has delegated its authority to the employees at the Census Bureau to conduct the census any way they choose. On the other hand, a great number of respected legal minds believe the Clinton plan is unconstitutional. That is an open question of both constitutional and statutory law. The House of Representatives will soon be filing suit as agreed to by the majority in Congress last year, to prevent the unlawful use of the polling techniques at the heart of the Bureau's unprecedented plan. Hopefully, the court will resolve these issues. But no matter what they decide, the administration is wrong to try and ram down some new plan without political consensus.

I am not a lawyer, so I will not try to make a complex legal argument tonight. I am, however, a Member of the House of Representatives, so I will make a civic argument. It is beyond comprehension that the Clinton administration would move forward if it is so clear that the House of Representatives disapproves. We are going to file suit to stop their plan. That should give the administration a pretty strong signal that we do not like what they are doing. It is simply bad government for the Census Bureau to unilaterally push ahead on something that the House does not approve and the American people know very little about.

Again, the legitimacy of the House is at stake, and with it, the confidence of the American people and their system of representative democracy. Our opinion, whether the Census Bureau agrees with it or not, must carry great weight. I think it is worth pointing out that the House, like most people, do

not have a radical, impractical idea of how we should conduct the census. Common sense says we simply need to count everybody. The majority of Members simply want the Bureau to use the basic method we have always used in this country. We want to make some common sense improvements and spend enough money to make sure we count all Americans, but we are not trying to push an unprecedented, untested method on the Bureau, nor are we advocating an approach that will not work.

In fact, it is the administration that has the unprecedented and highly complex idea of how to conduct the census. They have unilaterally decided to abandon the method we have used in this country for 200 years because they have a new academic theory. If the Clinton administration believes they have a better method, they should present the plan to Congress and get our approval, but the simple fact that they want to try an untested, unprecedented method, the burden of proof is on them. The burden of receiving explicit congressional approval is on them. The burden of convincing the American people to pay for this extravagant experiment is on them.

The House has wisely formed a subcommittee to conduct oversight on the census, and I am honored to serve as its chairman and we will have a very successful committee. I believe the Census Bureau wants to work with us, but at the moment they do not have a leader. Martha Riche, the Director for the past several years, left office last week. This is a difficult time to lose a census director. The Commerce Inspector General and the General Accounting Office have made clear that the census is not in great shape at this moment. In a few months, they will be conducting some important dress rehearsals in Sacramento, California, and Charleston, South Carolina and in South Dakota. Simultaneously, they must continue ramping up for the 2000 census. The Bureau is in dire need of leadership and organization, and they need a director as soon as possible.

I want to make my position clear about the qualifications needed for the next census director. First, Mr. President, do not play political games with the legitimacy of the House of Representatives. Do not send up a political spokesperson who is not committed to faithfully carrying out the intent of the law. I have said I have no litmus test, but, Mr. President, you better not have a litmus test either. Your nominee must be prepared to plan and carry out a full enumeration, because that is the will of the majority of this Congress.

Article I of our Constitution requires Congress to conduct the decennial census to apportion Representatives among the States. We take it very seriously. I believe, therefore, that it would be wise to consult the House extensively before we nominate a new census director. We cannot risk the people's confidence in the 2000 census. The next census director must not be a political lightning rod for untried ideology. In no measure a successful census is defined by the people's confidence and its fairness and accuracy. The majority of the Representatives and Senators oppose the administration's new untested methodology of how to conduct the 2000 census. It would be a tragic mistake to put forward a nominee who the congressional majority views as unwilling to work with us.

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Over the next several months, our subcommittee plans to hold a series of hearings to learn more about the status of the planning for the census. We intend to examine the design flaws in the Bureau's complicated plans. We will make sure that the Bureau moves forward with planning for a new numeration as the recent legislation signed by the President requires.

I hope to offer constructive and practical ideas of how we can improve on past censuses without risking a failed census. I do not believe in throwing out the baby with the bath water. We have a great deal of work to do to save the census. Let us get started.

AGREEMENT BETWEEN GOVERNMENTS OF UNITED STATES AND LATVIA CONCERNING FISHERIES OFF THE COAST OF THE UNITED STATES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. ROGAN) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Resources and ordered to be printed:

To the Congress of the United States:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Latvia extending the Agreement of April 8, 1993, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The present Agreement, which was effected by an exchange of notes at Riga on February 13 and May 23, 1997, extends the 1993 Agreement to December 31, 1999.

In light of the importance of our fisheries relationship with the Republic of Latvia, I urge that the Congress give favorable consideration to this Agreement at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 3, 1998.*

ANNUAL REPORT OF RAILROAD RETIREMENT BOARD, FISCAL YEAR 1996—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with accompanying papers, without objection, referred to the Committee on Transportation and Infrastructure and the Committee on Ways and Means:

To the Congress of the United States:

I transmit herewith the Annual Report of the Railroad Retirement Board for Fiscal Year 1996, pursuant to the provisions of section 7(b)(6) of the Railroad Retirement Act and section 12(l) of the Railroad Unemployment Insurance Act.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 3, 1998.*

DISAPPOINTMENT WITH THE PRESIDENT'S BUDGET SUBMISSION

(Mr. MILLER of Florida asked and was given permission to address the House for 1 minute.)

Mr. MILLER of Florida. Mr. Speaker, today the Committee on the Budget began the process of reviewing the 1999 budget submission of the President. It was very disappointing for a Member who is a very fiscally conservative Member to see a proposal that has more smoke and mirrors of how to spend more money.

We had a budget agreement that we agreed to last year, and I had the pleasure of being at the South Lawn of the White House when the President signed that document in August. Less than 6 months later, we have $150 billion more in spending. I know they have a lot of neat little gimmicks of how to disguise the spending, but the bottom line is it is not in the spirit of the budget agreement that was signed last year and in the reconciliation bill that was signed into law by the President. That was not the intent of the agreement that we worked on last year.

For those of us who went along with that agreement, knowing that we would have to have tight spending controls this coming year, we feel very, very disappointed; and I feel it is not right to try to get us to move ahead with more spending programs at this time.

One of the ways to justify it is this tobacco settlement. I am not a pro-tobacco Congressman. I would be classified as an anti-tobacco Congressman. But the point is, we should not begin spending money until we have it in our hands.

We do not know what kind of agreement will be reached. The administration claims they are going to send one up in a few weeks, but we do not have a plan before us right now. So how are we going to have this money and why are we spending it before we have it in

our hands? I think it is very risky and irresponsible to try to spend that money.

I also am very concerned that what is going to drive a tobacco settlement is that we want to spend money. We need to spend more money on day care, so I will settle any type of tobacco agreement. That will be very risky and dangerous. The tobacco settlement should stand on its own.

Yes, there are going to be some revenues there; and, yes, we are going to share some of that with the States. We have to address the whole liability issue, which is a great concern to all of us. There are a lot of legal fees involved that are going to be questioned.

It is going to be a complicated process. It is going to be worked on in a bipartisan fashion, and we need to move forward on that. But let us not spend that money now. It is not part of the budget. We do not have the money in our hands. So to try to say this is the reason we want to have a budget agreement so we can spend money on these new programs is just plain wrong.

So I am very disappointed that this administration sent up a budget that, because of smoke and mirrors, they classify things as mandatory spending. They are using waste and fraud as a way to save money, and we will spend it even though we do not have it in our hands. Let us stop playing tricks with the American people and let us talk straight with them.

Let us live with the agreement that we agreed to last year. Let us live within the spending caps. Let us wait and see if we have a surplus. And when we have the surplus, my opinion personally is that we need to address the debt problem, start applying it to the debt. We do have a Social Security problem and a transition cost as we reform Social Security. And, number three, we should give tax cuts to the American people.

So I think we should address that once we have the surplus in hand. Until we have that surplus in hand, there is no way that we can continue doing that.

PRESIDENT'S BUDGET RETURNS TO THE ERA OF BIG GOVERNMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from South Dakota (Mr. THUNE) is recognized for 60 minutes as the designee of the Majority Leader.

Mr. THUNE. Mr. Speaker, last week, we heard in the President's State of the Union address some of his priorities and his agenda for this next year. And, interestingly enough, when the budget came out this past week, we got a more detailed description about some of his ideas for new Washington spending.

I harken back to 1994 and what happened at that point in time and after the big government agenda was annihilated at the polls in 1994. In the State of the Union address in 1995, the President came forward and said, the era of big government is over. I think a lot of people in this country took consolation in that statement. That was just a few short years ago.

Well, now a couple of years later, we are talking about a potential surplus, which is something that is remarkable—the first in our country's history in some 30 years. Yet I am reminded of the fact I think about whenever we start talking about a surplus in this particular environment in Washington, D.C. It is like a liberal politician's dream, but a taxpayer's nightmare.

Mr. Speaker, I think as we look at the statement in 1995 about the era of big government being over and then look at where we are today in terms of potential surplus and what that means for the future of this country and what that means for our country's budget, I think we have to make some important decisions. We are truly at an historic crossroads in terms of the future of this country.

Now, when the President laid out his budget, I think there were some $150 billion in new Washington spending included in that budget; and, with respect to his goals, I think most of us probably were in agreement, on the importance of priorities like caring for and educating our children as well as providing health care for an aging population. These are important issues and on that I think all of us agree.

However, the differences are very clear in trying to determine how best to achieve those goals and particularly in the context of a potential revenue surplus.

The President's programs are an incredibly expansive reach by the Federal Government into the lives of most Americans. It is remarkably inconsistent on the one hand to talk about using a potential surplus to pay down the debt and to pay back Social Security and, on the other hand, to talk about increasing the size and reach of the Federal Government by some $150 billion in new Washington spending and bigger government.

Many people, myself included, have been very confused by the mixed signals that the President is sending. Now I happen to believe that there is a responsible public policy approach to dealing with a potential surplus. For that reason, I am cosponsoring legislation offered by the gentleman from Wisconsin (Mr. NEUMANN) which is consistent with a number of important policy objectives.

Simply put, the Neumann legislation would apportion any potential surplus in three ways. First, it would allocate two-thirds of any surpluses to paying off debt and restoring the governmental trust funds: Social Security, transportation, environmental. The final third would go toward reducing taxes on hard-working Americans.

It goes a step beyond that in a very important way, by putting a systematic plan in place to retire our country's $5.5 trillion debt in the course of the next 30 years, spending 1 percent less than what we take in in revenue every year, and applying that 1 percent to paying down the debt. Again assuming modest or moderate economic growth rates, we can be completely debt free by the year 2026.

In addition to winning the war on drugs, I cannot think of anything else that would be more important for the future of our children and our grandchildren. It would also free up the $250 billion annually that the Congress appropriates every year just to pay the interest on our $5.5 trillion debt.

That is an important point. We go through the budgetary process every year. Before we spend anything on roads and bridges or highways, before we spend anything on any other social programs, we have to appropriate the $250 billion in round numbers that is necessary and essential to pay for the interest on the $5.5 trillion debt.

Just as important, the Neumann legislation would allow us actually to give something back to the taxpayers. After all, it is their money. I happen for one to believe that if the President is able to build $150 billion into his budget for new Washington spending, in the alternative, he ought to be able to come up with that amount of money to give back to the taxpayers.

I believe that the best way that we can help working families deal with tough issues like child care is to give them some money back and to allow them to make the best decision about how to address this very important need.

The President's proposal tends toward installing Uncle Sam as your nanny. His plan would have Washington determine which children and which child care providers get Washington's assistance.

The bottom line question I think we have to ask ourselves as members of this country is, who would we rather have raising our kids? Would we rather have the Federal Government do it, or would we rather have the American family? For me, that is a no-brainer.

But if we give people inside the Washington Beltway long enough, they will try to create a risk-free society. Big government will eventually guarantee you child care, education, health care, guarantee a job, probably guarantee a fixed income, guarantee a retirement, possibly a big screen television, and the list goes on and on.

But the cost will be high. Because, in doing all that, there will be a corresponding decrease in the freedom that we enjoy in this country and more and more taxes to pay for all that security. Ultimately, we end up with a bureaucrat in the crib, a bureaucrat at day care, a bureaucrat in the classroom, a bureaucrat in the workplace, and a bureaucrat in your living room. We may, in fact, even have a bureaucrat in the coffin with us just to make sure that we do not, in fact, take anything with us.

The question I think we have to ask is, where does it all end? There is a better way, and that is to say to the people of this country that we trust their judgment. We believe that they are capable of caring for their children and making good decisions about their future. We believe that, as a matter of principle, America is infinitely better off when families are making decisions rather than bureaucrats. In the same way, we believe that America is infinitely better off when parents are teaching values rather than bureaucrats.

I know that may shock the yuppy intellectuals who operate government institutions, but that is all part of the debate that we are having in this country today. If there is anything in President Clinton's budget or in his State of the Union speech that troubles me more than anything else, it is this obsession with targeting. From spending Federal dollars to providing tax relief, the President desperately wants to create winners and losers. Everything is targeted.

Now since when have we become so differentiated as a culture so as to require this sort of governmental micromanagement? I think at times we have all been guilty of it. But if we are truly striving, as he said, toward a more perfect union, we ought to look for ways in which we allow all Americans, irrespective of whether they are married or single, with or without children, young or old, whatever their national heritage is, to participate in the benefits of greater freedom that comes with lower taxes. We should not discriminate among taxpayers based upon marital status. We should, on the other hand, strive to make all taxpayers equal in the law.

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Furthermore, we ought to consistently look at ways to make the Tax Code simpler and less complicated for the American people. Almost every tax relief proposal that I have heard of to date further complicates the Tax Code. This is the absolute wrong direction in which to head if our underlying objective is making government less intrusive and more user-friendly.

It is for these reasons that I am proud today along with my friend, the gentlewoman from Washington (Ms. DUNN), to be introducing two pieces of tax relief legislation that I believe will serve as alternatives to the new Washington spending in the President's budget, and at the same time these bills are consistent with the dual goals of, one, distributing tax relief broadly and evenly and, secondly, of simplifying an already inordinately complicated Tax Code.

Members of Congress, both Democrats and Republicans, if they are sincere about helping to lower the tax burden on working families, should be 100 percent behind these bills. There is no targeting. There is no gimmickry. There are no loopholes, just plain and simple common sense.

The first bill, the Middle Class Tax Relief Act of 1998, addresses the issue of bracket creep by allowing working families to make more money before they fall into the higher tax bracket. It lowers taxes by raising the income threshold at which the 28 percent tax bracket would apply. Very simply put, more and more of the income of working Americans would be subject to the 15 percent tax bracket rather than the much higher 28 percent tax bracket.

This legislation will help Americans who are doing better and therefore making more and as a consequence have graduated from the 15 percent tax bracket to the higher 28 percent tax bracket. Due to bracket creep, 28 cents of each additional dollar they earn now goes to the Federal Government. Talk about a disincentive to improving your lot in life. Under our legislation, many of these hard-working people will have an incentive to continue to be hard-working people because they will have been liberated from the higher tax rate on each additional dollar that they earn.

Now, the real beauty in this legislation is it gives no preference based upon status, marital or otherwise. Presently the higher 28 percent tax rate begins to apply to a single person making $25,350. Our legislation would raise that threshold to $35,000. For heads of household, the 28 percent rate starts at $33,950. We would raise that to $52,600. For married couples the 28 percent rate starts at $42,350. We would raise that in our proposal to $70,000.

According to the Tax Foundation, over 29 million filers in this country would see their taxes lowered under this proposal, with the average savings of nearly $1,200 per filer. In fact, over 10 million filers would actually move out of the 28 percent bracket, the higher tax bracket, into the lower 15 percent bracket.

Once again, let me say and repeat that this is an infinitely better approach to assisting families with their child care needs than is the discriminatory Washington knows best approach embodied in the President's plan. A $1,200 tax cut could pay for 16 weeks of child care, 4 car payments and up to 3 months of housing bills, or 14 weeks of grocery bills. That is real help for working families.

Our other bill, the Taxpayer Choice Act of 1998, would raise the personal exemption from the current $2,700 to $3,400. Again, this simple change will help hard-working Americans by allowing them to reduce their taxable income by an additional $700 per dependent, thereby lowering their overall tax burden.

This legislation will deliver broad-based tax relief to taxpayers in the lower and middle-income ranges. In fact, under this legislation, 95 percent of the people, particularly those in the lower income categories, would benefit. It really delivers relief to low and middle-income taxpayers, and that is something I think we desperately need. That is helping people who are your W–2 wage earners, the people that oftentimes get left out of many of the discussions. Furthermore the change is straightforward and easy to calculate. For someone in the 15 percent tax bracket, the bill would result in a savings of $100, or for a family of four, when you multiply that, $400 or the possible equivalent of 5 weeks of child care, a car payment, housing payment or 5 weeks of grocery bills.

Again, I would restate that this is real relief. For someone in the 28 percent tax bracket, that would amount to $200 in tax savings per individual or $800 per family of four. That again is the possible equivalent of 10 weeks of child care, almost 10 weeks of grocery bills, three car payments or a couple of housing payments, and, as is true today, the deduction would phase out for wage earners whose incomes exceed $124,500.

Let me again reiterate one point. That is that we agree with the President that working families in America need relief. However, the President, to coincide with his need for a relevant agenda, has mistakenly interpreted that need as a request for more Washington spending. We, on the other hand, know that what working families are really asking for is not more Federal Government, but relief from more Federal Government.

We have heard American families. We agree with you that your family should not have to sacrifice one more dime of your hard-earned money to build new government bureaucracies that will further undermine your ability to care for yourself and your family. We will stand with American families, and the bills that we have introduced today make it abundantly clear that no surplus government revenue should go to more Washington spending. Rather, they should go into your pocket—through tax relief and restoring the trust funds. That is common-sense government.

The legislation we have introduced today also should fit in nicely with what I believe ought to be a reality before the turn of the century, and that is a brand new Tax Code that is simple and fair.

Americans waste too much time and money filling out tax returns. It is a dream for lobbyists, for lawyers and for tax preparers. It is a nightmare for the American taxpayer. Ultimately the only way we will get real reform is to kill the beast and start all over. Every time Congress starts chipping around the edges like we did last summer, we make the Code even more complicated than it is today, some 480 different forms, 6,000 pages and 34½ pounds. It is time to say, enough already.

It will not be easy because there is a lot of internal resistance in this city to changing the status quo, but it has to be done. I had some accountants from South Dakota in my office just this last week. They agreed. They are probably in the best position to benefit

from the complexity of the Code as it exists today. They agree that the current Code is an abomination.

The two bills that we have introduced today are consistent with a simpler, fairer approach to the Tax Code. I hope they will serve as the beginning of a discussion about replacing the Code with a view of taxation that finds its foundation and its basis in the policies of former Presidents John Kennedy and Ronald Reagan, and that is a policy and a view that invites all Americans to participate in the benefits of a growing economy that will spur investment and create jobs by limiting taxes and by minimizing the burden of tax compliance.

These are our goals. I look forward to working with this Congress to making them become a reality. To that end I would ask the Members of this body on both sides of the aisle to support this important legislation.

Mr. KINGSTON. Mr. Speaker, will the gentleman yield?

Mr. THUNE. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, I overheard the beginning of your speech, and I thought it was very important that you pointed out that 2 years ago the President said that the era of big government is over. And yet the other day, yesterday, he said, we are now at the end of an era. So apparently the era of big government being over was only a 2-year period of time, a 24-month little spurt in United States history. What the President is now saying is that the era is over, and here is how I want to spend the surplus.

Now, I do not know how the good folks in your district are, but I know the good folks in coastal Georgia, if they have a credit card debt and they go 1 month without using the credit card, that does not mean that the bank calls them up and says, hey, last month your credit card balance was zero, go out and buy some new clothes and a new stereo, and go on a nice vacation and take your family out to eat. What they say is, hey, I am glad you finally quit spending on the damn credit card. Now start paying down your credit card debt.

The position we are in as a country, just because for the first time in 30 years we are going to have no deficit, it does not mean that we have paid down our $5.1 trillion debt. And what we need to do is have a sensible approach that you have outlined in terms of paying down the debt and having not increased government and not gone out and spent on a lot of new programs and so forth.

I really appreciate your class taking the leadership on this and common sense tax reforms, targeting to put values back in the system and reward people who are out there working and not the folks who want to take advantage of it.

Mr. THUNE. I appreciate the comments of the gentleman from Georgia. I happen to agree that in the course of the last couple years, somehow we have gone from the era of big government is over, to it is back.

In the current proposals that are pending before Congress right now, which we will have an opportunity to evaluate and act upon in the months ahead, clearly the discussion was had with the pollsters as to what are the most popular things, the most attractive things that we can talk about in terms of policies, and yet at the same time, without telling the taxpayers of this country that ultimately you are the people who are going to have to pay the bill on this. I think in fairness we have to make clear that inasmuch as these different things sound very attractive on the surface, the bottom line is they are an incredible, enormous expansion of big government; an incredible expansion into the lives of most Americans. As the people in my State of South Dakota would probably tell you, that is something that they would rather not see, because when I came here, I told them that I would work to make government smaller, more responsive, and more user-friendly. And in fact, what we are talking about is a bigger preemption and government usurping more authority, and more of the decisionmaking and control that parents and families and individuals ought to have.

I might add, again, in reemphasizing something that I said earlier, that so much of what the President has proposed over the course of his tenure is to identify or isolate specific groups and make them either winners or losers under his proposals. The things that we are talking about here in terms of tax relief do in fact provide it in an evenly distributed and broad way that allows people, whether you are married or not, whether you are single, to participate in the benefits of lower taxes, and that ultimately is where we want to go. I know that the gentleman from Georgia has a keen interest in that subject.

Mr. KINGSTON. I think that the gentleman has raised a good point that taxes are an indication of the size of your government. One of the things that when we talk about a balanced budget, if we had government the size that we do today, if we had the same size government or budget years and years ago, we would have always had a surplus.

The fact is our budget is overgrown. We are like the 300- or 400-pound fat boy who has finally quit gaining weight. And we are saying, oh, yes, now you are in great shape because you are not gaining weight anymore.

The fact is we have a huge, massive government, as the President has proposed it, $1.7 trillion government. That is a whole heck of a lot of bureaucrats, a whole heck of a lot of rules, regulations and Washington busybodies who have nothing to do in this world but to stick their nose into your family, your household, your bedroom, your kitchen table, your refrigerator. They are going to give us rules for this and that, labeling laws, restrictions and so forth. If you go out and talk to businesses, I do not see how they stay in business anymore, small or large or mid-sized businesses, just too much bureaucracy.

One of my favorite stories, and it is not hard to get one on OSHA, is a plumbing contractor in my district was installing a P-trap in a kitchen or bathroom sink. The P-trap is a little pipe that goes like that. Most of these days one uses PVC pipe. This is just like your bathroom cabinet and probably 80 percent of the houses in America, your typical middle-class ranch house. The plumbing contractor was using glue, PVC pipe underneath this sink in a bathroom.

□ 1915

And OSHA fined him for using a hazardous substance in a confined space without a gas mask. And that is the kind of government that we have, when we have a $1.7 trillion dollar debt. They are not really worried about worker safety as much as they are concerned about bureaucratic job security, and they are going to come in and tell us how to run our lives or our offices because they have to justify their own existence.

But I think that what the gentleman is talking about with his targeted tax reductions does start the very important process of rolling back the size of government and the government regulations and interference with our lives and commerce.

Mr. THUNE. Well, the gentleman's experience is not unlike that of many, I would submit, around the country. And clearly we have come a very long way in this country from the concept I think that we had at our foundation, the conception that our forefathers had of this country, that government would only do for people those things that they cannot do for themselves. And somehow along the way we have complicated and convoluted and confused that concept to the point where today, as the gentleman knows, there are just enormous amounts of red tape and regulations and burdens that are placed upon citizens living in our society and a commensurate loss of the freedoms, the personal freedoms, that they used to enjoy in America.

I cannot help but recollect something I was reading the other day about the number of words that we have in government which is a good illustration. In the Lord's prayer there are some 66 words. In the Gettysburg address, 286 words, and the Declaration of Independence, some 1,326 words. And yet we have 26,940 some words governing the sale of cabbage in America today. So it has crept into, I think, all aspects of our lives.

And clearly it is something that we all recognize as a legitimate and vital role for the government to play, but what this administration, what this budget, what the proposals that we are going to be looking at over the course

of the next few weeks would purport to do is to grow and expand that role into new areas of American life and create an even bigger dependence upon the Federal Government. And, again, what people have to realize is ultimately they have to pay for that, and they will pay for it in the form of higher taxes and they are also going to be giving up a good amount of freedom in the decision-making process, because when we marry ourselves to the government and when we become the so-called partnership with government, we end up being the junior partner.

I thought it was interesting a while back in the Washington Post that there was a senior administration official that said because we had gotten our fiscal house in order we could afford to be a little more generous. That was an interesting comment because it reflected a mentality that I think permeates this entire city, and that is that it is their money. I realize, and I think what the gentleman from Georgia realizes, is that ultimately it is the money of the taxpayers of this country. And that is a concept, that is a truth, that is a principle that I will never forget in representing the people of my good State of South Dakota, and I would suspect the gentleman from Georgia will never forget in representing the people of his district as well.

A PERSPECTIVE ON CRIME POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Georgia (Mr. KINGSTON) is recognized for 60 minutes.

Mr. KINGSTON. Thank you, Madam Speaker. I wanted to talk a little bit about an article that I read called U.S. Victory in the Crime War, written by Timothy Maier, and it was from ''The World and I'' magazine. It is a great article, and it just puts a perspective on some of the crime policy that we talk about.

I live in an area that has a lot of crimes, a lot of sad stories. I was talking to the DA, Steve Kelly, the other day about a case that he had where a 68-year-old woman was raped while her husband was held at gun point by some teenage thugs. And Mr. Kelly is a very aggressive, very competent DA, and he was able to get a prosecution on that, but it was just a heartbreaking story.

I remember another story in Savannah, Georgia, of a woman who was bathing her 2-year-old in the bathtub and somebody knocked on the door. And she looked out and decided not to answer it, and so the perpetrator went from the front door to the back door, kicked it in and raped this woman while she was bathing her 2-year-old.

And those kinds of heartbreaking stories we all hear, and we all hear too often, but in the crime debate we often forget the victim.

What I wanted to talk about is some of the things Mr. Maier had pointed out. The good news is that over the last 4 years violent crime, which includes aggravated assault, rape and murder, dropped 7 percent. Homicides fell 11 percent, about 7 people per 100,000 in population. Robberies were down 8 percent. Aggravated assaults dropped 6 percent. And rapes dropped 3 percent. Property crime, such as burglary and auto theft, also dropped. So there is a lot of good news.

Now, the interesting part is who is claiming credit for this. And, of course, in Washington we want to point to our tough crime policy and the President wants to point to some of his policies, but Mr. Maier said that the real success lies in the State governments, since that is where so many of the violent crimes end up in court. He pointed out that the States that have truth in sentencing laws, such as Virginia, are leading the way in the reductions of crime. He pointed out that in Virginia that they have had a truth in sentencing law and their simple policy is we want to get the bad guys off the streets.

Think about this, Madam Speaker. The hard working taxpayers in your district in New York should not be afraid to walk down the street at night. They paid for the street. They should not have to look over their shoulders. But the thugs who beat up old people and grab girls off the streets, they should be in jail. They should be afraid to walk down the streets, because we want to catch them and we want to lock them up and segregate them from decent society.

And so what Mr. Maier has pointed out is States that have the truth in sentencing laws and building new prisons, and they are purging these people off the streets, getting rid of the bad apples, they are leading the way. So truth in sentencing was part of it.

Now, another thing he looked at, another factor, was the COPS program. The President has said that because we have 100,000 new cops on the street it has made a new difference. But the reality is that there are not 100,000 new cops on the streets. And depending on who you are talking to, that number is actually as low as 20,000 and sometimes up to 57,000 people.

One thing he did show, he said there are more than 17,000—he talked about Washington, DC. He said in Washington, D.C. there are more than 17,000 police officers, including Federal police in Washington, but the city still averages 60,000 violent crimes a year. Here we are in the Nation's capital and one person out of eight is going to be a victim of a violent crime.

So does the Cops on the Street program work? I would say we really do not know for sure, but I can say this: The communities that have been flexible with the money seem to have been the most successful.

In Statesboro, Georgia, they have actually put a police satellite station in one of the housing projects that was in an area where there was high drug high crime, lots of problems. And right smack in the middle of it the police in Statesboro put in a satellite station. I went to visit it and they said immediately they ran out the bad apples. The children come up to the police officers now. Instead of being afraid of them, they come up and hug them. They tell them when somebody from out of the housing area is in the area that should not be.

And the turnaround in that area has been tremendous. The commercial businesses, which had been closing down, are coming back and reopening. Church groups come to this area. It has been a great community success story in Statesboro, Georgia, and now they have done this in another housing project.

So when the COPS grant money is used in the way that the local community needs it to be used, I think that it does have an impact.

The third factor which Mr. Maier examined in terms of reducing crime was what about gun control. The President was quick to say, well, it is the Brady bill. The Brady bill is something that requires a background check on people before they can buy a gun. But Mr. Maier points out that in the time that it has existed, which I believe is 4 years now, that under the law there have only been seven prosecutions and of those seven, only three were sent to prison for illegally trying to obtain a handgun. So we have to say that really is not the main factor.

Now, he does point out something else. What portion of violent crimes actually involve the handgun. The answer is about 10 percent. And this statistic suggests that controlling handguns is not the final factor. In fact, Mr. Maier pointed out from 1980 to 1992 the number of firearms increased by 18 percent. But during the same period of time, the portion of violent crimes committed without a firearm dropped 4 percent. So the bottom line, according to Mr. Maier, is more guns on the street does not necessarily increase gun crime. And he shows a lot of examples.

One thing that is very interesting also is that he points out that in terms of guns, or where a gun has been fired or displayed, which actually comes to about 2½ million times a year in self-defense, the number of police arrests for violent crimes has fallen. So that there has been a positive impact for those folks who own guns and who use it to defend themselves.

The next factor that Mr. Maier looks at is juvenile crime. And one of the things that we are all concerned about is how much violent crime can be traced to young children. And young children can be anywhere from 13, 14 years old, in their mid-teens to their young 20s. But it is depressing to look at the stats on that.

The FBI statistics show that while violent crime is declining, juvenile crime continues to increase. The number of juveniles charged with murder increased 104 percent nationwide from

1970 to 1992. Since 1980, juvenile gang killings have increased 371 percent, and the rate of recidivism for juveniles runs as high as 75 percent. In fact, the FBI shows that before someone goes to jail as a juvenile, he usually commits 15 different offenses that have gone by unpunished.

One of the big problems is that the age group of the drug pushers who are in their mid-20s go out and recruit the very, very young kids for the most dangerous, the most risky part of their business, and they consider these kids both expendable and impressionable. You can get them to do things that older and smarter folks would not want to do. So when there is a turf war, usually the casualties are your 16 and 17-year-olds.

The next question, the final thing I want to touch base on, Mr. Maier says are we actually winning the drug war. And a lot of people will point out the fact that we are grabbing more marijuana and drugs as they come into our country. Although it would depend on what statistic you look at, we are probably grabbing as little as 15 percent of what is actually coming into our country from south of the border. And one of the things that has happened, because there has been a de-escalation in terms of prosecutions, that the drug dealers are actually more set in, and their territories are somewhat established because they are not gunning it out any more.

This is a real interesting article on crime. I think that what Mr. Maier does is raise some things that we in public policy need to consider. I believe that this Congress should continue to go in the direction that it has: Full sentencing of 10 years means 10 years. If someone is in jail they need to have a work program. No more sitting around watching TV, lifting weights and playing basketball. It means also the work that they do should be meaningful. It should be skill building, so that when they get out they can utilize that into a paying job.

I think also there should be an education program. I believe that a lot of these people who are in jail are intelligent but, somewhere along the line, they dropped out of school. They had a problem. They need to have that second chance while they are in jail, tied in with good behavior or whatever, but give them that opportunity.

Finally, I do think there needs to be spiritual rehabilitation, because I think that is the beginning of real rehabilitation for anyone behind bars. I believe that taking these steps, sending out the message that we are serious, that a person cannot just be caught selling drugs and get their hand slapped any more, I think if we continue on this path, that our crime rates will continue the downward trend.

□ 1930

SOCIAL SECURITY TRUST FUND

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin (Mr. NEUMANN) is recognized for 30 minutes as the designee of the Majority Leader.

Mr. NEUMANN. Madam Speaker, I rise tonight to talk about a lot of the issues that are facing the country today and what we are hearing about as it relates to the President's budget plan. I rise in particular to talk about an issue that I think many of our senior citizens, many of our folks in their 50s and 40s and many of our young people are also concerned about, and that is Social Security.

My son, who mowed lawns last summer and earned a reasonable amount of money doing it, like $1,500, because he did a lot of them, talked to me about whether or not he should pay any taxes on it. And, of course, for a young person in their teenage years who mowed lawns last summer and earned some money, there is no Federal taxes due. But then I said to him, ''You still have got to file, Matt; you have still got to file a tax return.''

And my 15-year-old son, who is going to file his tax return, has to pay into the Social Security Trust Fund. As a matter of fact, he found that he paid over about 15 percent of all of his earnings into the Social Security Trust Fund because he would be treated as a self-employed person.

So when we talk about the Social Security issue, it is certainly very important to our young people to understand very clearly that they are putting this money away for retirement. But, in fact, it does not seem to affect them because they do not believe Social Security is going to be there for them; and they are certainly, at age 15, are not very interested in thinking ahead to retirement. They are more interested buying a car and their college education than they are in thinking ahead to retirement.

So when we think about this Social Security issue, I start with the younger group to understand that it does have an impact on them. When we get to the folks in their 30s and 40s, they are putting this money away. It is being taken out of their paychecks. But instead of being put away in a fund for them, it goes into the Social Security Trust Fund.

I would like to spend a little time tonight talking about how the United States Government handles this money that is being taken out of their paychecks and how that affects our senior citizens and the potential of Social Security actually being there for them when they reach the retirement age.

If I could ask one of our pages to bring that stand over, I brought a couple of pictures with me.

For any of my colleagues that have seen these numbers before, we took the time today to update the Social Security numbers so that it reflects what is actually going on in the Social Security system in 1998.

This whole thing becomes relatively easy to understand as it relates to Social Security if we just take a look at how much money is actually coming in and how much is going out to our senior citizens in Social Security.

Virtually every worker that has a paycheck has money taken out of their paycheck for Social Security. Altogether, the United States Government in 1998 will collect about $480 billion in Social Security money from the paychecks of workers in America. The Social Security system will write out checks to our senior citizens of $382 billion.

This is pretty straightforward. They are collecting $480 billion, and they are paying $382 billion out to our senior citizens. That leaves a $98 billion surplus. That is to say, they are collecting $98 billion more than they are paying back out to our senior citizens in benefits.

That money is supposed to be put away. It is supposed to be put into a savings account so that when they are, these two numbers turn around, the baby-boom generation is clearly headed toward retirement, and eventually we reach a point where there is not enough money in and too much money being written out in checks to our senior citizens. Well, this money that is supposed to be put away in a savings account today is not actually happening today.

I would like to talk about this and the reference of what the President referred to in his budget address and something that many of us in this Congress feel very strongly about.

That $98 billion that came in goes directly into the big government checkbook, the general fund. Now we spend all the money out of the general fund, and when we are all done spending that money there is not enough money left to put the $98 billion down in the Social Security Trust Fund. So, instead, what our Government does is it makes an accounting entry and simply puts an IOU down here in the Social Security Trust Fund.

The technical name for this is a nonnegotiable Treasury bond. But the bottom line is that $98 billion of surplus goes straight into the big government checkbook. They spend all the money out of the big government checkbook, and there is nothing left to put in the Social Security Trust Fund. So they simply make an accounting entry. It is called a nonnegotiable Treasury bond that goes down here.

It is important to understand what nonnegotiable Treasury bond means. Nonnegotiable Treasury bonds means it cannot be sold.

So when we come back to this other picture and we take a look at what happens down the road a little ways when the baby-boom generation gets here, remember the revenues, the amount of money that is coming in today, is higher than the amount of money that is being paid out to our seniors in benefits. So today it works.

The idea is that when those two numbers turn around, there is not enough

money coming in, we are supposed to be able to go to this trust fund and get the money to make good on the Social Security payments. The problem is this: Since that trust fund is full of IOUs, or nonnegotiable, nonmarketable, something you cannot sell, it is full of IOUs, and since it is full of IOUs, when the time comes that there is not enough money coming in and too much going out, where is the money going to come from? And at that point in time, we reach the point where we either have to raise taxes on workers or we have to reduce benefits to our senior citizens; and neither one of those are very desirable.

Now, what has happened in the budget plan, we heard the President say that he was going to put Social Security first in our consideration. And when we listened to the rest of the State of the Union address, Social Security first, and then we heard about a whole series of new spending programs.

Now I think it is important to understand that when we say we are going to put Social Security first and then we describe a whole raft of new spending programs that what is actually happening is Social Security is not actually being put first but someplace else down the list.

So let us look at what happened in the State of the Union address and in the budget that the President presented this week.

The extra Social Security money, that $98 billion, it is still going in the government checkbook. We are still spending virtually all of the money out of that big government checkbook.

But the President said, okay, we are going to run a surplus for the first time; and that is good. We should not downgrade this or say this is all bad. The good news is that this is the first time since 1969 that, even with the Social Security money, they got to a point where they balanced the budget, according to Washington definition.

Here is what the President proposed. He proposed to keep putting the $98 billion into the big government fund. When we are all done spending all the money that we spend for a year out of the big government checkbook, whatever is left over we will put aside for Social Security.

Today I sat in the Committee on the Budget, and I had a chance to listen to Mr. Raines describe exactly what was going to happen. I think it is very, very important that my colleagues understand the $98 billion still goes into the big government checkbook; the money gets spent out of the big government checkbook. The only things we are talking about is that small surplus or $9 billion, that is the leftover amount out of this checkbook; and it does not even get put into the Social Security Trust Fund. What they actually are going to do is pay down debt with that money.

Now, paying down debt is good. Getting to a balanced budget is good. Spending less money than we have in our checkbook, that is good. But the idea that the only thing we are going to do for Social Security is put the leftovers down there, that is not okay, and that is the reason I am here tonight talking about the Social Security issue.

About 2 years ago we wrote in my office a bill called the Social Security Preservation Act, and I am happy to say many people on both sides of the aisle are now cosponsors on the Social Security Preservation Act.

Here is what it does. The Social Security Preservation Act simply takes that $98 billion and directs it straight down here into the Social Security Trust Fund. What we want to do is cut off that cash flow into the big government checkbook so that Social Security, in fact, is treated first.

Now what this would do is put all $98 billion down into the trust fund this year; and that would mean that, instead of reporting a $9 billion surplus, we would instead be reporting approximately an $87 billion deficit.

I do not want to take anything away from the people that have done a lot of hard work, good hard work, out in this city to get us to a ''balanced budget.'' We need to understand, in Washington when they say ''balanced budget,'' what they mean is the dollars coming into the Federal Government is equal to the dollars going back out from the Federal Government. By that definition, their budget was balanced here for the first time since 1969; and, again, that is good. That is important, and it is good. But what we really need to do is start putting this money right straight down here in the Social Security Trust Fund so we honestly reflect the situation that exists out here.

I come from the private sector. Before 1995, I never held a public office. In the private sector, when we ran a business, if we would have taken the pension money, put it in our general account and spent all the money out of the general account and put an IOU in the trust fund, the way Social Security is working today, they would have arrested us in the private sector. It would be absolutely illegal to do the same thing in the private sector that we do with Social Security today.

So I am here tonight to call on my colleagues to join us in the Social Security Preservation Act. I do not consider it an Einstein kind of bill. It is pretty common sense, pretty straightforward. It simply says the extra money coming in for Social Security ought to be put down here in the Social Security Trust Fund. It is bill H.R. 857, and I am asking tonight that my colleagues join me in this bill.

We have been working at this for 3 years out of my office, and I am happy to say it has now come to the forefront. Let us not accept anything less than truly putting Social Security first as we look at the budget this year. There is no good reason at this point in time that we cannot be putting true money, real dollars, down here in the Social Security Trust Fund so that our senior citizens are once again safe.

I should add in this conversation, this is not only about preserving Social Security for our senior citizens. This is about people in their 40s and 50s who are expecting to get Social Security when they retire; and, equally important, it is about those same people in their 30s and 40s and 50s that, if this is not done and we reach a point where there is not enough money coming in for Social Security to pay the benefits, that choice between cutting Social Security benefits for our senior citizens or raising taxes for workers is going to be a very tough choice. And it is something that we need to head off right now by simply doing what the Social Security system was set up to do in the first place.

I think it is time that H.R. 857, our Social Security Preservation Act, gets brought to the floor of the House of Representatives; and I think it is time that we have enough cosponsors of this bill. We have got 85 or 90.

And, again, I want to emphasize that there are both Republicans and Democrats on this bill. This is not a partisan issue. This is an issue about what is right for the seniors of this country, what is right for the workers of this country, and what is right as we look forward into the future as it relates to Social Security.

Having said this, I think it is important that we look at where we are at in this budget before we hear lots of new proposals for spending.

If I could ask to bring those other charts and just take a little look back on where we have been and a little look forward of where we are going to. And, again, for any of my colleagues who have seen parts of this presentation before, we have updated these charts.

I always show the first one, which we have not changed. That is the growing debt facing our country. What this shows is the growth in debt from 1960 all the way up to where we are today. We will notice the debt is still rising today. Even though in Washington we are hearing that the budget is balanced, most people would think that when the budget is balanced the debt stops growing.

But, again, I talk about the Social Security issue. Remember that even when the budget is balanced, that is to say the dollars coming into Washington are equal to the dollars going out of Washington, and again remember that is the first time in nearly 30 years that has happened, that is good. But even when we get to that point, there is still a debt to the Social Security Trust Fund. That is why we see that, even though we are hearing about a balanced budget, the debt is still rising.

I think it is also important to understand just how big this debt is. For anybody that has seen parts of this presentation before, a week ago I brought the numbers out here that were approximately a year and a half

old, and it was $5.3 trillion. The reality is the debt, the United States Government debt, has now grown to $5.5 trillion.

Let me put that another way. The United States Government has spent $5.5 trillion on behalf of the American people more than what they collected in taxes.

That is an awful big number. So let me translate that into English. If we divide that debt by the number of people in the United States of America, the debt is now $20,400 for every man, woman, and child in the United States of America. Or, for a family of five, like mine, the debt is now $102,000.

The kicker of this whole thing is really the bottom line here. We see a lot of people say, ''So what if we are in debt?'' But the ''so what'' part is that we are paying interest on that debt; and a family of five, like mine, or any group of five in America, they are actually paying $580 a month every month to pay nothing but the Federal interest on that debt.

We need to put this in perspective of where we are at today and what is really going on in this country as we listen to budget discussions.

We saw the President on TV recently where he put that big zero in there; the budget is balanced. We need to not forget that this debt is still out there and that our families are paying $580 a month every month to pay nothing but interest on the debt.

And for any of my colleagues who think their families are not paying that much every month to pay interest on the debt, just think about walking in the store and buying a pair of shoes for your kids. The store owner makes a small profit when you buy that pair of shoes and, of course, part of that profit gets sent out here to Washington, D.C.

□ 1945

As a matter of fact, $1 out of every 6 that the United States Government collects from taxpayers gets spent on nothing other than interest on this Federal debt.

The beauty is we are going forward. And they start talking about running surpluses, and as we eventually start running true surpluses, surpluses that allow for the Social Security money to be set aside, if we start running true surpluses, we can start paying this debt down.

A second bill I would like to mention tonight is called the National Debt Repayment Act. What the National Debt Repayment Act is is really the second part of restoring Social Security. It is much like a home mortgage payment.

I come from the home building business before I was elected to office, so it is kind of like the same thing we used to do with folks when they moved into a house. This debt is much like a home mortgage for many people. What we suggested we do in the National Debt Repayment Act is simply set up a home mortgage-type repayment plan and pay the debt off.

Under our plan, under the National Debt Repayment Act, the entire Federal debt would be paid off by the year 2026, and maybe sooner. It could go faster. We use two-thirds of any surpluses to go to debt repayment. We dedicate the other one-third to the other problem that I think is very real in this country, and that is taxes are too high. So two-thirds of any surpluses that materialize go to debt repayment.

I have dedicated much of this tonight to Social Security. Let me talk about how this affects the Social Security System. The theft of that Social Security Trust Fund money, the taking of that money and spending it on other government programs, that has been going on since 1983. There is about $600 billion that is supposed to be in the Social Security kitty today that is not there.

The first thing we need to do for Social Security is what I described earlier, the Social Security Preservation Act. We need to stop taking the money out this year, $9 billion. We need to put that money into the Social Security Trust Fund. But that doesn't solve the problem of that $600 billion that has been taken since 1983. So the second thing we need to do is recognize that $600 billion is part of this $5.5 trillion.

Now, as we repay this debt, our National Debt Repayment Act would put the money back into the Social Security Trust Fund. Let me say that again, because it is a little confusing, because it is a little difficult to understand that this $5.5 trillion, it represents a whole bunch of different things. But one of the things that makes up this $5.5 trillion is the Social Security Trust Fund money, the $600 billion that has been taken out since 1983. So under our National Debt Repayment Act, as we are paying down the Federal debt, we are also restoring the Social Security Trust Fund.

That bill again is called the National Debt Repayment Act, and what it does is dedicate two-thirds of any surpluses to reducing the debt, paying the debt back, like a home mortgage repayment plan, and the other one-third to another big problem in our country, which is taxes are too high on the American people. So two-thirds to debt repayment, one-third to lowering taxes.

Now, as we start repaying this Federal debt, I think a couple other things happen. First, as the debt goes down, the amount of interest we need to collect from the taxpayers goes down. So as the debt goes down, we should be able to provide tax relief to the workers out there.

The overall bill when we look at the National Debt Repayment Act, it pays off the debt in its entirety by the year 2026, so we can give this Nation to our children debt-free; it restores the Social Security Trust Fund. It puts the money back into Social Security that has been taken out. And for the people in the work force today, there will be no need to collect the additional tax money, because we will not need the money to pay interest on the debt as we keep paying this thing down.

It is also significant to just take a look at some of the things that have changed from before to where we are at today. This will probably make a little more sense right-side up than it does upside down. I think it is important to take a glance at least briefly at this chart to understand how it is we got to where we are today.

I have heard a lot of discussions about who gets credit; it is the Democrats, the President, it is the Democrats in the House, it is the Republicans in the House. I think it is time as Americans we recognize it really doesn't matter who gets credit. The fact is we have reached for the first time in nearly 30 years a point where the United States Government did not spend more money than they had in their checkbook.

We still got problems. The Social Security Trust Fund is a huge problem. It needs to be put first, and it needs to be put truly first, not first after we create a whole bunch of new spending programs.

I would like to show this chart, because it helps people understand just exactly how we got to where we are today.

When I took office in 1995, we had just lived through the 1993 tax increase and more broken promises of a balanced budget than I care to think about. You can start back to Gramm–Rudman-Hollings Act in 1985 or 1987, or the budget deal in 1990, or the 1993 deal where they raised taxes significantly. The bottom line is the theory was that if we could take more money out of the pockets of the American people, the people that were here in office, they were going to take more money out of the pockets of the American people, and somehow if they took enough money from the American people, that would lead us to a balanced budget.

When we were elected in 1995, that changed. That theory that raising taxes was going to balance the budget was thrown out. As a matter of fact, that 1993 tax increase is why a lot of us are here. The American people did not want higher taxes and more Washington spending. They wanted a balanced budget by controlling the growth of Washington spending. They wanted less Washington and more money in their own pockets. They wanted less Washington, a balanced budget and lower taxes. That is what they wanted. That is why there was a changeover in 1995. In 1995, before we got here, the spending growth rate in Washington was 5.2 percent. That is this red column. That is how fast spending was going up each year on an average basis over the previous seven years.

Since we have been here, it is going up by 3.2 percent. So the growth of Washington spending has been dramatically slowed over the last three year period of time. It is down by 40 percent.

The good news is the year we just completed, it was not only below 3.2, but actually down to 2.6 percent. It is the first time in a long time it has been actually under the rate of inflation.

Let me say that again so it makes a little more sense. The rate of growth of spending in Washington was actually less than the rate of growth of inflation in our country. So Washington did actually shrink, perhaps for the first time in a generation, last year in real dollar terms.

Now, do not let anybody mistake me saying that that means Washington is small enough. Washington still takes way too much money from the American people, they spend too much money out here, and there is all kinds of waste that should be eliminated. So I am not trying to lead anybody to believe the job is done. This job is not done. We have a long ways to go.

Are we on the right track? Slowing the growth of Washington spending by 40 percent in two years, getting us to a point where we actually have a balanced budget and spent less money than we have in our check book for the first time since 1969? That is all good stuff.

We need to keep this in perspective of the Social Security Trust Fund, we need to understand we have a long ways to go, we need to recognize the progress that has been made, but at the same time we are recognizing that progress, we need to recognize how far we still have to go.

There is one other topic I would like to briefly discuss today. We talked about the past and how we had broken promises and how we had tax increases from 1993. We have talked about our new theory of less Washington, leading us to a balanced budget and more money in the pockets of the people.

I would like to talk specifically about that more money in the pockets of the people, because last year, for the first time, taxes were cut for the American people.

I was somewhat shocked this weekend, I was at a particular place in our district, we had about 200 people there, in our state, we had about 200 people there, not many people actually knew that the tax cut package had been passed into law and was available right now in January 1998 for virtually any taxpayer with a child under the age of 17 earning less than $110,000 a year.

Right now, today, January 1998, if a child under the age of 17 is in your family, you can fill out a new W–4 form and start taking home $33 a month more right now, this January. It is a $400 per child tax credit.

Now, if you do not do anything, you are still going to get the tax credit, but you are not going to get it until 1999. By going in and filling out a new W–4 form, any parent or constituent of ours or my colleagues out there in America can literally start taking home $33 a month more right now. The $33 a month is the $400 tax credit divided up amongst the 12 months. All we have to do, all that has to be done, is a new W–4 has to be filled out.

Let me make that very clear. If we have a family in our districts that has a child under the age of 17, and they go in and fill out a new W–4, and then they look at their December paycheck and they compare it to their January paycheck, their January paycheck should be $33 bigger than their December paycheck. For a family with three kids, that is $100 a month. All a family has to do is simply go in and fill out a new W–4, and a family with three kids under the age of 17 starts taking home $100 a months more immediately.

There is more to the tax cut package. We put education as a top priority. If you have a freshman or sophomore in college, in virtually all cases they are eligible for a $1,500 tax credit.

Again, let me translate that. Because if the people do not do anything, they are going to get the $1,500 dollars back at the end of the year, April of 1999. But you can start getting that money back in your pocket right now.

The college students I know, they have got college tuition bills to pay right now and in the fall of this year. If a senior in high school is looking ahead to college, that college bill comes due in fall of this year, not in April of 1999.

So what the parents need to do is go in and change the W–4 forms. If you are going to have a freshman or sophomore in college, you start taking home $125 a month right now, January 1998. There is no reason to wait.

There is another problem with not doing it. If you do not fill out a new W–4 form to take that extra money into their home right now today, that means that Washington is going to be getting $33 per month per child, or $125 a month for a freshman or sophomore in college, and that money is going to be coming out here to Washington, instead of the people keeping it in their own homes. When Washington sees this big pile of money that actually belongs out there in the homes of the American people, when Washington sees that big pile of money, they are going to want to spend it.

So the problem with this waiting until 1999 to get the tax credit is that Washington gets the people's money in the interim, and it is very difficult in this city when people see this money to get them to not spend it.

So it would be a tremendous help to all of the elected officials, all of my colleagues here and myself in Washington, if the people would very simply keep their own money in their homes. For juniors and seniors in college, it is 20 percent of the first $5,000 cost, up to $1,000 total.

If folks own their own home, and I am going on with some of the other tax cut provisions that are included, if folks own their own home and they sell it, they have been there for two years or longer, there is no longer any Federal taxes due in the vast majority of the cases.

If someone has made an investment in stocks and bonds, and, again, I spend a lot of time with people in Wisconsin, and as I ask people in Wisconsin, I ask rooms full of people how many own a stock or bond or mutual fund, and virtually every hand in the room goes up. We are in a day and an age where people have made investments into stocks and bonds and mutual funds. I talk to them about the fact if they make a profit, and I tell them I hope they make a profit, I do not know of anybody who invests in stocks or bonds or mutual funds with the intent of losing money, I hope they make a profit. That means the economy is good. That is what this is all about.

So when they make that profit, instead of sending 28 cents out of every dollar to Washington, they now only send 20 cents, because capital gains is reduced from 28 percent to 20, and if you earn less than $41,000 a year, it was reduced from 15 percent down to 10. These are very significant changes.

Then I talk to a lot of folks in the room where the kids are grown and gone and they are starting to think seriously about retirement. I talk to them about the Roth IRA. It is a new kind of IRA where you can put $2,000 per person per year into this account, and you do not get the tax break up front, but all of the interest and earnings that accumulates on that $2,000 between whenever you put it in and retirement, it accumulates absolutely tax-free, and when you take it out there is no taxes due. A monumental change in the Tax Code.

One other thing to mention in the Tax Code change, there are a lot of middle income families in America today that, for whatever reason, to find out they can't have their own children and would like to adopt a child. I think this is a very important, very significant Tax Code change.

In America today, it costs about $10,000 to get through the legal red tape to adopt a child. So what we have done in the Tax Code is provided a $5,000 adoption tax credit, so that if a middle income family finds themselves in a situation where they cannot have their own children and they would like to adopt a child, that tax credit is now available to assist and to help in that particular situation.

I have talked about a lot of issues here tonight. If I could close with where we started basically, and that is the Social Security issue, I think it is very, very important as the people listen to the debate here in Washington and my colleagues talk about Social Security and putting Social Security first, I think it is very important that we remember Social Security is collecting this year alone $98 billion more than it is paying out our seniors in benefits. That money is being spent on other government programs right now. At this point the proposal is simply to give the leftovers to Social Security.

It does not have to be that way. The Social Security Preservation Act would require that that $98 billion, not IOU's, real money, gets put directly

into the Social Security Trust Fund, so Social Security would once again be safe and solvent for our senior citizens.

There is $600 billion that has been taken out of the Social Security Trust Fund and spent on other government programs between 1983 and today. Our National Debt Repayment Act, we do not have to ignore that money. It is not gone. We do not have to say we cannot pay that money back.

That $600 billion that has been taken out of the Social Security Trust Fund, that is all part of the national debt, the $5.5 trillion. All we have to do is pass the National Debt Repayment Act and as we repay that Federal debt, we find ourselves in a position where part of that debt is the Social Security Trust Fund, so the money gets back into the Social Security Trust Fund.

So tonight I am encouraging my colleagues to join me in two separate bills, the Social Security Preservation Act, which truly would put Social Security first, and the National Debt Repayment Act, which would pay off the entire Federal debt by the year 2026, so our children inherit a debt free Nation. It would restore the Social Security Trust Fund, so Social Security would again be solvent for our senior citizens, and it would lower taxes, taking one-third of any surpluses and dedicating it towards tax reduction.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of medical reasons.

Ms. ESHOO (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of a death in the family.

Mr. MANTON (at the request of Mr. GEPHARDT) for today, on account of personal business.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today and tomorrow, on account of district business.

Mr. GILLMOR (at the request of Mr. ARMEY) for January 27, on account of the birth of a granddaughter.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. PEASE) to revise and extend their remarks and include extraneous material:

Mr. WOLF, for 5 minutes on February 5.

Mr. GEKAS for 5 minutes today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

The following Members (at the request of Mr. Clement) and to include extraneous matter:

Mr. Skelton.
Mr. Lantos.
Mr. Pascrell.
Mr. Berman.
Mr. Farr of California.
Mr. Stark.
Mr. Deutsch.
Mr. Barrett of Wisconsin.
Mr. Hamilton.
Mr. Manton.
Mr. Schumer.
Mr. LEVIN.
Mr. Kleczka.
Mr. Fazio of California.

The following Members (at the request of Mr. Pease) and to include extraneous matter:

Mr. Talent.
Mr. Radanovich.
Mr. Gilman.
Mr. Ramstad.
Mr. Solomon.
Mr. Sensenbrenner.

The following Members (at the request of Mr. Miller of Florida) and to include extraneous matter:

Ms. Ros-Lehtinen.
Mr. Bilirakis.
Mrs. JOHNSON of Connecticut.
Mr. Packard.
Mr. SMITH of New Jersey.
Mr. Barrett of Wisconsin.
Mr. Dellums.
Mr. Combest.
Mr. Kanjorski.
Mr. Blagojevich.
Mr. Payne.
Mr. Knollenberg.
Mr. Kildee.
Mr. Kind.
Mr. Filner.
Mr. McIntosh, in two instances.
Mr. Oberstar.
Mr. Torres.
Mr. Baker.
Mr. Gillmor.
Ms. Stabenow.
Mr. Farr of California.
Mr. Clyburn.

The following Members (at the request of Mr. Neumann) and to include extraneous matter:

Mr. Clyburn, in three instances.
Mrs. Mink of Hawaii.
Mr. Thune.

□ 2000

ADJOURNMENT

Mr. NEUMANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock p.m.), the House adjourned until tomorrow, Wednesday, February 4, 1998, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

6724. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Peanuts Marketed in the United States; Relaxation of Handling Regulations [Docket Nos. FV97–997–1 IFR and FV97–998–1 IFR] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6725. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida and Imported Grapefruit; Relaxation of the Minimum Size Requirement for Red Seedless Grapefruit [Docket No. FV98–905–2 IFR] received January 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6726. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Hazelnuts Grown in Oregon and Washington; Establishment of Interim and Final Free and Restricted Percentages for the 1997–98 Marketing Year [Docket No. FV98–982–1 IFR] received January 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6727. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Tomatoes Grown in Florida and Imported Tomatoes; Final Rule to Change Minimum Size and Size Designation Requirements [Docket No. FV97–966–1 FR] received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6728. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Grapes Grown in a Designated Area of Southeastern California; Revision to Container Requirements [Docket No. FV98–925–2 IFR] received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6729. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Tart Cherries Grown in the States of Michigan, et al; Temporary Suspension of Proviso for Exporting Juice and Juice Concentrate; Establishment of Regulations for Handler Diversion [Docket No. FV97–930–4 IFR] received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6730. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Limiting the Volume of Small Florida Red Seedless Grapefruit [Docket No. FV97–905–1 FIR] received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6731. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Grapes Grown in a Designated Area of Southeastern California; Temporary Suspension of Continuing Assessment Rate [Docket No. FV98–925–1 IFR] received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6732. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Onions Grown in South Texas; Decreased Assessment Rate [Docket No. FV98–959–1 IFR] received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6733. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Humane Treatment of Dogs and Cats; Wire Flooring [Docket No. 95–100–2] (RIN: 0579–AA78) received January 23, 1998,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6734. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Horses from Mexico; Quarantine Requirements [Docket No. 96–052–3] received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6735. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule— Restrictions on the Importation of Ruminants, Meat and Meat Products From Ruminates, and Certain Other Ruminant Products [Docket No. 97–127–1] received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6736. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans for Louisiana: Motor Vehicle Inspection and Maintenance Program; Correction [LA–33–1–7374; FRL–5955–9] received January 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6737. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Consolidation of Certain Food and Feed Additive Tolerance Regulations [OPP–300572; FRL–5755–9] (RIN: 2070–AB78) received January 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6738. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Carboxin; Extension of Tolerance for Emergency Exemptions [OPP–300604; FRL–5766–5] (RIN: 2070–AB78) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6739. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Zinc Phosphide; Pesticide Tolerances for Emergency Exemptions [OPP–300453; FRL–5588–1] (RIN: 2070–AB78) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6740. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Sodium Bicarbonate and Potassium Bicarbonate; Tolerance Exemptions [OPP–300440A; FRL–5572–2] (RIN: 2070–AB78) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6741. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Tree Assistance Program (RIN: 0560–AF17) received January 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6742. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—Hybrid Seed Crop Insurance Regulations; and Common Crop Insurance Regulations, Hybrid Seed Corn Crop Insurance Provisions (RIN: 0563–AA78) received January 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6743. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—General Crop Insurance Regulations; Hybrid Sorghum Seed Endorsement and Common Crop Insurance Regulations; Hybrid Sorghum Seed Crop Insurance Provisions (RIN: 0563–AB03) received December 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6744. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—Common Crop Insurance Regulations; Canola and Rapeseed Crop Insurance Provisions [7 CFR Part 457] received December 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6745. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—Potato Crop Insurance Regulations; and Common Crop Insurance Regulations, Northern Potato Crop Insurance Provisions, Central and Southern Potato Crop Insurance Provisions, Northern Potato Quality Endorsement Crop Insurance Provisions, Northern Processing Potato Quality Endorsement Crop Insurance Provisions, Certified Seed Potato Endorsement Crop Insurance Provisions, and Northern Potato Storage Endorsement Crop Insurance Provisions [7 CFR Parts 422 and 457] received December 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6746. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—Common Crop Insurance Regulations; Basic Provisions; and Various Crop Insurance Provisions (RIN: 0563–AB03) received December 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6747. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—Pea Crop Insurance Regulations; and Common Crop Insurance Regulations, Dry Pea Crop Insurance Provisions [7 CFR Part 457] received January 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6748. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—Sweet Corn Insurance Regulations; and Common Crop Insurance Regulations, Processing Sweet Corn Crop Insurance Provisions [7 CFR Parts 437 and 457] received January 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6749. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—Public Information [7 CFR Part 412] received January 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6750. A communication from the President of the United States, transmitting a request for emergency appropriations of $6,000,000 for the Department of Agriculture from the sale of grain in the disaster reserve established in the Agricultural Act of 1970, pursuant to 31 U.S.C. 1107; (H. Doc. No. 105—198); to the Committee on Appropriations and ordered to be printed.

6751. A communication from the President of the United States, transmitting a report of eight new deferrals of budgetary resources, totaling $4.8 billion, pursuant to 2 U.S.C. 684(a); (H. Doc. No. 105—205); to the Committee on Appropriations and ordered to be printed.

6752. A communication from the President of the United States, transmitting the Budget of the United States Government, Fiscal Year 1999, pursuant to 31 U.S.C. 1105(a); (H. Doc. No. 105—177); to the Committee on Appropriations and ordered to be printed.

6753. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the report on military expenditures for countries receiving U.S. assistance, pursuant to section 511(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1993; to the Committee on Appropriations.

6754. A letter from the Acting Director, Defense Finance and Accounting Service, transmitting notification that the Defense Finance and Accounting Service is modifying the scope of the cost comparison study of accounting functions supporting the Defense Commissary Agency announced on July 18, 1997, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

6755. A letter from the Director, Office of the Secretary, Department of Defense, transmitting the Department's final rule—Compensation of Certain Former Operatives Incarcerated by the Democratic Republic of Vietnam (RIN: 0790–AG43) received January 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

6756. A letter from the Director, Office of the Secretary, Department of Defense, transmitting the Department's final rule—National Policy on Reciprocity of Failures and Guidelines for Implementation of Reciprocity (RIN: 0790–AG55) received January 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

6757. A letter from the Director, Office of Secretary, Department of Defense, transmitting the Department's final rule—Personnel Security Policies for Granting Access to Classified Information (RIN: 0790–AG54) received January 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

6758. A letter from the Director, Office of the Secretary, Department of Defense, transmitting the Department's final rule—National Policy on Technical Surveillance Countermeasures (RIN: 0790–AG56) received January 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

6759. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Determination of Fair and Reasonable Guideline Rates for the Carriage of Bulk and Packaged Preference Cargoes on U.S.-Flag Commercial Vessels [Docket No. R–158] (RIN: 2133–AB19) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

6760. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule— Reservists' Education: Increase in Rates Payable Under the Montgomery GI Bill —Selected Reserve (Coast Guard) (RIN: 2900–AI89) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

6761. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule—Rural Rental Housing Assistance (RIN: 0575–AC15) received December 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6762. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule— Risk-Based Capital Standards: Market Risk [12 CFR Part 325] received December 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6763. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Membership Eligibility [No. 97–66] (RIN: 3069–AA66) received January 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6764. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting a report on a notice of

relief from regulatory provisions for Student Assistance General Provisions, Federal Perkins Loan, Federal Work-Study, Federal Supplemental Educational Opportunity Grant, Federal Family Education Loan, William D. FORD Federal Direct Loan, and Federal Pell Grant Programs, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

6765. A letter from the Assistant Secretary for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—National Mine Health and Safety Academy (RIN: 1219–AB04) received December 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6766. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29 CFR Part 4044] received January 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6767. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29 CFR Part 4044] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6768. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Finding Aids; Terminology; Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans (RIN: 1212–AA75) received January 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6769. A letter from the Secretary of Health and Human Services, transmitting the 1995 annual report on the National Health Service Corps (NHSC), the NHSC Scholarship Program (NHSCSP), and the NHSC Loan Repayment Program (NHSC/LRP), pursuant to 42 U.S.C. 254b(g); to the Committee on Commerce.

6770. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Nuclear Classification and Declassification (RIN: 1901–AA21) received January 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6771. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; 15 Percent Plan and 1990 VOC Emission Inventory for the Pittsburgh-Beaver Valley Area [PA 098–4055; FRL–5946–7] received January 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6772. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Commonwealth of Puerto Rico; Final Approval of State Underground Storage Tank Program [FRL–5938–5] received January 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6773. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Underground Storage Tank Program: Approved State Program for the Commonwealth of Puerto Rico [FRL–5938–6] received January 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6774. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Allocation of 1998 Essential Use Allowances [FRL–5953–6] (RIN: 2060–AG48) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6775. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plan; Ohio [OH58–1a; FRL–5954–6] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6776. A letter from the Administrator, Environmental Protection Agency, transmitting the Mercury Study Report, pursuant to section 112(n)(1)(B) of the Clean Air Act, as amended in 1990; to the Committee on Commerce.

6777. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management Program: Incorporation by Reference of Approved State Hazardous Waste Program for Florida [FRL–5948–1] received January 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6778. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 041–1041; FRL–5948–4] received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6779. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acid Rain Program: Revisions to Permits, Allowance System, Sulfur Dioxide Opt-Ins, Continuous Emission Monitoring, Excess Emissions, and Appeal Procedures [FRL–5936–3] (RIN: 2060–AF43) received December 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6780. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Determination of Attainment of the One-Hour Ozone Standard for the Poughkeepsie, New York Ozone Nonattainment Area and Determination Regarding Applicability of Certain Reasonable Further Progress and Attainment Demonstration Requirements [Region 2 Docket No. NY 26–2–176a; FRL–5936–8] received December 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6781. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tennessee; Final Authorization of Revisions to State Hazardous Waste Management Program [FRL–5956–4] received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6782. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Utah; Control of Landfill Gas Emissions from Existing Municipal Solid Waste Landfills [UT001–0010a and UT0011a; FRL–5948–7] received January 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6783. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Florida: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–5948–2] received January 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6784. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana [IN80–1a; FRL–5929–5] received January 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6785. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Preliminary Assessment Information and Health and Safety Data Reporting; Stay of a Final Rule [OPPTS–82049A; FRL–5577–6] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6786. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Solid Waste Programs; Management Guidelines for Beverage Containers and Resource Recovery Facilities Guidelines; Removal of Obsolete Guidelines [FRL–5670–6] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6787. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Final Authorization of State Hazardous Waste Management Program; Missouri [FRL–5832–8] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6788. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Interim Final Determination for Approval of the District of Columbia New Source Review Submittal [SIPTRAX DC032–2005; FRL–5832–9] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6789. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Preliminary Assessment Information and Health and Safety Data Reporting; Addition of Chemicals [OPPTS–82049; FRL–5397–9] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6790. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Benzidine-Based Chemical Substances; Significant New Uses of Certain Chemical Substances [OPPTS–50617A; FRL–5396–6] (RIN: 2070–AA58) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6791. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Utah; Improved Motor Vehicle Inspection and Maintenance Program [UT-NHA–02; FRL–5834–9] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6792. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; 15 Percent Plan

and 1990 VOC Emission Inventory for the Philadelphia Area [PA 099–4063; FRL–5837–6] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6793. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Ambient Air Quality Standards for Nitrogen Dioxide: Final Decision [AD-FRL–5632–1] (RIN: 2060–AC06) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6794. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Aliphatic Ester; Revocation of a Significant New Use Rule [OPPTS–50622D; FRL–5715–2] (RIN: 2070–AB27) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6795. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revocation of Significant New Use Rules for Certain Chemical Substances [OPPTS–50581D; FRL–5715–3] (RIN: 2070–AB27) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6796. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Limitation of Future Contracting [FRL–5684–1] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6797. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation; Removal of Outdated or Unnecessary Coverage [FRL–5639–5] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6798. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Drinking Water State Revolving Fund Program Guidelines—received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6799. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Credible Evidence Revisions [FRL–5691–2] (RIN: 2020–AA27) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6800. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Ocean Dumping; Amendment of Site Designation; Correction of Effective Date Under Congressional Review Act [FRL–5944–9] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6801. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Solid Waste Programs; Management Guidelines for Beverage Containers and Resource Recovery Facilities Guidelines; Removal of Obsolete Guidelines: Correction of Effective Date Under Congressional Review Act [FRL–5944–7] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6802. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Final Authorization of State Hazardous Waste Management Program; Missouri: Correction of Effective Date Under Congressional Review Act [FRL–5944–8] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6803. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Credible Evidence Revisions; Correction of Effective Date Under Congressional Review Act [FRL–5943–4] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6804. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Preliminary Assessment Information and Health and Safety Data Reporting; Addition of Chemicals; Stay of Final Rule: Correction of Effective Date Under Congressional Review Act [FRL–5944–5] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6805. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Zinc Phosphide; Pesticide Tolerances for Emergency Exemptions: Correction of Effective Date [FRL–5944–4] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6806. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Sodium Bicarbonate and Potassium Bicarbonate; Tolerance Exemptions: Correction of Effective Date [FRL–5943–8] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6807. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania: 15 Percent Plan and 1990 VOC Emission Inventory for the Philadelphia Area: Correction of Effective Date [PA 099–4063; FRL–5945–4] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6808. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Acquisition Regulation: Removal of Certification Requirements Regarding Collection, Use, Access, Treatment, and Disclosure of Confidential Business Information: Correction of Effective Date [FRL–5944–3] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6809. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Acquisition Regulation: Limitation of Future Contracting: Correction of Effective Date [FRL–5943–5] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6810. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Benzidine-Based Chemical Substances; Significant New Uses of Certain Chemical Substances: Correction of Effective Date [FRL–5943–6] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6811. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Aliphatic Ester; Revocation of Significant New Use Rule: Correction of Effective Date [FRL–5943–9] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6812. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Revocation of Significant New Use Rules for Certain Chemical Substances: Correction of Effective Date [FRL–5943–7] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6813. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Acquisition Regulation; Removal of Outdated or Unnecessary Coverage: Correction of Effective Date [FRL–5945–5] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6814. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Air Quality Implementation Plans: Utah; Improved Motor Vehicle Inspection and Maintenance Program: Correction of Effective Date [FRL–5945–2] received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6815. A letter from the Administrator, Environmental Protection Agency, transmitting the second triennial report on the Status of the Hazardous Air Pollutant Program under the Clean Air Act; to the Committee on Commerce.

6816. A letter from the AMD—Performance Evaluation and RECORDS Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Waelder and Yorktown, Texas) [MM Docket No. 97–22, RM–8953, RM–9075] received January 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6817. A letter from the AMD—Performance Evaluation and RECORDS Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Goldsmith, Texas) [MM Docket No. 97–197, RM–9154] received January 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6818. A letter from the AMD—Performance Evaluation and RECORDS Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Gideon, Missouri) [MM Docket No. 97–120, RM–9054] received January 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6819. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Polymers [Docket No. 96F–0213] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6820. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Listing of Color Additives Exempt From Certification; Ferrous Lactate; Confirmation of Effective Date [Docket No. 93G–

0017] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6821. A letter from the Deputy Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 96F–0101] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6822. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adhesives and Componets of Coatings; Adjuvants, Production Aids, and Sanitizers [Docket No. 95F–0210] received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6823. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Policy on 180–Day Marketing Exclusively for Drugs Marketed Under Abbreviated New Drug Applications; Clarification [Docket No. 85N–0214] received December 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6824. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Deliberate Misconduct by Unlicensed Persons (RIN: 3150–AF35) received January 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6825. A letter from the Chairman, Nuclear Waste Technical Review Board, transmitting the second report of 1997 as required by the Nuclear Waste Policy Amendments Act of 1987, Public Law 100–203; to the Committee on Commerce.

6826. A letter from the Secretary of Transportation, transmitting the Superfund Financial Transactions Report for Fiscal Year 1997, pursuant to Public Law 99—499, section 120(e)(5) (100 Stat. 1669); to the Committee on Commerce.

6827. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Covered Securities Pursuant to Section 18 of the Securities Act of 1933 [Release No. 33–7494, 34–39542, File No. S7–17–97] (RIN: 3235–AH18) received January 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6828. A communication from the President of the United States, transmitting a report on actions and policies of the National Union for the Total Independence of Angola (UNITA) and the national emergency declared in Executive Order 12865, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 105—189); to the Committee on International Relations and ordered to be printed.

6829. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency declared by Executive Order 12924 of August 19, 1994, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 105—191); to the Committee on International Relations and ordered to be printed.

6830. A communication from the President of the United States, transmitting notification that the emergency declared with Libya is to continue in effect beyond January 7, 1998, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 105—193); to the Committee on International Relations and ordered to be printed.

6831. A communication from the President of the United States, transmitting a report on developments concerning the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 105—194); to the Committee on International Relations and ordered to be printed.

6832. A communication from the President of the United States, transmitting notification that the emergency declared with respect to grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process is to continue in effect beyond January 23, 1998, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 105—195); to the Committee on International Relations and ordered to be printed.

6833. A communication from the President of the United States, transmitting a report on actions and expenses directly related to the exercise of powers and authorities conferred by the declaration of a national emergency in Executive Order 12808 as expanded with respect to the Bosnian Serbs in Executive Order 12934 covering the period from May 30 through November 29, 1997, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 105—199); to the Committee on International Relations and ordered to be printed.

6834. A communication from the President of the United States, transmitting a report on developments concerning the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 105—201); to the Committee on International Relations and ordered to be printed.

6835. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council, pursuant to Public Law 102—1, section 3 (105 Stat. 4); (H. Doc. No. 105—202); to the Committee on International Relations and ordered to be printed.

6836. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 98–19), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

6837. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on PLO compliance, pursuant to Public Law 101—246, section 804(b) (104 Stat. 78); to the Committee on International Relations.

6838. A communication from the President of the United States, transmitting the bimonthly report on progress toward a negotiated settlement of the Cyprus question, including any relevant reports from the Secretary General of the United Nations, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

6839. A letter from the Secretary of Defense, transmitting a report that the Department is renotifying $1.3 million in FY 1994 funds to implement the Cooperative Threat Reduction (CTR) Program, pursuant to 22 U.S.C. 5955; to the Committee on International Relations.

6840. A communication from the President of the United States, transmitting a report relating to the approval and implementation of the Agreement for Nuclear Cooperation Between the United States and the People's Republic of China, pursuant to 42 U.S.C. 2153(d); (H. Doc. No. 105—197); to the Committee on International Relations and ordered to be printed.

6841. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

6842. A communication from the President of the United States, transmitting a report on continued U.S. contributions in support of peacekeeping efforts in the former Yugoslavia; (H. Doc. No. 105—190); to the Committee on International Relations and ordered to be printed.

6843. A communication from the President of the United States, transmitting a report in accordance with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997; (H. Doc. No. 105—192); to the Committee on International Relations and ordered to be printed.

6844. A communication from the President of the United States, transmitting a report in accordance with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997; (H. Doc. No. 105—203); to the Committee on International Relations and ordered to be printed.

6845. A letter from the Director, Bureau of Economic Analysis, Economics and Statistics Administration, transmitting the Administration's final rule— International Services Surveys: BE–22 Annual Survey of Selected Services Transactions With Unaffiliated Foreign Persons (RIN: 0691–AA30) received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6846. A letter from the Director, Bureau of the Census, transmitting the Bureau's final rule—Establishing New Research Data Centers [Docket No. 971231318–7318–01] received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

6847. A letter from the Secretary, Mississippi River Commission, Department of the Army, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

6848. A letter from the Director for Executive Budgeting and Assistance Management, Department of Commerce, transmitting the Administration's final rule—Financial Assistance for Internship Program for Postsecondary Students —received December 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

6849. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Privacy Act; Implementation [Docket No. OST–96–1472] (RIN: 2105–AC60) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

6850. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Numbers Under the Paperwork Reduction Act [FRL–5943–2] received January 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

6851. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition

Regulation: Removal of Certification Requirements Regarding Collection, Use, Access, Treatment, and Disclosure of Confidential Business Information [FRL–5860–6] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

6852. A letter from the Director, Financial Management, General Accounting Office, transmitting the FY 1997 annual report of the Comptrollers' General Retirement System, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

6853. A letter from the Senior Deputy Chairman, National Endowment for the Arts, transmitting the FY 1997 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

6854. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Electronic Freedom of Information Act: Implementation (RIN: 3150–AF78) received January 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

6855. A letter from the Office of Independent Counsel, transmitting the 1997 annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to Public Law 100—504, section 104(a) (102 Stat. 2525); to the Committee on Government Reform and Oversight.

6856. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Pay Administration Under the Fair Labor Standards Act (RIN: 3206–AG70) received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

6857. A letter from the Chief Administrative Officer, Postal Rate Commission, transmitting a report of activities under the Freedom of Information Act for 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

6858. A letter from the Secretary, Postal Rate Commission, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

6859. A letter from the Board Members, Railroad Retirement Board, transmitting a report of activities under the Freedom of Information Act for the period January 1, 1997 through September 30, 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

6860. A letter from the Board Members, Railroad Retirement Board, transmitting the FY 1997 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

6861. A letter from the Director, Selective Service System, transmitting the FY 1997 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

6862. A letter from the Director, Financial Services, Library of Congress, transmitting the United States Capitol Preservation Commission Annual Report for the fiscal year ended September 30, 1997; to the Committee on House Oversight.

6863. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—1997–98 Refuge-Specific Hunting and Sport Fishing Regulations (RIN: 1018–AE18) received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6864. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Amendments to Transportation Allowance Regulations for Federal and Indian Leases to Specify Allowable Costs and Related Amendments to Gas Valuation Regulations (RIN: 1010–AC06) received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6865. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Royalty Relief for New Leases in Deep Water (RIN: 1010–AC14) received January 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6866. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Royalty Relief for Producing Leases and Certain Existing Leases in Deep Water (RIN: 1010–AC13) received January 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6867. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Ocean Dumping; Amendment of Site Designation [40 CFR Part 228] received December 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6868. A letter from the Service Federal Register Liaison Officer, Fish and Wildlife Service, transmitting the Service's final rule—Disposition of Surplus Range Animals (RIN: 1018–AD75) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6869. A letter from the Service Federal Register Liaison Officer, Fish and Wildlife Service, transmitting the Service's final rule—1997 Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp) Contest (RIN: 1018–AE07) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6870. A letter from the Service Federal Register Liaison Officer, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Designated Ports for Listed Plants (RIN: 1018–AD97) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6871. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Designated Critical Habitat; Umpqua River Cutthroat Trout [Docket No. 970715175–7292–02; I.D. No. 042997B] (RIN: 0648–AG58) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6872. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder and Scup Fisheries; Adjustments to the 1998 Quotas; Commercial Summer Period Scup Quota Harvested for Massachusetts [Docket No. 971015246–7293–02; I.D. 010798C] received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6873. A letter from the Office of Independent Counsel, transmitting the annual report for the Office of Independent Counsel-Barrett, pursuant to 28 U.S.C. 595(a)(2); to the Committee on the Judiciary.

6874. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the third annual report on the Communications Assistance for Law Enforcement Act of 1994, as amended, pursuant to Public Law 103—414; to the Committee on the Judiciary.

6875. A letter from the Assistant Attorney General, Department of Justice, transmitting the 1996 Annual Report of the National Institute of Justice; to the Committee on the Judiciary.

6876. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—VISAS: Issuance of new or replacement immigrant visas [Public Notice 2664] received January 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6877. A letter from the Director, Office of Management and Budget, transmitting recommendations for necessary legislative changes involving the relationship between the Federal Advisory Committee Act and the Negotiated Rulemaking Act of 1990, as amended, pursuant to Public Law 104—320, section 11(e) (110 Stat. 3874); to the Committee on the Judiciary.

6878. A letter from the Chairperson, United States Commission on Civil Rights, transmitting the Commission's report entitled ''Racial and Ethnic Tensions in American Communities: Poverty, Inequality, and Discrimination,'' pursuant to 42 U.S.C. 1975; to the Committee on the Judiciary.

6879. A letter from the the Acting Assistant Secretary (Civil Works), the Department of the Army, transmitting the report on authorization of a flood damage reduction project for the Blue River Basin at the Dodson Industrial District, Kansas City, Missouri, pursuant to Public Law 104—303, section 101(a)(18); (H. Doc. No. 105—185); to the Committee on Transportation and Infrastructure and ordered to be printed.

6880. A letter from the Executive Director, Architectural and Transportation Barriers Compliance Board, transmitting the Board's final rule —Americans with Disabilities Act Accessibility Guidelines for Building and Facilities; Building Elements Designed for Children's Use [Docket No. 94–2] (RIN: 3014–AA17) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6881. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 and A300–600 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–247–AD; Amdt. 39–10282; AD 98–01–20] (RIN: 2120–AA64) received January 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6882. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–113–AD; Amdt. 39–10274; AD 98–01–11] (RIN: 2120–AA64) received January 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6883. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes (Federal Aviation Administration) [Docket No. 97–NM–127–AD; Amdt. 39–10276; AD 97–11–02 R1] (RIN: 2120–AA64) received January 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6884. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Models EMB–110P1 and EMB–110P2 Airplanes (Federal Aviation Administration) [Docket No. 96–CE–66–AD;

Amdt. 39–10273; AD 98–01–10] (RIN: 2120–AA64) received January 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6885. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Precision Airmotive Corporation Carburetors (Federal Aviation Administration) [Docket No. 97–ANE–16; Amdt. 39–10270; AD 98–01–06] (RIN: 2120–AA64) received January 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6886. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; New Jersey Intracoastal Waterway [CGD05–97–003] (RIN: 2115–AE47) received January 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6887. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace South of Abbotsford, British Columbia, on the United States Side of the U.S./Canadian Border, and the Establishment of a Class C Airspace Area in the Vicinity of Point ROBERTS, Washington [Airspace Docket No. 93–AWA–16] (RIN: 2120–AA66) received November 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6888. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Gillette, WY; correction (Federal Aviation Administration) [Airspace Docket No. 97–ANM–11] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6889. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29114; Amdt. No. 1846] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6890. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29115; Amdt. No. 1847] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6891. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29101; Amdt. No. 1843] (RIN: 2120–AA65) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6892. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29107; Amdt. No. 1845] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6893. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Equipped with Pratt & Whitney JT9D–3 and -7 Series Engines (Federal Aviation Administration) [Docket No. 97–NM–267–AD; Amdt. 39–10284; AD 98–02–02] (RIN: 2120–AA64) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6894. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F28 Mark 0100 and Mark 0070 Series Airplanes (Federal Aviation Administration) [Docket No. 95–NM–94–AD; Amdt. 39–10285; AD 98–02–03] (RIN: 2120–AA64) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6895. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class D and Class E Airspace Areas; Manhattan, KS (Federal Aviation Administration) [Airspace Docket No. 97–ACE–21] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6896. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Columbia, NE (Federal Aviation Administration) [Airspace Docket No. 97–ACE–32] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6897. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Norfolk, NE (Federal Aviation Administration) [Airspace Docket No. 97–ACE–33] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6898. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Poplar Bluff, MO (Federal Aviation Administration) [Airspace Docket No. 97–ACE–28] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6899. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Marshall Army Airfield, Fort Riley, KS (Federal Aviation Administration) [Airspace Docket No. 97–ACE–20] (RIN: 2120–AA66) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6900. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Audubon, IA (Federal Aviation Administration) [Airspace Docket No. 97–ACE–30] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6901. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Kansas City, Richards-Gebaur Airport, MO (Federal Aviation Administration) [Airspace Docket No. 97–ACE–10] (RIN: 2120–AA66) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6902. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Vinton, IA (Federal Aviation Administration) [Airspace Docket No. 97–ACE–13] (RIN: 2120–AA66) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6903. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Lee's Summit, MO (Federal Aviation Administration) [Airspace Docket No. 97–ACE–11] (RIN: 2120–AA66) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6904. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Lincoln, NE (Federal Aviation Administration) [Airspace Docket No. 97–ACE–24] (RIN: 2120–AA66) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6905. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards Rear Impact Guards; Rear Impact Protection [Docket NHTSA–98–3342, Notice 1] (RIN: 2127–AA43) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6906. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Certification of Speed Limit Enforcement [NHTSA–97–3196] (RIN: 2125–AE17) received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6907. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; London, OH (Federal Aviation Administration) [Airspace Docket No. 97–AGL–46] (RIN: 2120–AA66) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6908. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Osceola, WI (Federal Aviation Administration) [Airspace Docket No. 97–AGL–49] (RIN: 2120–AA66) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6909. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of the Legal Description of Class E Airspace; Aberdeen, SD (Federal Aviation Administration) [Airspace Docket No. 97–AGL–37] (RIN: 2120–AA66) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6910. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29102; Amdt. No. 1844] (RIN: 2120–AA65) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6911. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Sparta, TN (Federal Aviation Administration) [Airspace Docket No. 97–ASO–30] (RIN: 2120–AA66) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6912. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; St. Elmo, AL (Federal Aviation Administration) [Airspace Docket No. 97–ASO–23] (RIN: 2120–AA66) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6913. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Modification of Class E Airspace; Ashtabula, OH (Federal Aviation Administration) [Airspace Docket No. 97–AGL–56] (RIN: 2120–AA66) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6914. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Akron, OH (Federal Aviation Administration) [Airspace Docket No. 97–AGL–55] (RIN: 2120–AA66) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6915. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Industrie Model A320 Series Airplanes (Federal Aviation Administration) [Docket No. 95–NM–90–AD; Amdt. 39–10275; AD 98–01–12] (RIN: 2120–AA64) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6916. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes (Federal Aviation Administration)[Docket No. 97–NM–314–AD; Amdt. 39–10277; AD 98–01–15] (RIN: 2120–AA64) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6917. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F27 Mark 050 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–247–AD; Amdt. 39–10278; AD 98–01–16] (RIN: 2120–AA64) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6918. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–179–AD; Amdt. 39–10279; AD 98–01–17] (RIN: 2120–AA64) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6919. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–111–AD; Amdt. 39–10280; AD 98–01–18] (RIN: 2120–AA64) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6920. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–109–AD; Amdt. 39–10281; AD 98–01–19] (RIN: 2120–AA64) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6921. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, -200, -300, -400, -500 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–45–AD; Amdt. 39–10283; AD 98–02–01] (RIN: 2120–AA64) received January 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6922. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulation; Laughlin, Nevada [CGD11–97–004] (RIN: 2115–AE46) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6923. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Mystic River, MA [CGD01–96–002] (RIN: 2115–AE47) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6924. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Minnesota River [CGD08–97–004] (RIN: 2115–AE47) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6925. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International CFM56–5B/2P Series Turbofan Engines (Federal Aviation Administration) [Docket No. 97–ANE–29–AD; Amdt. 39–10286; AD 98–02–04] (RIN: 2120–AA64) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6926. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cesna Aircraft Company Models 172R and 182S Airplanes (Federal Aviation Administration) [Docket No. 97–CE–150–AD; Amdt. 39–10287; AD 98–01–01] (RIN: 2120–AA64) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6927. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777–200 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–335–AD; Amdt. 39–10288; AD 98–02–06] (RIN: 2120–AA64) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6928. A letter from the Assistant Secretary, Federal Maritime Commission, transmitting the Commission's final rule—Simplification of Service Contract Filing Requirements [Docket No. 97–23] received December 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6929. A letter from the Secretary of Transportation, transmitting the 6-year report on state-of-the-art technology in highway design and construction utilized on the Blair County, Pennsylvania, demonstration project, pursuant to Public Law 97—424, section 131(b)(2); to the Committee on Transportation and Infrastructure.

6930. A letter from the Director, Program Office, National Institute of Standards and Technology, transmitting the Institute's final rule—Advanced Technology Program [Docket No. 970822200–7272–02] (RIN: 0693–AB44) received December 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

6931. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule— Minimum Income Annuity (RIN: 2900–AI83) received January 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6932. A communication from the President of the United States, transmitting an updated report concerning the emigration laws and policies of Mongolia, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 105—196); to the Committee on Ways and Means and ordered to be printed.

6933. A communication from the President of the United States, transmitting an updated report concerning the emigration laws and policies of Albania, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 105—200); to the Committee on Ways and Means and ordered to be printed.

6934. A communication from the President of the United States, transmitting an updated report concerning the emigration laws and policies of Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 105—204); to the Committee on Ways and Means and ordered to be printed.

6935. A letter from the Secretary of Health and Human Services, transmitting the report on data processing, pursuant to Public Law 104—193, section 106(a) (110 Stat. 2164); to the Committee on Ways and Means.

6936. A letter from the Chief Counsel, Bureau of the Public Debt, transmitting the Bureau's final rule—Sale and Issue of Marketable Book-Entry Treasury Bills, Notes, and BONDS [Department of the Treasury Circular, Public Debt Series No. 1–93] received November 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6937. A letter from the Chief Counsel, Bureau of the Public Debt, transmitting the Bureau's final rule—Regulations Governing Book-Entry Treasury BONDS, Notes, and Bills; Determination Regarding State Statutes [Department of the Treasury Circular, Public Debt Series, No. 2–86] received November 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6938. A letter from the Chief Counsel, Bureau of the Public Debt, transmitting the Bureau's final rule—Sale and Issue of Marketable Book-Entry Treasury Bills, Notes, and BONDS [Department of the Treasury Circular, Public Debt Series No. 1–93] received January 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6939. A letter from the Assistant Secretary for Children and Families, Department of Health and Human Services, transmitting the Department's final rule—Repeal of Obsolete Title IV-A and IV-F Program Rules (RIN: 0970–AB84) received December 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6940. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule—Unemployment Insurance Program Letter [No. 39–97] received December 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6941. A letter from the Acting Assistant Secretary, Department of Labor, transmitting the Department's final rule—Welfare-to-Work Grants (RIN: 1205–AB15) received November 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6942. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Treatment of Hybrid Arrangements under Subpart F [Notice 98–11] received January 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6943. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 98–7] received January 21, 1998, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

6944. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Nuclear Decommissioning Funds; Revised Schedules of Ruling Amounts [TD 8758] (RIN: 1545–AU28) received January 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6945. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 98–17] received January 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6946. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Employment taxes [Rev. Proc. 98–16] received January 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6947. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Election Not to Apply Look-Back Method in De Minimis Cases [TD 8756] (RIN: 1545–AV78) received January 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6948. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Dispositions of Certain Life Estates [Rev. Rul. 98–8] received January 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6949. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Obligations of States and Political Subdivisions [REG–110965–97] (RIN: 1545–AV47) received January 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6950. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Small Business Taxpayer Advance Pricing Agreements [Notice 98–10] received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6951. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 98–9] received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6952. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Continuity of Interest and Continuity of Business Enterprise [TD 8760] (RIN: 1545–AU72 and 1545–AU73) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6953. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 98–9] received January 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6954. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 98–19] received January 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6955. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Installment Obligations received From Liquidating Corporations [TD 8762] (RIN: 1545–AB43) received January 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6956. A letter from the National Director, Tax Forms and Publications Division, Internal Revenue Service, transmitting the Service's final rule— Requirements for Privately Designed and Printed Federal Tax Return Forms [Rev. Proc. 97–54] received December 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6957. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 98–6] received January 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6958. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Eligible Deferred Compensation Plans under Section 457 [Notice 98–8] received January 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6959. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Filing Requirements for Returns Claiming the Foreign Tax Credit [TD 8759] (RIN: 1545–AP36) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6960. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Continuity of Interest [TD 8761] (RIN: 1545–AV80) received January 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6961. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—TECRO/AIT Carnet Issuing and Guaranteeing Association—received January 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6962. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—Addition of Hong Kong to the List of Nations Entitled to Special Tonnage Tax Exemption [TD 98–3] (RIN: 1515–AC27) received December 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6963. A letter from the the Director, the Congressional Budget Office, transmitting CBO's final sequestration report for Fiscal Year 1998, pursuant to Public Law 101—508, section 13101(a) (104 Stat. 1388—587); (H. Doc. No. 105—187); to the Committee on the Whole House on the State of the Union and ordered to be printed.

6964. A letter from the the Director, the Office of Management and Budget, transmitting OMB's final sequestration report to the President and Congress for Fiscal Year 1998, pursuant to Public Law 101—508, section 13101(a) (104 Stat. 1388—587); (H. Doc. No. 105—188); to the Committee on the Whole House on the State of the Union and ordered to be printed.

6965. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare Program; Application of Inherent Reasonableness to All Medicare Part B Services (Other than Physician Services) [HCFA–1908–IFC] (RIN: 0938–AI37) received January 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Commerce and Ways and Means.

6966. A letter from the the Assistant Secretary for Legislative Affairs, the Department of State, transmitting notification that the President has exercised the authority to suspend restrictions on the maintenance of a Palestine Liberation Organization Office for a duration of six months, pursuant to section 539(d) of the Foreign Operations, Export Financing, and Related Programs Act, FY 1998; (H. Doc. No. 105—186); jointly to the Committees on International Relations and Appropriations, and ordered to be printed.

6967. A letter from the Chairman, National Transportation Safety Board, transmitting a copy of the Board's appeal letter to the Office of Management and Budget regarding the initial determination of their fiscal year 1999 budget request, pursuant to 49 U.S.C. app. 1903(b)(7); jointly to the Committees on Transportation and Infrastructure and Appropriations.

6968. A letter from the Secretary of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Schedule of Limits on Home Health Agency Costs Per Visit for Cost Reporting Periods Beginning on or after October 1, 1997 [HCFA–1904–NC] (RIN: 0938–AI36) received January 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

6969. A letter from the Acting Assistant Secretary for Force Management Policy, Department of Defense, transmitting notification of determinations that institutions of higher education have been deemed ineligible for certain Federal funding, pursuant to section 514 of the Omnibus Consolidated Appropriations Act, 1997; jointly to the Committees on National Security, Education and the Workforce, and Appropriations.

6970. A letter from the Chairperson, National Council on Disability, transmitting the Council's report entitled ''National Disability Policy: A Progress Report,'' pursuant to 29 U.S.C. 781(a)(8); jointly to the Committees on Education and the Workforce, the Judiciary, and Transportation and Infrastructure.

6971. A letter from the Secretary of Health and Human Services, transmitting a report in response to a congressional directive contained in House Report No. 104–173, regarding contract support cost escalation; jointly to the Committees on Resources, Appropriations, and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Submitted January 29, 1998]

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2625. A bill to redesignate Washington National Airport as ''Ronald Reagan Washington National Airport''; with amendments (Rept. 105–408). Referred to the Committee of the Whole House on the State of the Union.

[Submitted January 30, 1998]

Mr. GOODLING: Committee on Education and the Workforce. H.R. 2846. A bill to prohibit spending Federal Education funds on national testing without explicit and specific legislation; with an amendment (Rept. 105–409). Referred to the Committee of the Whole House on the State of the Union.

[Submitted February 3, 1998]

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 429. A bill to amend the Immigration and Nationality Act to provide for special immigrant status for NATO civilian employees in the same manner as for employees of international organizations (Rept. 105–410). Referred to the Committee of the Whole House on the State of the Union.

[Submitted February 3, 1998]

Mr. SOLOMON: Committee on Rules. House Resolution 344. Resolution providing for consideration of the bill (H.R. 2625) to redesignate Washington National Airport as ''Ronald Reagan Washington National Airport'' (Rept. 105–411). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolutions 345. Resolution providing for

consideration of the joint resolution (H.J. Res. 107) expressing the sense of the Congress that the award of attorneys' fees, costs, and sanctions of $285,864.78 ordered by United States District Judge Royce C. Lamberth on December 18, 1997, should not be paid with taxpayer funds (Rept. 105–412). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ADERHOLT (for himself, Mr. RAHALL, Mr. RILEY, Mr. BACHUS, Mr. LAHOOD, Mr. TANNER, Mr. JENKINS, Mr. CRAMER, and Mr. BOUCHER):

H.R. 3137. A bill to amend section 4615 of the Balanced Budget Act of 1997 to delay for 18 months the prohibition of payment under the Medicare Program for home health services consisting of venipuncture solely for the purpose of obtaining a blood sample and to require submission of a report on the impact of implementing such section; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACHUS (for himself, Mr. PAUL, and Mr. ADERHOLT):

H.R. 3138. A bill to require congressional approval for certain uses of the exchange stabilization fund; to the Committee on Banking and Financial Services.

By Mr. BERRY (for himself, Mr. BROWN of Ohio, Mr. NEAL of Massachusetts, Mr. STARK, Mr. FILNER, Mr. LEWIS of Georgia, Ms. DELAURO, Mr. FROST, Mr. BAESLER, Mr. PETERSON of Minnesota, Mr. SANDLIN, Ms. SLAUGHTER, Mr. STENHOLM, Mr. TANNER, Mr. SCHUMER, Mr. PASCRELL, and Mr. DAVIS of Illinois):

H.R. 3139. A bill to amend title XVIII of the Social Security Act to stop overpayment for drugs and biologicals under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOSWELL (for himself and Mr. CUNNINGHAM):

H.R. 3140. A bill to amend title 18, United States Code, to provide that certain muzzle loading firearms are to be treated as antique firearms for purposes of the Federal firearms laws; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 3141. A bill to direct the Secretary of the Army to issue to certain veterans who served in the disputed Italy-Yugoslavia area at the end of World War II the ''Italy'' clasp for the World War II Army Occupation Medal; to the Committee on National Security.

By Mr. FALEOMAVAEGA:

H.R. 3142. A bill to amend the Second Morrill Act to provide that funds for the land grant college of American Samoa shall not be subject to annual appropriation by the legislature of American Samoa; to the Committee on Agriculture.

By Mr. FOLEY (for himself, Mr. YATES, Mr. WEXLER, Mr. SHERMAN, Mrs. KELLY, Mr. FILNER, Mr. LAZIO of New York, Mr. FROST, Ms. FURSE, and Mr. HORN):

H.R. 3143. A bill to prohibit foreign insurance companies from doing business in the United States unless they disclose any financial dealings they had with individuals who survived or died in the Holocaust, to prohibit an insured depository institution from transacting any business with or on behalf of any such foreign insurance company, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut:

H.R. 3144. A bill to amend the Internal Revenue Code of 1986 to provide additional tax relief to families to increase the affordability of child care, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Government Reform and Oversight, House Oversight, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLECZKA:

H.R. 3145. A bill to amend title 38, United States Code, to enact into law eligibility requirements for interment in Arlington National Cemetery; to the Committee on Veterans' Affairs.

By Mr. NADLER (for himself, Mr. CONYERS, and Mr. HILLIARD):

H.R. 3146. A bill to amend title 11 of the United States Code relating to bankruptcy; to the Committee on the Judiciary.

By Mr. OBERSTAR (for himself, Mr. LATOURETTE, Mr. DINGELL, Mr. OBEY, Mr. CONYERS, Ms. KAPTUR, Mr. LIPINSKI, Mr. TRAFICANT, Mr. VISCLOSKY, Mr. PETERSON of Minnesota, Mr. STUPAK, Mr. LAFALCE, Mr. JOHNSON of Wisconsin, Ms. STABENOW, Mr. JACKSON, and Ms. RIVERS):

H.R. 3147. A bill to authorize the United States to enter into an executive agreement with Canada relating to the establishment and operation of a binational corporation to operate, maintain, and improve facilities on the Saint Lawrence Seaway, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STABENOW (for herself, Mr. BARCIA of Michigan, Mr. KILDEE, Ms. KILPATRICK, and Ms. CARSON):

H.R. 3148. A bill to establish food safety research, education, and extension as a priority of the Department of Agriculture, to require the use of a designated team within the Department of Agriculture to enable the Department and other Federal agencies to rapidly respond to food safety emergencies, and to improve food safety through the development and commercialization of food safety technology; to the Committee on Agriculture.

By Mr. THUNE (for himself and Ms. DUNN of Washington):

H.R. 3149. A bill to amend the Internal Revenue Code of 1986 to increase the amount of the personal exemption; to the Committee on Ways and Means.

By Mr. GEKAS (for himself, Mr. MCCOLLUM, Mr. BOUCHER, and Mr. MORAN of Virginia):

H.R. 3150. A bill to amend title 11 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. THUNE (for himself and Ms. DUNN of Washington):

H.R. 3151. A bill to amend the Internal Revenue Code of 1986 to reduce individual income taxes by increasing the amount of taxable income which is taxed at the lowest income tax rate; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself, Mr. ARMEY, Mr. ARCHER, Mr. THOMAS, Mr. DELAY, Mr. BOEHNER, Mr. ENGLISH of Pennsylvania, Mr. BEREUTER, Mr. COMBEST, Mrs. EMERSON, Mr. ENSIGN, Mr. CRANE, Mr. GOSS, Mr. ISTOOK, Mr. SAM JOHNSON, Mr. LIVINGSTON, Mr. RAMSTAD, Mr. ROYCE, Mr. SALMON, Mr. SESSIONS, and Mr. STUMP):

H.J. Res. 107. A joint resolution expressing the sense of the Congress that the award of attorneys' fees, costs, and sanctions of $285,864.78 ordered by United States District Judge Royce C. Lamberth on December 18, 1997, should not be paid with taxpayer funds; to the Committee on the Judiciary.

By Mr. MORAN of Virginia (for himself and Mr. LATOURETTE):

H.J. Res. 108. A joint resolution proposing an amendment to the Constitution of the UnitedStates to allow the limitation of contributions and expenditures respecting elections; to the Committee on the Judiciary.

By Mr. SAXTON:

H. Con. Res. 207. Concurrent resolution expressing the sense of the Congress that the International Monetary Fund should raise funds in private financial markets, rather than from member countries, in order to reduce the risk of loss to United States taxpayers; to the Committee on Banking and Financial Services.

By Mr. GINGRICH (for himself and Mr. BARR of Georgia):

H. Res. 346. A resolution expressing the sense of the House of Representatives that a commemorative postage stamp should be issued in honor of General Lucius D. Clay; to the Committee on Government Reform and Oversight.

By Mr. HASTINGS of Florida:

H. Res. 347. A resolution expressing the sense of the House of Representatives with respect to the spiraling violence in Algeria; to the Committee on International Relations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

240. The SPEAKER presented a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 114 urging Congress to adopt House Concurrent Resolution 14 of 1997, which encourages efforts to reunite family members separated during the Holocaust; to the Committee on International Relations.

241. Also, a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 1 memorializing Congress to support legislative initiatives to discourage use of public resources for movement of professional sports franchises and to repeal antitrust exemptions for professional sports; jointly to the Committees on Commerce, the Judiciary, and Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 59: Mr. BURTON of Indiana, Mr. PAXON, Mr. ROYCE, and Mr. KINGSTON.

H.R. 165: Mr. ENSIGN.

H.R. 339: Mr. NETHERCUTT.

H.R. 611: Mr. WALSH.

H.R. 685: Mr. KUCINICH.

H.R. 693: Mr. FORBES, Mr. CALVERT, Mr. MANZULLO, and Mr. NEY.
H.R. 806: Mr. FRANK of Massachusetts.
H.R. 820: Mr. DIXON.
H.R. 859: Mr. SESSIONS, Mrs. MYRICK, and Mr. DELAY.
H.R. 900: Mr. DELAHUNT and Mr. OBEY.
H.R. 934: Mr. FOLEY.
H.R. 971: Mr. ENGEL.
H.R. 979: Mr. GEJDENSON, Mrs. ROUKEMA, Mr. BISHOP, Mr. HUTCHINSON, Mr. HEFLEY, Mr. BAESLER, Mr. WYNN, and Mr. WAMP.
H.R. 992: Mr. GILLMOR.
H.R. 1005: Mr. TAYLOR of Mississippi.
H.R. 1061: Mr. INGLIS of South Carolina, Mrs. MINK of Hawaii, Mr. BALDACCI, Mr. MOLLOHAN, Mr. PETERSON of Minnesota, and Mr. KENNEDY of Rhode Island.
H.R. 1126: Mr. SANFORD, Mr. CHAMBLISS, and Mr. SUNUNU.
H.R. 1173: Ms. KAPTUR, Ms. HOOLEY of Oregon, and Mr. DAVIS of Illinois.
H.R. 1289: Mr. MOLLOHAN, Mr. SESSIONS, Mr. HAYWORTH, Mr. BURR of North Carolina, and Mrs. TAUSCHER.
H.R. 1320: Mr. SANDLIN.
H.R. 1329: Mrs. LOWEY, Mr. ENGEL, Mr. BENTSEN, Mr. RUSH, and Mr. SESSIONS.
H.R. 1354: Ms. SANCHEZ.
H.R. 1356: Mr. ADERHOLT, Mr. GOODE, Mr. HANSEN, Mr. HINOJOSA, Mr. PETERSON of Minnesota, Mr. HUNTER, and Mr. MCCOLLUM.
H.R. 1378: Mr. CAMP and Mr. WATKINS.
H.R. 1401: Mr. PALLONE.
H.R. 1425: Mr. PAYNE, Mr. POSHARD, and Mr. MARKEY.
H.R. 1432: Mr. WEXLER.
H.R. 1591: Mr. DELAY.
H.R. 1601: Mr. MASCARA, Ms. SLAUGHTER, Mr. BAESLER, Mr. TAYLOR of Mississippi, Mr. HORN, Mr. GREENWOOD, and Mr. COYNE.
H.R. 1624: Mr. MALONEY of Connecticut, Ms. LOFGREN, and Mr. VISCLOSKY.
H.R. 1628: Mr. LAFALCE.
H.R. 1631: Mr. PETERSON of Minnesota.
H.R. 1632: Mrs. LOWEY, Mr. KUCINICH, and Ms. CHRISTIAN-GREEN.
H.R. 1635: Mr. DELAHUNT, Mr. LATOURETTE, Mr. CRAMER, Ms. MCCARTHY of Missouri, Mr. MCDADE, Mr. LAFALCE, Mr. PORTER, Mr. GILCHREST, Mr. WOLF, Mr. GEPHARDT, Mr. LEVIN, Mr. MARKEY, and Mr. BALDACCI.
H.R. 1656: Mr. FOX of Pennsylvania, Mr. FROST, and Mr. GUTIERREZ.
H.R. 1689: Mr. GOODE, Mr. PETERSON of Pennsylvania, Mr. RAMSTAD, Mr. ENSIGN, Mr. WICKER, Mr. SKEEN, Mr. WATTS of Oklahoma, Mr. KING of New York, Mr. COMBEST, Mr. INGLIS of South Carolina, Mr. SHADEGG, Mr. SAM JOHNSON, Mr. LEWIS of Kentucky, and Mr. SUNUNU.
H.R. 1693: Ms. FURSE.
H.R. 1705: Mr. BASS and Mrs. MORELLA.
H.R. 1773: Mr. FILNER and Mr. PETERSON of Minnesota.
H.R. 1782: Mr. YATES.
H.R. 1799: Mr. CLYBURN.
H.R. 1872: Mr. COBURN and Mr. SANFORD.
H.R. 1995: Mr. BECERRA, Mr. DIXON, Mr. MALONEY of Connecticut, Ms. DELAURO, Mr. UNDERWOOD, and Mr. ADAM SMITH of Washington.
H.R. 2001: Mr. CALLAHAN.
H.R. 2081: Mr. PETERSON of Minnesota and Mr. WAMP.
H.R. 2090: Mr. SHAYS and Mr. SAXTON.
H.R. 2100: Mr. PETERSON of Minnesota.
H.R. 2128: Mr. PETERSON of Minnesota.
H.R. 2174: Ms. PELOSI, Mr. TOWNS, Mr. EDWARDS, Mr. WATTS of Oklahoma, Mrs. MINK of Hawaii, Mr. TURNER, Mr. SAWYER, Mr. PAYNE, and Mr. BROWN of California.
H.R. 2189: Ms. FURSE, Mr. LANTOS, and Ms. KILPATRICK.
H.R. 2228: Mr. FROST, Ms. FURSE, Mr. JACKSON, and Mr. SHERMAN.
H.R.. 2229: Mr. SHERMAN.
H.R. 2263: Mr. GREENWOOD, Mr. FORBES, and Mr. PETERSON of Pennsylvania.
H.R. 2327: Mr. HOEKSTRA and Mr. ANDREWS.
H.R. 2351: Mrs. KENNELLY of Connecticut and Mr. GONZALEZ.
H.R. 2380: Mr. BAKER.
H.R. 2397: Mr. CANADY of Florida and Mr. DAVIS of Illinois.
H.R. 2432: Mr. JENKINS, Mr. FILNER, and Mr. YOUNG of Alaska.
H.R. 2453: Mr. HINCHEY and Mr. GILCHREST.
H.R. 2509: Mr. GILLMOR and Mr. FARR of California.
H.R. 2524: Mr. FORD, Ms. SLAUGHTER, and Mr. FILNER.
H.R. 2543: Mr. GREEN.
H.R.2549: Mr. STUPAK and Mrs. LOWEY.
H.R. 2556: Mr. TANNER.
H.R. 2586: Mr. BERRY, Mr. JOHN, and Mr. KIND of Wisconsin.
H.R. 2592: Mr. NETHERCUTT.
H.R. 2602: Mr. WEXLER.
H.R. 2635: Ms. NORTON, Ms. PELOSI, Mr. CARDIN, Mr. BENTSEN, Mr. HINCHEY, Mr. MCNULTY, Ms. KILPATRICK, Ms. KAPTUR, Ms. RIVERS, Ms. ESHOO, Mr. PRICE of North Carolina, Mr. SHAYS, and Mr. STOKES.
H.R. 2639: Mr. SHAYS, Ms. HOOLEY of Oregon, and Mr. ENGEL.
H.R. 2695: Mr. STARK, Mr. BROWN of California, and Mr. SHERMAN.
H.R. 2697: Mr. FILNER and Ms. SLAUGHTER.
H.R. 2708: Mr. LUTHER, Mr. PACKARD, Mr. OXLEY, Mr. SHIMKUS, Mr. BARRETT of Nebraska, and Mr. SAWYER.
H.R. 2718: Mr. DOOLITTLE and Mr. SMITH of Michigan.
H.R. 2740: Mr. CANNON, Mr. KNOLLENBERG, Mr. GUTKNECHT, Mr. HILL, Mr. PETERSON of Minnesota, and Mr. HALL of Texas.
H.R. 2748: Mr. TAYLOR of Mississippi.
H.R. 2752: Mr. TAYLOR of North Carolina, Mr. CUNNINGHAM, Mr. MCGOVERN, Mrs. CHENOWETH, Mr. FROST, Mr. RADANOVICH, Mr. HUNTER, Mr. WALSH, Mr. POMBO, Mr. CALVERT, Mr. SKEEN, Mr. BILBRAY, Mr. MCDADE, and Mr. PACKARD.
H.R. 2754: Mr. RANGEL.
H.R. 2807: Mr. SHAYS.
H.R. 2819: Mr. HULSHOF, Mr. FROST, Mrs. THURMAN, Ms. KILPATRICK, Mr. COYNE, and Mr. DOOLEY of California.
H.R. 2821: Mr. BURR of North Carolina, Mr. FORD, Mr. RODRIGUEZ, and Mr. FOLEY.
H.R. 2829: Mr. BERMAN, Mrs. CLAYTON, Mr. GALLEGLY, Mr. HASTINGS of Washington, Mr. HINOJOSA, Mr. MEEHAN, Mr. PETERSON of Pennsylvania, Mr. DAN SCHAEFER of Colorado, Mr. TANNER, Mr. UNDERWOOD, and Mr. WEYGAND.
H.R. 2837: Mr. GALLEGLY.
H.R. 2843: Mr. COOKSEY.
H.R. 2870: Mr. FALEOMAVAEGA, Mr. LIPINSKI, Mr. WEXLER, and Mr. KOLBE.
H.R. 2888: Mr. KNOLLENBERG and Mr. KIND of Wisconsin.
H.R. 2914: Mr. COSTELLO.
H.R. 2923: Ms. CARSON and Mr. WISE.
H.R. 2936: Mr. WATTS of Oklahoma, Mr. SESSIONS, and Mr. TIAHRT.
H.R. 2943: Ms. SLAUGHTER.
H.R. 2951: Mr. SANDERS, Mr. WISE, Mr. RAHALL, and Mr. WAXMAN.
H.R. 2968: Mr. MCINTOSH and Mr. CANADY of Florida.
H.R. 3010: Mr. MCGOVERN.
H.R. 3016: Mr. HINCHEY.
H.R. 3039: Mr. PAYNE and Mr. SMITH of New Jersey.
H.R. 3050: Mr. FROST, Mr. GORDON, and Mrs. MALONEY of New York.
H.R. 3089: Ms. GRANGER, Ms. DUNN of Washington, Mr. FRELINGHUYSEN, Mr. BEREUTER, and Mrs. EMERSON.
H.R. 3100: Mr. CLYBURN, Mr. DEFAZIO, Mr. DEUTSCH, Mr. MEEHAN, Mr. POSHARD, Mr. SCOTT, Mr. SERRANO, and Mr. YATES.
H.R. 3104: Mr. ARMEY, Mr. WELLER, Ms. DUNN of Washington, Mr. SHADEGG, Mr. PAPPAS, Mr. BOB SCHAFFER, Mr. RADANOVICH, Mr. BURTON of Indiana, Mr. INGLIS of South Carolina, Mr. NORWOOD, Mr. SCARBOROUGH, Mr. COBURN, Mr. GOODE, Mr. SESSIONS, Mr. DICKEY, Mr. HILL, and Mr. HEFLEY.
H.R. 3107: Mr. SMITH of New Jersey.
H.R. 3111: Mr. LIPINSKI.
H.R. 3121: Mr. NADLER, Mr. FOSSELLA, and Mr. TOWNS.
H.R. 3131: Mr. DREIER.
H. Con. Res. 19: Ms. ROS-LEHTINEN and Mr. WATTS of Oklahoma.
H. Con. Res. 177: Mr. NEUMANN.
H. Con. Res. 203: Ms. KAPTUR, Mr. SANDLIN, Mr. MCGOVERN, Mr. KLINK, Mr. FRELINGHUYSEN, Mr. COYNE, and Mrs. MEEK of Florida.
H. Con. Res. 205: Mr. BONIOR, Mr. SERRANO, and Mr. FROST.
H. Res. 16: Mr. SCHUMER.
H. Res. 172: Mr. PALLONE.
H. Res. 218: Mrs. CLAYTON, Mr. HEFNER, Mr. COBLE, Mr. BALLENGER, Mr. PRICE of North Carolina, Mr. MCINTYRE, Mrs. MYRICK, and Mr. BURR of North Carolina.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

32. The SPEAKER presented a petition of Warrensburg Town Board, Warrensburg, New York, relative to Resolution No. 185–97 expressing strong opposition to H.R. 971 and requesting that the House of Representatives defeat this bill; to the Committee on Agriculture.

33. Also, a petition of the LeClaire City Council, LeClaire, Iowa, relative to Resolution No. 98–02 urging the President, Congress, and Department of Defense to reconsider the moving of the 114 personnel and accompanying mission of the Defense Information Systems Agency, Defense MEGACENTER Rock Island, from Rock Island Arsenal Island to St. Louis and instead move the entire Defense Information System Agency, Defense MEGACENTER St. Louis personnel and mission to Rock Island to maximize cost savings to the government; to the Committee on National Security.

34. Also, a petition of the Libertarian Party of Wisconsin, Greenfield, Wisconsin, relative to memorializing Congress to cease certain activities concerning the United Nations; to the Committee on International Relations.

35. Also, a petition of the Societas Docta, Inc., Knoxville, Tennessee, relative to petitioning the House of Representatives, the Senate and President of the United States of America to maintain and extend the affirmative action programs; to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2625

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 1. Page 3, after line 23, insert the following:

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that the Secretary of Transportation secures the consent of the Metropolitan Washington Airports Authority for the redesignation made by section 1.

H.R. 2625

OFFERED BY: MR. MORAN OF VIRGINIA

AMENDMENT NO. 2. Amend the title to read as follows: ''A bill to rename the Washington

National Airport located in the District of Columbia and Virginia as the 'George Washington National Airport'.''.

H.R. 2625

OFFERED BY: MR. MORAN OF VIRGINIA

AMENDMENT NO. 3. Page 3, line 2, strike ''Ronald Reagan'' and insert ''George Washington''.

Page 3, line 6, strike ''Ronald Reagan'' and insert ''George Washington''.

Page 3, lines 17 and 18, strike ''RONALD REAGAN'' and insert ''GEORGE WASHINGTON''.

Page 3, line 22, strike ''Ronald Reagan'' and insert ''George Washington''.

H.R. 2625

OFFERED BY: MR. MORAN OF VIRGINIA

AMENDMENT NO. 4. Page 3, after line 23, add the following new section:

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that the Secretary of Transportation secures the consent of the Metropolitan Washington Airports Authority for the redesignation made by section 1.

H.R. 2625

OFFERED BY: MR. MORAN OF VIRGINIA

AMENDMENT NO. 5. Page 3, after line 23, add the following new section:

SEC. 3. FUNDING.

(a) ESTABLISHMENT OF FEES.—The Metropolitan Washington Airports Authority shall establish and collect fees for reserved parking provided for Members of Congress at the airport referred to in section 1 at rates comparable to the rates charged for public parking at the airport.

(b) USE OF PROCEEDS.—The Metropolitan Washington Airports Authority shall use the proceeds of the fees collected pursuant to subsection (a) to cover the costs of the redesignation made by section 1 until such redesignation is completed.

H.R. 2625

OFFERED BY: MR. MORAN OF VIRGINIA

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 6. Page 3, after line 23, add the following new section:

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that the Secretary of Transportation determines that a referendum proposing the redesignation made by section 1 has been approved by the voters of Arlington County, Virginia.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, TUESDAY, FEBRUARY 3, 1998 *No. 5*

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. Russell F. Blowers, senior minister emeritus, East Ninth Street Christian Church, Indianapolis, IN.

We are pleased to have you with us.

PRAYER

The guest Chaplain, Dr. Russell F. Blowers, offered the following prayer:

Let's pray together.

O God, our help in ages past, our hope for years to come, apart from Whom there is no authority or power or wisdom, we bow before You in worship and praise as the Senate begins this new day.

We are not here to brief You on world affairs or to ask for Your leading and then do it our own way as if You do not exist. You are not a weak and absent deity out in deep space but a Sovereign God who is here to monitor what is said and done in this room today. You are the audience. Give these honorable men and women the ability to perform with integrity as they advise, consent and dissent for the good of the country. Let them be encouraged by some humbling victory or exalting defeat.

We repent of our personal and national transgressions, for we have all sinned and fallen short of Your glory. Forgive us and heal us for ''righteousness exalts a nation, but sin is a disgrace to any people.''

Thank you for Your loving kindness and for Your extravagant blessings upon our beloved land.

Today, may the words of our mouths and the meditations of our hearts be pleasing in Your sight, O Lord, our rock and our Redeemer. Through Jesus Christ our Lord. Amen.

RECOGNITION OF THE MAJORITY LEADER

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

Mr. LOTT. Thank you, Mr. President.

THE GUEST CHAPLAIN

Mr. LOTT. Mr. President, on behalf of the Senate, I thank Dr. Russell Blowers, of Indiana, for being here with us this morning. We thank you for that beautiful prayer. We are glad to have you visiting with us.

SCHEDULE

Mr. LOTT. Mr. President, this morning the Senate will be in a period of morning business until 11:30. Under the order, the first hour will be under the control of the other side of the aisle and the second hour under the control of Senator COVERDELL or his designee.

At 11:30 the Senate will proceed to executive session for 30 minutes to debate and then to consider two judicial nominations: Carlos Moreno, of California, to be U.S. District Judge and Christine Miller, of the District of Columbia, to be a judge of the U.S. Court of Federal Claims.

Following that debate, at approximately 12 noon, two back-to-back votes will occur on the confirmation of those nominees. And then after the first two votes at 12, at 12:30, by consent, the Senate will recess until 2:15 in order for the weekly party conferences to meet.

It is my hope we will be able to consider and complete action on the Ronald Reagan airport naming bill. I will be consulting with the manager of that bill, Senator COVERDELL, and others who have ideas of how it should be handled. I hope to be able to discuss it with Senator DASCHLE so we can work something out on that and then be able to complete it and move on to other bills or nominations that we had hoped to be able to take up. There is a possibility there could be another vote today, and I had expected that there would be a vote early on Wednesday morning, but we will not be able to determine that until we get something worked out on the Ronald Reagan airport bill.

I do want to mention also as a reminder to all Senators that at 5 o'clock this afternoon, from approximately 5 until 6, in room S. 407 of the Capitol, there will be a briefing with regard to Iraq by Secretary Cohen and Sandy Berger, the National Security Council Adviser, and other military officials to bring us up to date on what is the situation in Iraq.

We had hoped that Secretary Albright would be back and could attend that briefing, but she will not be present. I think it is important we go ahead with that briefing and then once she returns, maybe Thursday or early next week, we will ask her to come and brief us on what is happening and what happened during her trip to the Middle East and Europe. I think it is important we have close communication with the administration on what is happening, what they are finding from our allies and what their plans are so we can have input. So I invite Senators who possibly can to be in room S. 407 at 5 o'clock this afternoon.

I yield the floor.

Mr. DASCHLE. Mr. President, I note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

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

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RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11:30 a.m., with Senators permitted to speak therein for not to exceed 5 minutes each. Under the previous order, the time between 9:30 and 10:30 a.m. shall be under the control of the Senator from North Dakota, Mr. DORGAN, or his designee.

The Senator from North Dakota is recognized.

THE PRESIDENT'S BUDGET

Mr. DORGAN. Mr. President, there will be an opportunity this morning for Members of the Senate to discuss the President's submission of his budget to the Congress yesterday.

The way the process works in our country is the President proposes a budget that contains his recommendations for spending priorities. And then the Congress deals with these recommendations in that way that Congress deems appropriate. The budget that the President proposes, and the budget that the Congress finalizes, reflect what we think the priorities are for our country.

It is certain that 100 years from now none of us will be here; 100 years from now we will be gone from this Earth. But if historians want to learn 100 years from now about who we were, and what we were, and what we felt was important to us, and what our priorities were, they could look at the Federal budget document and evaluate our spending priorities. What did we think was important? What did we invest in, in order to achieve a better future for ourselves or our country? And they could determine by our decisions about investment and spending what we held dear as a country.

This President has proposed a budget that is vastly changed from the budgets we have seen in recent years. When I came to the Congress in 1981, in the House of Representatives, a new President was assuming office here in town, President Ronald Reagan. He had a completely different vision of fiscal policy.

He was supported by an economic theory that suggested if you had very large tax cuts, you would still achieve larger amounts of revenue and you could actually balance the budget with large tax cuts. And so he proposed with his Office of Management and Budget guru, Mr. David Stockman, a series of budgets that proposed very significant tax cuts and a doubling of the defense budget.

And President Reagan's economist and others, particularly an economist named Arthur Laffer, who developed a Laffer curve, said this would all work out OK. They said you can provide significant tax cuts, double defense spending, and it would all come out just fine.

In fact, that fiscal policy created a mountain of debt that began to choke this country. The President and Congress in combination embarked on a fiscal policy that was reckless. In fact, David Stockman, the chief strategist of it, said so in his book.

It took a long while to get through all of that, and even through the end of the 1980s and into the early 1990s the Federal budget deficit was climbing and climbing at an alarming rate.

President Clinton came to office in 1993 and said we are going to change that. And he presented the Congress in 1993 with a proposal to reduce the Federal budget deficit. As fiscal policy his proposal was tough, tough medicine.

And by one vote in the Senate and one vote in the House it passed. Some of my colleagues who voted for that are not here any longer because it was tough and controversial. But it put this country on the right road. Over a period of 5 years the budget deficit has come down, down, way down.

And some of my colleagues are unwilling to accept the fact that there is a cause-effect relationship between the actions you take to reduce this budget deficit and the results you get. But it is inevitable, if you look at the facts, to conclude that what this President and what this Congress did in 1993 to set this country on the right track has put us in the position today where we have a budget submitted to the Congress that wrestles that budget deficit to the ground and then says, as far as the eye can see in the years ahead, there is good news.

And the good news is that this economy is working. It's working better for the American people. I do not want to attribute it all to one person or one party. That is not the case. Last year we had a bipartisan budget agreement between Republicans and Democrats and that helps as well, and both parties ought to be credited for that.

But my point is I watched yesterday some people react to the President's budget submission, and it was the same cranky old tune you have heard from them every single year. It sounds like they have a permanent toothache. Nothing on Earth can make them satisfied or happy.

Let me see if I can help them out. Let me try to explain why the American people feel differently. Here is what makes the American people feel good about the direction we are heading.

The Federal budget deficit, as I said, has been down, down, way down now for 5 years in a row. And the deficit is almost nonexistent—not quite yet, but it will be.

Inflation is almost nonexistent. Inflation has come down, down, down. It is the lowest it's been since 1986. Housing starts are up substantially. In 1996 they totaled 1.47 million housing starts. That is the largest number of housing starts in this country since 1988. And what we know so far about 1997 tells us that the figures for all of last year will be even higher.

Mr. President, 14 million people are working now that were not working in 1993. Unemployment is down. I can recall when the Federal Reserve Board, that friend of mine, that institutional friend of mine, said if unemployment ever goes below 6 percent are we in for trouble; we are in for a huge wave of inflation. The Federal Reserve Board has been wrong, it has been consistently wrong about that. Unemployment is now at 4.7 percent, and inflation has not gone up, it has gone down.

Crime? The crime rate has gone down at the same time. This President said let's put 100,000 new police officers on the street. Let's put new cops on the street, on the beat. Guess what is happening. As our economy strengthens, and as more people are working, we have a lower crime rate. Since 1993, violent crime has dropped 16 percent. Robberies are down, assaults are down, the murder rate is down by over 20 percent, burglary is down. That is good news.

Welfare? In the last 4 years we have seen the largest decline in the welfare rolls in the history of this country. There are 2 million fewer people on welfare today than there were in August 1996, when we enacted welfare reform. I might say that this was a bipartisan accomplishment: Republicans and Democrats in the Congress joined to pass a welfare reform bill. I supported it as did many of my colleagues on both sides of the political aisle. A good economy plays a major role in this, but the welfare reform bill also set us on the right track.

Child support collections are up 50 percent after this Congress passed legislation cracking down on deadbeat dads who decide their children are not their responsibility and that the taxpayers should pay for them. The increase in collections is good news. Child support payments are up 50 percent.

Access to health care for millions of Americans? Because of last year's action, 5 million American children without health care will get health care.

Medicare? In the work that we have done to provide long-term stability for Medicare much, much more needs to be done, but we have done a great deal already.

I have more to say and I will in a bit, but I notice the minority leader, Senator DASCHLE, is on the floor. Let me yield whatever time Senator DASCHLE might use of the hour.

The PRESIDING OFFICER. The distinguished Democratic leader is recognized.

Mr. DASCHLE. I thank my colleague for his leadership and his usual eloquence. I want to associate myself with his remarks this morning. I appreciate very much his calling attention to the

extraordinary and very historic accomplishment that we mark this week as we begin the debate on the fiscal 1999 budget.

I have some charts here that I think probably tell the story as well as any three charts could. This first graph simply lays out our fiscal policy from 1980 through 2003, using the President's fiscal year 1999 budget proposal to project from 1999 to 2003. The portion in red notes our struggle with the deficit from 1980 all the way up until the present. The deficits during this period total $3.1 trillion. Then in 1993 came the very controversial Omnibus Budget Reconciliation Act, which was enacted only after the Vice President cast the deciding vote. Passage of this act allowed us to make a dramatic reversal in our fiscal policy, generating savings that exceed the entire deficit that we have accumulated from 1980 through 1999. The green, or blue portion as it may appear on the screen, represents a total savings of $4 trillion. It shows that prior to the passage of the 1993 budget bill, CBO was projecting that the deficit would explode from $290 billion in 1992 to $633 billion by the year 2003.

Instead, a wonderful thing happened as a result of courageous decisions made by Democratic Senators and Members of Congress—some who are not here today because they voted on that deficit. I will never forget that moment as long as I live. After much consultation with Senators on both sides of the aisle, but especially our side of the aisle, a majority came to the realization that this could be a historic vote. Indeed it was. That vote brought about a precipitous decline in the deficit, to the point where we now see a surplus for the first time in 30 years. That surplus is projected to be $218 billion over the next 5 years. In 1969 I was a senior in college. I didn't really know, then, whether we had a surplus or a deficit. I really wasn't following it that closely. But I look back now and note that it was a surplus, albeit a small one. By the rarest of circumstances we had a set of economic conditions that allowed us to reach surplus that year. However, it was a fragile one and would not be repeated for 30 years. Now we are being told that the budget before us could achieve at least $1 trillion surplus over the next 10 years. So this is not just a fleeting 1-year moment in time. Current economic analysis projects that it is very likely we could see budgetary surpluses for the next 10 years. If in the years ahead we practice the same fiscal responsibility we have demonstrated the last 5 years, we could see a surplus of $1 trillion. In other words, we would not only achieve a $4 trillion savings in projected deficits, we would add to that an additional $1 trillion in surplus because of decisions we made in 1993 and again in 1997.

So no one should be surprised at the ceremony at the White House yesterday or with the extraordinary optimism and excitement that many of us shared as a result of these tough decisions. We have all been in those rooms. We have all noted a change in discipline. We have all noted how difficult it is to say no. We have all noted that, were it not for tough decisions and the new discipline that we have been able to establish over the last 5 years, we would not be celebrating today. But, indeed we are, and this chart points out as well as any the reasons for that celebration.

This next chart is also quite educational and informative. The dotted line shows the average federal outlays as a share of gross domestic product over the course of the last 17 years, from 1980, when Ronald Reagan became President, through 1997, under President Clinton. The average outlay during this span has been 21.9 percent of gross domestic product. In the early 1980s we exceeded this average pretty substantially. The red line indicates what actually happened. In 1988 and 1989 we went below the average outlays and then during the Bush years we exceeded the average outlays. In 1993, upon passage of President Clinton's budget bill, those outlays dropped precipitously and have continued falling right to the present. We see a dramatic reduction. Never in 17 years have we seen anything close to the drop in outlays that have occurred in the last 5 years. So, as a percent of gross domestic product, the federal government is spending far less than we have ever spent in the last two decades.

Receipts have also gone up during this same period. We see that expenditures and receipts meet about in the middle. Receipts as a share of gross domestic product have averaged 18.5 percent over the period 1980 to 1997. This percent has gone up substantially in the last five years so that revenues and outlays meet in the middle to bring us that surplus. What is amazing is that even though average receipts are up, the amount of tax paid by the average American working family is down, the lowest it has been in 20 years. So, one might ask, why are receipts up? Receipts are up because people on Wall Street are making megamillions, the economy is stronger than it has been at any time in our history, and the explosion of economic vitality and growth has produced an economic engine that not only provides more after-tax income for working families and businesses and farms, but also for the governments. More governments today at the State and local level are declaring surpluses than at any other time. Why? Because the engine of this economy is as strong as it has ever been.

So, by showing fiscal discipline, by creating fiscal and monetary policy that meld so well, we have created an economic engine that has allowed this economy to grow, to bring in the receipts, even though the vast majority of middle-income families have actually seen a reduction in their taxes over the last 20 years. These outlays have been reduced in large measure because we have been able to do something with government bureaucracy that we have not seen since John Kennedy was President: a lowering of the federal government's civilian employment. As depicted in this chart, we can see what has happened to Federal employment over the period of the last 30 years. When President Kennedy was in office, we had about 1.8 million employees working for the Federal Government. During the Johnson years that number shot up to over 2.3 million. It dropped in Nixon's time, went up a little bit in Carter's time, dropped somewhat in Reagan's time. But look what happened in President Clinton's time. The red portion of the chart shows the dramatic decline in civilian employment in the executive branch just in the last 5 years. It is once again at a level about where it was when President Kennedy was in office, when I was in 6th and 7th grade. So these outlays have gone down for many reasons, but they have gone down in large measure because we have the smallest Federal Government that we have had in more than 30 years.

We have had an effective Federal Government. In education, health care, health security, especially for Medicare recipients—in a lot of ways, even though our Government is smaller, our country and the Government is stronger. Now we are at the crux of some very serious policy questions. Perhaps the most important policy question is what do we do with the surplus. I think the President last week laid out the blueprint as clearly and convincingly as anything I have heard him discuss in the 5 years he has been President. This President has said, before we do anything else, let's recognize one thing. If we don't deal with Social Security soon in a meaningful way, by the time he and I and many of us so-called baby boomers retire, security, the fund may well be exhausted. Let's fix the Social Security problem, but until we do, let's ensure that we don't do anything with the surplus. In essence, we should pay down the debt as long as the Social Security problem remains unrepaired; so long as we don't have the confidence that Social Security will be available beyond the year 2030.

So I think the President is absolutely right. Let's solve Social Security, let's pay off some of the debt and whatever other things that we want to do. However, let's use the same fiscal discipline that we have used for the last 5 years to ensure that we provide good child care, good education, good health care, and a vital economy. We should pay for new investments and that's what the President's budget is doing. Every single thing in the President's budget is paid for, every penny of it.

So it's an exciting day. We celebrate success. We celebrate vitality in the economy the likes of which many of us have never seen in our lifetimes. We celebrate and perhaps look back with some satisfaction to tough decision-making. And we look ahead, having

learned those lessons, with some expectation that it can continue. We will continue to make tough decisions. We will continue to keep this economy robust. We will continue to show fiscal discipline. We will continue to be sure that regardless of what else we do, when we invest in our future, when we invest in our children, when we invest in the things that our people care so much about, that we make those investments good by paying for them. First, by protecting Social Security; second, by paying off some of the debt; third, by investing in things that are totally paid for with offsets that are real and calculable.

Mr. President, if that isn't a recipe for success, I don't know what is. I hope all of us, Republicans and Democrats, can acknowledge the importance of maintaining that success as we go forward. I noted that yesterday marked the first day of the debate of the 1999 budget. While we can debate a lot of things, I hope several things are off the table. I hope we don't go back to the old mistakes we made in the 1980s. I hope that we recognize that rosy scenario has no place in budget calculations any longer; that we have to ensure that the fiscal discipline and the leadership that we have demonstrated persists and can consistently be demonstrated through the decisionmaking process we make on the budget this year.

(Mr. ROBERTS assumed the Chair.)

Mr. DORGAN. Mr. President, I wonder if the Senator from South Dakota will yield.

Mr. DASCHLE. I am happy to yield to my colleague.

Mr. DORGAN. Mr. President, I know the Senator comes from a reasonably small town in South Dakota. I come from a much smaller town in North Dakota.

I have said on several occasions that in my hometown, like most hometowns, we have a couple of people who get up in the morning and go down to the bar and play pinochle all day. They are retired. They sit around and play pinochle and enjoy life. The fact is, they sit around and play pinochle and complain while other people are out doing other things, like figuring out how to pave Main Street. Almost nothing satisfies them. There are people like that in every hometown, and there are people like that in Congress. The fact is, there is no amount of good news that can satisfy the people who are bent on having a bad day. I find it interesting that we went through part of the eighties and some of the nineties going in the wrong direction, and everyone was standing up and saying, ''Gee, we were right on course; the deficit was continuing to escalate, the Federal debt was continuing to grow and mushroom.'' Everybody said, ''Well, we're right on course.'' But we weren't on course.

The Senator from South Dakota, I know, understands well the 1993 vote. In that vote, we on this side of the aisle said, ''Wait a second, this train is running right down the wrong track. We are going to stop it, back it up, turn it around and move it in the other direction.'' That is what has gotten us to the point we are at today, where instead of seeing escalating budget deficits and mushrooming Federal debt, we are seeing exactly the opposite. We not only see reduced deficits, and a reduced debt burden, but also an opportunity, even as we balance the budget, to invest in critical things that are important to the future health of the country. Is that how the Senator sees it?

Mr. DASCHLE. Mr. President, I appreciate the observation made by the Senator from North Dakota. That is true. There are some people who, given the kind of cards we have been dealt, you think would find some cause for optimism with all the good that is happening today: housing starts the highest they have been in history; the number of new jobs the highest they have ever been; the strength of the economy; the low interest rates; the fact that we are going to see a surplus; a growth in the economy that exceeds that of Europe and Japan together. That remarkable economic success ought to be cause for optimism for even the most ardent political pessimists sometimes found among our colleagues on the other side.

So I acknowledge, as you do, that it is a remarkable day when, even with all of this good news, there are still some people who are trying to find the dark lining in the cloud.

There isn't much dark lining there. If we stick to the text that we have been using for the last 5 years, there is a lot of silver lining upon which we ought to be building our future.

Again, I appreciate very much the Senator's leadership in bringing this to the attention of the American people and helping us as we make these tough decisions each and every day.

Mr. President, I know others are seeking time for the floor. So, again, I thank the Senator for allocating this time for discussion of the budget and our current circumstances. I yield the floor.

Mr. DORGAN. Mr. President, let me continue for a couple of moments to finish the presentation I was intending to make.

The reason I come back to the 1993 vote is that it was so controversial and so difficult for so many people. There were people here who said, ''If you do this, if you pass this bill that makes a fundamental change in fiscal policy, you are going to cause a train wreck and you are going to run this country into a depression.'' We had people say that on the floor of the Senate. I won't read their quotes because that would not be fair. That was the intention of some folks on the floor, to say this is a terribly wrongheaded policy and going in the wrong direction. It turns out it was very important we change the direction of this country; it was the right policy.

When President Clinton proposed this budget, he talked about saving Social Security first. This is another way of saying we ought to pay down some of this debt. The problem has been that the Social Security trust funds have been used in the operating budget. I have been on the floor repeatedly talking about how inappropriate that is.

We ought to not step back into the same old hole we have been in for a decade and a half, or even more. We ought not to decide, the minute the budget picture looks better and we are headed in the right direction, that we are going to provide more tax breaks or more spending. What we ought to do is provide some confidence to the American people that we can manage this country's fiscal policy in a way that provides balanced budgets far out into the future. This President has done that in a way that says we are going to establish the right priorities for this country's future.

I want to mention two of them because others will come and talk about different portions of this budget. I want to talk about two. Some of the things the President has proposed represent additional investment in certain kinds of activities, and he has achieved that by reducing spending in other areas. I want to mention a couple.

Head Start. Does anyone in this Chamber who has visited a Head Start center believe that that is not the best kind of Federal investment we can make in young lives? Does anybody believe that program doesn't work? All of the evidence suggests that it is a wonderful investment in young lives. You go there and look in the eyes of these young children, 4- and 5-year-old children who are getting an opportunity in Head Start that they wouldn't have had otherwise. It yields tremendous rewards in the lives of each and every one of them.

When someone says, as we have seen in the past, ''Well let's cut the budget and cut 60,000 kids out of Head Start,'' I say, ''You tell me their names, which kids do you want to cut out of Head Start?''

This President says, and I hope this Congress will agree, that program works, that program makes sense, that program improves young citizens' lives. That's why his budget proposes to increase Head Start funding by $309 million in the coming fiscal year.

Let me make one final point. There is a lot in this budget that makes a lot of sense. The National Institutes of Health. This President says let's do what we ought to do. Let's increase spending of the National Institutes of Health, and he does so in a way that gets NIH funding to $20 billion in 2003, up nearly 50 percent over the coming 5 years, by achieving savings in other parts of the budget.

But I want to tell you briefly what they are doing down there at NIH. They have 50,000 plants, shrubs and trees from all around the world they collected with USDA, and they are

doing research. I encourage all my colleagues to go see what they are doing.

Contemporary medicine derives many of its drugs from plant sources all around the world. They are doing an investigation of chili peppers—chili peppers. Do you know what they are finding? Chili peppers have a pain-killing extract. People knew that in folk medicine long ago, but now it is being refined and used.

Sweet wormwood, a plant that has potency against malaria.

The willow tree, aspirin. The Chinese knew that 2,000 years ago. The java devil pepper, a drug used as hypertensive agents against high blood pressure. Rose periwinkle, used in Hodgkin's disease, anticancer agents. Foxglove, used in congestive heart failure.

The point is, go down and look at what they are doing and what we are getting for this investment. It is going to improve the lives of people in this country because it will lead to significant medical breakthroughs. And this is just one part of their research, in the area of evaluating plants, trees and shrubs all around the world for what folk medicine used to understand they can contribute. We are understanding in a more significant and sophisticated way that these natural resources can help people live a healthy life.

Go over to the Heart, Lung and Blood Institute and take a look at what they are doing with respect to heart disease and genetic research. It is possible some day in the future that someone whose arteries become clogged will have their body grow a new artery link around that blockage. That comes from genetic research.

My point is, that is an area of the budget that I am very excited about. Gosh, that makes a lot of sense because that is an investment in the future, that is an investment that is going to help this country and all people of the world.

I think it is exciting that we can come to the floor of the Senate at a time when the country is headed in the right direction. We have more jobs, more opportunity, more confidence in the future. The things that were troubling us—inflation, welfare, budget deficits, unemployment—are all of them down, down, way down. That ought to give cause for optimism to all Members of the Senate. And it should give the American people the confidence that finally we are moving in the right direction.

That is why this budget document is important. It sets out some priorities. Are some of them maybe adjustable? Are some of them wrong? Yes. Are a lot of them right? Yes. Let's have a debate about that, and let's describe and select those priorities that we believe will strengthen and improve this country.

I am happy to yield such time as he consumes to the Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from North Dakota for this opportunity to speak.

I came to Washington 15 years ago to be a Member of the House of Representatives. I can recall that one of the major items that we discussed in the entire 14 years that I served was the budget deficit. It seemed like such an impossible, intractable problem. Through President after President, we had these theories on how we were finally going to reach balance.

Oh, there was this steely resolve from everyone that we are going to get it done, and it seemed to be an elusive target that we missed year after year after year. As the balanced budget effort failed, the debt of the Nation grew and our deficits grew. We continued to shell out millions and millions and billions of dollars in interest on the national debt, money wasted that couldn't be spent for other good purposes.

Thank goodness we are in a different era. I pick up the morning paper and see the President of the United States has submitted to Congress for the first time in over 30 years a balanced budget. I read as well the last balanced budget submitted by President Lyndon JOHNSON was the result of a substantial tax surcharge which was imposed on the American people. So this President has brought us to a point with a balanced budget without this increase in taxes on working families, but giving us, I think, a better opportunity in the future.

How did we reach this point? I think you have to go back at least to 1993 when we passed the budget of the President. A Democratically controlled Congress, with not one Republican vote in support, passed a budget which moved us substantially toward a balanced budget.

It said that in the outyears, we would reduce spending, we would make certain that our books would be in balance, and then, to give credit where it is due, with the Republican Congress, just this last year, we came together again and, on a bipartisan basis, finished the job, finished that last important but small piece that needed to be added to reach balance. Add that to our bustling and thriving economy, and we have a situation that all of us can finally take pride in that we have a budget that is balanced for America and is balanced in its priorities.

Speaking to that budget, my friend from North Dakota mentioned several areas that are near and dear to my heart. The whole concept that we would finally find the resources in this budget to help working families pay for child care is one that is long overdue. During the break that we just completed, I traveled the length and breadth of Illinois visiting child care centers, seeing what was going on in the small communities and large cities of my State.

I can tell you, it is heartening, it is encouraging—but there are many challenges there—to go to St. Vincent de Paul Child Care Center in the city of Chicago and find 400 children in a very positive, warm and safe environment and to know that those children are receiving the very best care. But then I hear from Sister Katie that there are, in fact, a thousand more children waiting to come to that center. Where are those kids today? Who is watching them? What are they learning? Is it good or bad?

The President's budget says let's start providing more money for families to pay for child care, and he issues the resources from the tobacco agreement—one that I think should be one of our highest priorities this year. If we leave town in 1998, if this Senate and House leave town without enacting tobacco legislation—a tobacco agreement, a comprehensive approach—we will have turned our back on a golden opportunity for families across America to help pay for child care.

In the area of medical research, it always puzzled me that this area of research, which is so popular among the American people, didn't receive the kind of investment that it was due. I will give credit where it is due, within the last year or two my colleague from Illinois, Congressman JOHN PORTER, and others, have moved forward to increase NIH funding.

We can do better. We can do more. With this tobacco agreement and the proceeds from it, through this budget, we will finally start making the kind of investment in health research which every family cares for. Now, people may not come up on the street and say, ''Senator, I hope you will do something about health research,'' but I say just visit a hospital. Visit a hospital where some family member is seriously ill and sit around for a few minutes, and you know what they will say. ''I hope that the people working in Washington and all across the country can help spare my family or at least some other family what we have gone through with this health problem.''

The last point I will make is critically important. There is a lot of talk about what to do with our surplus. There is kind of a surreal quality to this—a surplus? It was just a year ago that if you came to the floor of this U.S. Senate you would have found several Members—one parked at this desk right over here—with a stack of books higher than his head, all the budgets that have been submitted that were not in balance. And what was his suggested solution and the solution of many of my colleagues? An amendment to the Constitution.

It is fortuitous that on the floor waiting to speak next is Senator ROBERT BYRD. Senator BYRD of West Virginia has led the fight against this notion for a long, long period of time. Senator BYRD will recall the speeches, ''If we don't amend this Constitution, if we don't put a balanced budget amendment in the Constitution, we will never reach balance. We have to change the Constitution.'' Senator BYRD had the wisdom and the leadership to stand up and say, ''You are

wrong. This can be done with political will. It need not be done by changing the Constitution of the United States.''

Here we are 12 months later, I say to the Senator. I don't hear the hue and cry on the floor anymore from our friends on the other side of the aisle about amending the Constitution. They pick up the paper in the morning and say, ''You've reached a balanced budget.'' We didn't have to put that travesty in our Constitution. I think there is a lesson there. We certainly owe a great debt of gratitude to Senator BYRD for his leadership in reminding us that we ought to step back and take a look at the course of American history before we jump and run and add things to that great document.

Now today, I say to the Senator, there are people who say we don't have to worry about the deficit anymore, our biggest problem is trying to figure out how to spend this surplus. All this extra money, what can we do? Can we declare a dividend for the American people? Give them tax breaks and become the most popular politicians in a generation? I suppose we could do that, but I think that is shortsighted. We don't know where this economy will be 6 months or a year from now. We don't know where Federal revenues will be. It is far better for us to take a cautious course.

I think President Clinton was right in his State of the Union message. Our first stop on that course should be Social Security. Let's make certain that if there is a surplus that we can count on, that we invest it back into Social Security so that it is there not just for generations to come but for the next century. We can do that, and we can do it if we don't rush to judgment here, if we don't spend this phantom surplus, if we don't overinvest.

As we were caught up a year ago in the idea of amending the Constitution, let's not get carried away in 1998 with overspending this surplus that may be illusory or only temporary.

I stand today happy that this administration has brought forth the first balanced budget in 30 years, but understanding that within that budget are important priorities for the working families of America, priorities which will never see the light of day unless this Senate and the House of Representatives work together to make certain that we keep your eye on the goal. The goal is making sure that we have a better standard of living for families across America.

I thank Senator BYRD for giving this opportunity to speak and I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. I thank the very distinguished Senator from Illinois. He is an extremely able Senator and he is focused on the betterment of the country and always with the interests of the people of his State uppermost in mind. I am glad to serve with him.

ISTEA

Mr. BYRD. Mr. President, there is an urgent necessity for the Senate to turn immediately to the consideration of the Intermodal Surface Transportation Efficiency Act of 1997, ISTEA. That is the highway bill. That bill was reported unanimously by the Environmental and Public Works Committee on October 1, 1997. However, due to our inability to enact a comprehensive 6-year ISTEA reauthorization bill at the close of the last session, our State highway departments and transit providers are currently operating under a short-term extension bill that provides roughly one-half year of funding which is needed for our Federal highway construction, our highway safety, and our transit programs.

That short-term extension bill, Public Law 105–130, signed by the President on December 1, 1997, includes the following text, and I hope that Senators will listen carefully:

> A State shall not obligate any funds for any Federal aid highway program project after May 1, 1998.

Let me repeat this provision that was in the law enacted and signed by the President on December 1 of 1997. Listen to these words:

''A State,'' that is my State, the State of the distinguished Senator who presides so efficiently over this Senate, that is the State of each of 99 other Members, ''A State shall not obligate any funds for any Federal aid highway program project after May 1, 1998.''

That is just 42 legislative working days away—42 days.

I want to take a moment to explore the practical impact of that sentence. That sentence means that on May 1 of this year, just 87 days from today, with just 42 legislative calendar days—session days, we might say—away, our State highway departments and our transit providers across the Nation will be prohibited, by law, from spending any Federal highway or transit trust fund dollars. This provision does not apply just to the funding that was part of the short-term extension bill; it applies, equally, to any other unobligated funds that States may have left in their accounts for highway or transit projects currently in progress.

Mr. President, this provision, prohibiting the obligation of highway or transit funds after May 1, is a doomsday provision. It is a provision that says, beginning 3 months from this past Sunday, all 50 States in the union will begin to hit the same brick wall and feel the same pain—the pain of a Federal highway program coming to a halt, the pain of workers being put on the unemployment line, the pain of urban mass transit projects stopping in midstream, the pain of gravel quarries shutting down, the pain of construction equipment manufacturers closing their doors, the pain of our citizens sitting in ever-worsening traffic jams due to the inability to progress on desperately needed projects, the pain of unnecessary accidents and deaths on our highways—all of these because those roads cannot be brought up to modern safe standards. Make no mistake about it, May Day, May the 1st, May Day, will certainly elicit a cry for help from our States and our people.

You will hear the Governors, you will hear the mayors then, you will hear the highway agencies then, from all over this country.

Mr. President, when the Congress put that doomsday provision into law, we did so at a time when the Senate majority leader was telling the Senate that we would turn to a comprehensive 6-year ISTEA reauthorization bill as our first order of business early in the second session of the 105th Congress. Back in November we knew that, if we took up the ISTEA bill at the end of January, we would have sufficient time between then and May 1 to move an ISTEA bill and go to conference with the House and present a completed bill to the President for his signature. It was an ambitious schedule, but it was achievable.

Mr. President, today, that picture appears to have radically changed, and it does not appear that we will be taking up the highway bill any time soon. I say this from the inferences that I draw from newspaper reports and the reports that I receive by word of mouth and various other communications, electronic and so on. There are exceedingly few legislative days available to us prior to May 1, as I have already indicated, about 42 session days. I am not counting Saturdays and Sundays. These are session days. Although the priorities of the Senate leadership may have changed regarding debating ISTEA, the doomsday date of May 1 remains in the law. While it may be the desire of the Senate leadership to debate a budget resolution prior to the consideration of ISTEA, let's realistically face what that means. While the law requires that the Senate pass a budget resolution by April 15, the fact is that we miss that deadline far more often than we meet it. And if we just listen to the statements that have been made in the last few days regarding the President's budget, it is apparent that the debate over the substance and the direction of the budget resolution promises to be a long and contentious one.

So what is the real possibility of our enacting a comprehensive 6-year ISTEA reauthorization bill prior to May 1, if we do not turn to it immediately? Not good, at best.

Mr. President, some observers have looked at the calendar and concluded that the Senate, along with the House, will just have to pass another short-term ISTEA authorization bill. Well, Mr. President, I am not a member of the Environment and Public Works Committee. But, I am told by both the chairman and ranking member of that committee's Surface Transportation Subcommittee that the chances are very slight, indeed, that we will be successful in, again, passing a short-term

ISTEA extension bill. Over 200 amendments were filed to S. 1173, when it was brought before the Senate last fall. Several Members are anxious to offer their amendments. Punxsutawney Phil, the groundhog, has seen his shadow, but we here in the Congress cannot seem to see the handwriting on the wall.

I again urge the leadership to bring forward and take up the ISTEA bill now and let the Senate get on with debating and voting on the many amendments that have been filed in connection with this bill.

There is simply no other way that we can hope to complete action on this critical legislation prior to the May 1 drop dead date that presently is hanging over the heads of all of us like Damocles' sword. All of us are responsible for ensuring that the Nation's highway programs continue without undue interruption and uncertainty. The time for dithering and delaying is over. We need to keep our commitment to the States and to our people and act now to avoid this doomsday scenario.

Mr. President, I thank the Chair and I yield the floor.

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. COVERDELL. 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. COVERDELL. Mr. President, parliamentary inquiry. It is my understanding that the next hour of deliberation is under my control or that of my designee.

The PRESIDING OFFICER. The Senator is correct. Under the previous order, the time between 10:30 and 11:30 shall be under the control of the Senator from Georgia or the Senator's designee.

THE PRESIDENT'S BUDGET

Mr. COVERDELL. Mr. President, over the last several days, there has been considerable discussion about the State of the Union Address and the general framework of the President's new budget and subsequent presentations that have been made to the Congress and to the American people about this budget. Over the next several months, we are going to entertain a lot of hyperbole, a lot of rhetoric, and probably a lot of finger pointing, but I have a business background—bottom line. The bottom line here is that the celebration conducted on the White House lawn last year for the first balanced budget in 30 years and the first tax relief in 16 years, if we accept the President's presentations, is being canceled. It didn't last a year. Just take an x and mark it out and take all those films and set them aside. It didn't happen, because the tax relief—the first significant tax relief in 16 years—was $110 billion over the next 5 years. The President's budget envisions tax increases of $106 billion over the next 5 years. So the tax relief is crossed through, gone.

Now, it's true that there will be a different set of winners and losers, which is unfortunately the type of thing that happens in the Capital City. The point is, they made huge fanfare that we were giving $110 billion in tax relief. We have gone home and talked about it, and we are right back here raising it again, canceling it out.

Now, the balanced budget—the first in 30 years—the balanced budget agreement, which was a very hard-fought battle, finally secured and signed with great celebration on the White House lawn, envisioned a cap of expenditures over 5 years. In other words, we came to terms about how much we were going to spend between the signing of that and the year 2002. Preset. We told the American people that we are on a glidepath and we have decided what we are going to spend. Well, the fruits of this have been enormous. The world has looked at us and said that this is a very positive thing. The President's budget takes that and sets it aside and says, no, we are going to go back to the days of tax and spend, and he is proposing $150 billion in new spending, added on above those caps that we agreed to.

So, in short, bottom line, you take the budget deal and tax relief and throw it out, cancel it. That is where the debate starts this year. I think that is unacceptable.

Mr. President, we have just been joined by my good colleague from Missouri. He is operating under a real scheduling problem here. I am going to yield up to 10 minutes to the Senator from Missouri. He is dealing with another matter, but we want to facilitate the Senator's schedule, and it is a very important initiative that he is going to be talking about this morning.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

(The remarks of Mr. BOND and Mr. FRIST pertaining to the introduction of S. 1599 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. COVERDELL. Mr. President, we have now been joined by the senior Senator from Texas, Senator GRAMM, an acknowledged expert on economics and the budget. I welcome him to the floor to discuss the President's budget. I yield up to 10 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I thank our dear friend and leader from Georgia, Senator COVERDELL, for yielding. Let me first say that this is a very happy occasion to me because I have come to the floor of the Senate to talk about a budget where in the one provision that Americans clearly understand best, and based on the historical problems we care about most, we have a unanimity of purpose with the White House, with the Democrats. In fact, this is the first time in my career in Congress that we have a President, a minority party, and a majority party, all of which have committed to balancing the Federal budget.

It is a certainty that if the economy stays as strong over the next 18 months as it is today that we will balance the Federal budget in fiscal year 1999, which is October of 1998 through September of the year 1999. That, obviously, is good news.

So I think the first thing we need to do is we don't need a debate about balancing the budget. We don't need a debate about how we differ with the President on this subject. Some people will want to debate about how it happened. Some people will want to debate who should have the credit. But it seems to me that the good news is given the economy stays as strong as it is we are going to have a balanced budget, and the President and the Congress—Democrats and Republicans—agree on the bottom line of that budget.

So given all of that happy news, I think we should just simply take it to the bank, so to speak, and move ahead on that front.

Now the question comes: Where do we disagree? That is what I would like to talk about today because I think those disagreements are very, very important. How did we get to where we are today? It seems to me that it started in 1985 when for the first time we really started to try to gain control of spending. It has been fiscal responsibility—often a battle between the President and the Congress, Democratic Presidents, Republican Presidents, Democratic Congresses, Republican Congresses. But the basic fact of life is that since 1985 we have limited the growth of Government for the first time really in the postwar period.

Where does the President want to take us from this happy moment, and where do Republicans want to take us from this happy moment? Given that together with a strong economy we are going to balance the budget, which road does the President want to go down? And which road do Republicans in Congress want to go down? Then it seems to me that it is up to us to define those paths as we come to this fork in the road where people need to choose which path they want to follow.

The President is proposing in his budget $115 billion of new taxes and user fees. These taxes entail many different provisions from taxes on airline tickets to changing the way we deal with life insurance—numerous provisions. But when you add up all of the taxes and user fees, the President's budget over the next 5 years will take $115 billion out of the pockets of Americans and transfer that money to the Government. The President will then use that money to fund in part a $130 billion increase in Government spending. Anyone who heard the State of the

Union has heard the long list of things that the President wants to spend money on.

The first thing I want people to understand is that this represents a dramatic change in policy. The President is contemplating from this point where we have all come together to balance the budget taking a leftward path at this fork in the road that entails a very substantial increase in taxes, and a very substantial increase in Government spending.

Let me tell you why I am concerned about the increase in taxes and user fees. I am concerned because never have Americans paid more taxes than they do today. American families all over the country—when you add up the total taxes they pay—are paying about 31 cents out of every dollar they earn to the Government in taxes. We didn't pay 31 cents out of every dollar at the peak of the war effort in 1944 and 1945. We didn't pay 31 cents out of every dollar at the peak of the Civil War effort. Never in the history of the country have taxes been higher than they are today. Yet, in the President's budget under his own numbers, the percentage of the income of Americans who work for a living that goes to the Federal Government in taxes rises for 1998 over 1997 and rises for 1999 over 1998.

For 3 years in a row, despite the fact that we are at the highest tax level in American history, the President would raise taxes again, meaning that Government would be spending more of our income than at any time in American history. And the only other times in American history that we have even rivaled this level of taxes were times when defense spending was at a record high. And today defense spending is lower than it was when the Japanese bombed Pearl Harbor on December 7, 1941.

Now it seems to me that what Republicans have to do—and I think we need to do it in a very open way because this is a public policy choice—is we need to go through and look at all of the $115 billion in taxes and user fees, loophole closures, whatever euphemism the President may have for them, and we need to make a judgment. Are these good things, are they bad things, should they be done, are they equitable, and do we want to take that much in revenues? That is the first question we have to answer. I think we do it by looking at each individual program and making a decision.

Then we come to the decision as to what you would do with this money if you had it. If we had $115 billion of new revenues, would we want to go out and undertake $130 billion of new spending programs, or would we want to give that $115 billion back to the American people by cutting taxes?

It seems to me that the difference between Republicans and the President at this sort of defining moment where we are on the verge of achieving a balanced budget and facing this fork in the road that the President wants to go left in raising taxes to increase spending even though the tax rate is at a record high. I believe Republicans think that we should look at each one of the President's revenue proposals. But, if we believe that they merit our action, our support, we think we ought to take that money and give it back to working Americans in terms of tax cuts.

We have had proposals by the President, for example, to spend $21 billion on child care, a new massive program at the Federal and State level in block grants. Republicans believe there is a child care problem. Today the average American family sends one out of every four dollars it earns to Washington, DC. In 1950, when I was a baby, the average American family was sending one out of every forty dollars it earned to Washington, DC. Today working wives in two-parent families where both parents work outside the home are paying 55 percent of their earnings in taxes that didn't exist when I was a baby.

So, obviously, working families do have a problem paying for child care and raising children. But is the answer another $21 billion Federal program? Or is the answer, for example, to double the dependent exemption from $2,500 a year to $5,000 a year so that instead of taking $2,500 off your income before you figure your taxes per child for those under 6 you take $5,000 off per child. So you could keep more of your own money and invest it in your own decision about child care, whether it is professional child care, whether it was church based child care, or whether it is grandma keeping the children, or whether it is mom staying home with the children. You would have a choice. That, it seems to me, is a legitimate choice that Americans can look at.

The President believes the answer to child care is $21 billion of new Government spending. We believe the answer is to take the $21 billion, double the dependent exemption for children under 6, and let working families decide how to spend the money. I think the advantage of our program is you don't have to use child care to get benefits. If you stay home with your children, you get the benefit. If you work outside the home and grandma takes care of the children, you get the benefit and you decide how to spend it. Who says one is better than the other? I think that is up to the American people. But that is the decision we are making at this crossroads where the President says the answer is more Government, and we say the answer is more freedom—in this case freedom to spend your own money.

If you ask American families that are in that income level—between $25,000 a year and $50,000 a year—so that their tax rate is popping up from 15 percent to 28 percent, if they would rather the Government spend $130 billion on their behalf, or would they rather say that if they can work and make more money we will tax them at 15 percent instead of 28 percent, what if we could say for single people that they can earn $34,000 and still be in the 15 percent bracket, and we could say to working families that they can earn $50,000 and still be in the 15 percent bracket instead of $40,000? If we could do that for the same cost that the President is going to incur in funding all of these new Government programs, would working families rather keep that extra money and spend it themselves on many of the same things we say we are going to spend it on their behalf, or would they rather us do it?

Again, we are at that fork in the road where we came together to balance the budget. But the President and the Democrats say let's spend this money on more Government programs. We say let's let working families keep more of what they earn, and for middle-income families who have seen all the Reagan tax cut eaten up by an increase in payroll taxes, let's stretch out this bracket at 15 percent.

Let's go up to $34,000 for single, and $50,000 for working couples where they will still be taxed at 15 percent, not 28 percent. Would they prefer having that, or $130 billion worth of new Government spending? No one says the President is wrong and we are right. What we are saying is America, which do you want? Do you believe Government can spend your money better than you can spend it? Do you think we are wiser than you? Do you think we know your needs better than you know your needs? Do you think we have this wisdom and insight and perspective that you as fathers and mothers, grandmothers and grandfathers lack? Well, if you do—and that is a perfectly legitimate view; it is not one I share, but it is legitimate—then you want to support the President's program. But if you believe you could spend the money better, that you know a little bit more about taking care of your children and raising your family than the Government does, then you want to support what Republicans want to do. You want to support going down the fork in the road that we choose from this point. That is basically the choice that we have.

Let me address two additional issues very briefly. If we have a tobacco settlement where we agree with the tobacco companies that they are going to pay the Government money—and the whole purpose of the settlement that everybody forgets in this rush to spend the money is that if there is a settlement the settlement is that the tobacco companies owe the taxpayers for the medical costs that have been imposed on the Federal Government as a result of people smoking—where have those costs been imposed? Those costs have not been imposed on school buildings or teachers. I'm not sure that smoking stunts your growth when you are a child but we know that it raises the probability that you will have lung problems, heart problems, and numerous other health problems when you get older.

The cost of smoking borne by Medicare has been probably six dollars for every one dollar that the States have spent on Medicaid because of smoking. So if we are going to have a tobacco settlement, the cost that the tobacco companies are paying to the Government is really to compensate for the cost of Medicare.

So I don't think it is unreasonable that we ought to take that money and use it to save Medicare—not just for our parents but for our children.

So if there is a tobacco settlement, the money ought to go where the settlement agrees it is for, and that is to compensate the taxpayer for medical costs. And almost all of those costs at the Federal level are borne by Medicare.

Finally, if we are just simply going to raise taxes on cigarettes, then we get back to the decision at this fork in the road as to whether if we are going to raise taxes on cigarettes to discourage people from smoking, should we give the money back to Americans by cutting tax rates, or lowering the taxes in some way, or should we have the Government spend it and let the taxes which are already at historic highs rise even further?

Again, there is no right or wrong here. It is a question of what Americans want.

Finally, in protecting Social Security, I went to the State of the Union Address, and I guess many people tuned in excited to hear what the President was going to say about Social Security. The plain truth is, to my disappointment, the President said almost nothing about Social Security. He has proposed no program whatsoever. He just simply outlined the $130 billion worth of new spending and then said to Republicans, do not dare talk about cutting taxes because you need the surplus to save Social Security.

The point is, if we want surpluses to save Social Security, we should not spend the $130 billion to begin with.

How would you save Social Security? First of all, over the next 5 years, $600 billion is going to be paid into Social Security above the level that we are actually paying out for Social Security benefits.

Under the President's budget, we spend $400 billion of it on general Government. I think we ought to take that money and invest it in Social Security. How would you do it? Let me tell you very briefly how I would do it. Currently, workers pay 12.4 cents out of every dollar they earn in wages to Social Security. None of it represents a real investment, and it is all either paid out in benefits or spent on general Government. There is no trust fund. The trust fund exists as only a paper accounting system where the Government claims it owes money to Social Security, but it does not count it as an external debt and when it pays interest, it does not count it as an expenditure of the Government.

What I would do is take that $100 billion a year being paid in above what we are spending and actually make investments that would be owned by individual workers. By doing that we can cut in half the long-term liability of Social Security.

So to sum up, since I know one of my other colleagues is here to speak, we have come together on a bipartisan basis, Democrats and Republicans, the President and Congress, with a unity of purpose to balance the budget. We agree on that, and we are going to do it, and that is no longer something we are debating. The question is where do we go from here. Do we need more Government even though we have a record high tax rate, or do we need to let people keep more of what they earn? That is the choice we face. That is what the debate is about. And I hope people will understand it and make their choice. I believe they will choose freedom. They always have when they have had the choice and when they have understood it. I believe that is the choice they will make.

I thank the Chair.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Georgia.

Mr. COVERDELL. I appreciate very much the thoughtful remarks by the Senator from Texas.

We have been joined by our colleague from Arizona, and I yield 7 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, I thank my colleague from Georgia and, of course, second the remarks just made by my colleague from Texas.

Mr. President, with the Federal Government apparently on the verge of its first unified budget surplus in nearly 30 years, many people are beginning to ask what comes next, what should happen to the budget surplus if and when it materializes. Should we spend it? Should we begin to pay down the national debt? Should we provide hardworking American families with some meaningful and, I would say, long overdue tax relief?

Before we try to answer those questions, I think it is worthwhile to recall how we got here. Remember, it was not that long ago—in fact, it was as recently as February of 1995—that President Clinton submitted a budget that would have locked in annual deficits in the range of $200 billion in the foreseeable future. A unanimous Senate rejected the Clinton budget on May 19, 1995, and from that point on the debate took a fundamental turn from whether to balance the Federal budget to how to balance it.

During the last 3 years, we began to slow Federal spending growth. We have eliminated 307 mostly small Federal programs. But perhaps the most decisive factor has been what we did not do. We did not impose another large tax increase on already overtaxed families and businesses. And that gave people enough room to do the things that they would naturally do to result in an invigoration of our economy. In fact, the economy has outperformed everyone's expectations, producing tens of billions of dollars in unanticipated revenues to the Treasury which has helped to close this budget gap.

When the budget agreement passed last year, for example, deficits were projected to go from $67 billion to $90 billion. The budget agreement allowed for substantial amounts of new spending before starting down the path to balance in the year 2002. It was the expectation of deficits in the interim that were higher, not lower, that contributed to my decision to oppose last year's budget deal. It now turns out that the 1997 budget deficit came in at only $22 billion and is projected to amount to about $5 billion in the current year, all because of the economy's robust performance and it comes in spite, I would note, of the substantially increased spending allowed by the 1997 budget.

So what ultimately we decide to do with the surplus—and again I caution that projections are just that, projections—we ought to be sure that it sustains the economic growth that has gotten us to where we are today. And that is why of the three possible approaches to utilizing this budget surplus, it seems to me the one that makes the most sense is to return what we do not need to spend at the Federal Government level back to the hardworking families who earned it so that they can make the decisions in their own lives as to how to spend that surplus, thereby enabling us to continue the long term of economic growth which this country has been on now for the last many months and to ensure that robust economic growth continues to produce more revenues to the Treasury in the future that can help us sustain both the Federal budget and ensure that we do not have deficits in the future.

The President, of course, has taken a political road here. He is suggesting that we should use the surplus for Social Security purposes. As Senator GRAMM pointed out, there is no indication as to how he would do that, and as a matter of fact since the money going into the Social Security trust fund amounts to an IOU to the Social Security trust fund because it is then immediately spent by the Federal Government, we do not put Social Security money in a shoe box here at the Federal Government level. What the President in fact is saying is simply allow that money to be spent by the general fund of the U.S. Government, and I think that is unacceptable.

The other thing the President has said is, let's spend about $130 billion on new programs. That is not what to do with the budget surplus that may or may not materialize, and that in any event would put us on a road to spending that money every year in the future. Clearly, we cannot sustain forever the kind of economic growth we

have today, and as a result we should not be embarking on new spending programs that we are going to have to find new sources of revenue to support in the future.

Another thing we can do is to begin to pay down the national debt. Given the fact we are paying almost $1 billion a day on interest on the national debt, it makes sense for us to do that. So to the extent we do not need the revenues for other purposes, we can devote part of that to paying down the national debt. But I suggest that the best way to ensure that we can continue to have a robust economy, continue to gain the receipts that we need to pay for Federal Government programs and also to ensure that American families continue to receive some benefit from this economy is to provide that hard-working American family with tax relief to the extent that the budget surplus permits us to do so.

Clearly, the most effective from an economic point of view, what Alan Greenspan testified to the other day, if we are going to provide tax relief, it should be in terms of marginal relief for all Americans. But to the extent that politically we are not able to do that this year and that we need to do something in a targeted fashion, I think most of us agree the most beneficial kind of tax relief would be aimed at eliminating the current marriage penalty which in effect has the Government of the United States supporting a policy which encourages people who are living together, working but who are not married, to continue to stay unmarried because, after all, if they marry, then the second person's income is immediately put into the top bracket and they end up paying a lot more in taxes than they would if they remained unmarried. It should not be Government policy to be fostering that kind of family situation, and as a result the marriage penalty ought to be one of our first targets for elimination to the extent we can spend any of this surplus for tax relief.

I use the word ''spend,'' Mr. President, and in closing I want to make this point. That is the term that the budgeteers use, that the people inside the beltway use when they talk about a surplus and putting it to ''good use.'' They talk about spending as if it were Federal Government money. And in the beneficence of the Federal Government we are going to give it back to the American people. The truth of the matter is we should not have taken it from the American people in the first place because, as it turns out, we did not need it and as a result the only right thing to do is for the Federal Government to return it to the American people in the form of tax relief.

Again, I conclude by saying the benefits of that are twofold and significant. No. 1, American families are already way overtaxed, and this enables them to provide more for their families in a way that they deem most effective rather than somebody here in Washington, DC. But secondly, because there is more family income at their disposal, to be spent, to be saved, and in saving to be invested in the American economy, we can ensure that the economy continues to perform as it has with the result that not only do we all have a better standard of living but, of course, the Federal Government continues to get more revenues because we have not changed basic tax rates. As long as those rates remain where they are, a robust economy is going to continue to allow the Federal Government to do just fine in terms of its collections of revenue. That is why we can ensure that we can balance budgets in the future, we can have plenty of money to begin paying down that Federal debt, and we can provide tax relief to families and encourage a robust economy if we will use whatever surplus exists to return to the American people so that they can then spend it as they see fit.

These are the options. I think that the Republican plan, which focuses on debt reduction and tax relief, is the right way to go and that the President's ideas for more spending, while they will get a courteous listen here on Capitol Hill, are in the end not the best way to deal with the surplus that we might have and ultimately will have to be rejected by the Congress.

I thank my colleague from Georgia for making this time available to discuss these important issues and look forward to our continuing discussions.

Mr. COVERDELL. Mr. President, I thank my colleague from Arizona for his remarks and yield 7 minutes to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I thank the Chair.

I, too, thank the Senator from Georgia for getting the time in the Chamber to talk about the President's budget submission and some of the things that we hope Congress is willing to do in working with the budget that we have. I concur with my friend from Arizona who just spoke and, before that, my senior colleague from Texas who talked about the very clear choice we have in dealing with the budget issues.

The clear choice is, do you believe that we should increase Government spending by $123 billion this year or do you think the hard-working American family should get back more of the money it has earned and worked for. And do you think we have a responsibility to our future generations to pay down the $5 trillion debt that has accumulated over the last 40 years in our Congress.

That is the clear choice. I come down very strongly on the second choice. The choice should be that we would do what is responsible for ourselves and for future generations, and that is to pay one-half of any surplus we might have on the debt so that we start whittling it down to a reasonable, manageable size. We cannot turn over to our children and grandchildren a bill of $5 trillion, that if we are in a recession, will skyrocket their taxes in order to pay. The other half should go back to the people who earned it. I never cease to be amazed at the way people who want to have more Government spending talk about tax cuts. They talk about tax cuts in terms of what is it going to cost the Federal Government. I talk about tax cuts in terms of what is it going to cost the American family if we don't give back to them the money they worked so hard to earn, for them to decide what they would like to spend it for in their own families. That is the difference in framing the question. And I am for the hard-working American family.

Most families in this country—in fact, the average family in this country pays 38 percent of what it earns in taxes. That is wrong. We do not need to have that much Federal Government encroachment into the pocketbooks of the American people. We do have responsibilities in Government, but we do not have to take such a chunk out of the hard-working American's pocketbook if we manage our taxes and our spending responsibly and if we are efficient in spending the taxpayer dollars.

So I would just say that I think the President has gone on the wrong track when he says we are going to have a surplus and therefore I want to increase spending by $123 billion. He is mortgaging the future of our children and he is saying I want to spend today and let's not think about tomorrow. That is not what our responsibility is, as the stewards of our country and our Government.

So I am hoping we will do the right thing. I am hoping that as we are looking at a level budget that we will also prioritize within that budget and I hope we will remember, on the eve of potential problems and conflicts in the Middle East—that we will remember one of the main roles of the Federal Government is to provide for the national defense. In fact, this budget does begin to stop the decline in spending for procurement in our national defense. It does provide for a 3.1 percent increase for our military personnel—well deserved. But it continues to decrease the personnel strength. In fact, in this year's budget it decreases another 43,000 in our troop strength from 1997 levels. We are already at the lowest levels this country has been since the Korean war.

There was the assumption after the cold war that somehow the world was safer. But now, because we see escalating tensions in the Middle East, because we know the North Koreans continue to train and build up their military, we see the conflicts around the world and the potential conflicts—and it is clear the world is not a safe place from which we can retreat.

So I hope we will look at this drawing down of our strength. From Desert Storm levels, we will be down half a million in troop strength, from roughly 2 million, drawing down under this budget request of the President to 1.4

million. I do not think that is responsible. In fact, at a time when the Army had its worst recruiting year since 1979, I do not think it would be prudent to put more responsibility on the thinning ranks of our troops who are leaving our armed services because of the overseas deployments. So, I am going to stand for the strength of our national defense, for that priority in our spending. I want to keep the other side, the increase in bureaucracy down, so our national defense stays up and so we can return to the taxpayers the hard-earned tax dollars that they deserve; and that we start paying down the debt. That would be my approach and I hope that is what Congress will do in the budget deliberations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I understand the Presiding Officer, the Senator from Wyoming, is our next presenter, and will soon be approaching his desk.

I yield up to 7 minutes to the Senator to make his presentation on the budget, Madam President.

The PRESIDING OFFICER (Mrs. HUTCHISON). I recognize the Senator from Wyoming.

Mr. THOMAS. Madam President, I thank the Senator from Georgia for arranging for our discussion this morning. It seems to me it is one of the most basic discussions that we will have during the year. Budgets, after all, are sort of a map as to where we go. They are without great detail, but sort of limit where we are going. They have to do with the revenue that we anticipate raising. They have to do with the expenditures, and generally where those expenditures will be. So, in terms of direction, in terms of what we really expect the Federal Government to do, the budget is extremely important.

Let me mention that the budget basically is done by the Congress. The President has been very outgoing in claiming credit for all the things that have happened over the last few years, but the fact is the Congress is responsible for the spending. No spending can occur unless the Congress agrees to it. No spending can be made in the Federal establishment unless approved by the Congress. So the responsibility is here, and I guess also you could say if there is any credit for having done some downsizing over the past few years, it also goes here.

But I wanted to talk about something just a little bit different and that is, frankly, my disappointment in the approach that is taken in this case, and other cases as well; I am disappointed that when we have something to decide in our Government, all of our Government, that we are not more willing to lay things out as they are. I am, frankly, a little exasperated with all the spinning that goes on from almost everyone here, but frankly particularly from this administration, in sort of trying to say that things aren't really what they are. That is so discouraging, especially when we are in a time when there is greater communication availability to all the world, and certainly to the American people, than there ever has been. So that if you ever thought of having Government of the people, for Heaven's sake, now we can do that because everyone can know what the facts are. They are there automatically.

Yet, as we go through these things, it is really difficult to understand what is being done because they are described one way at the White House, you know, as if this is a wonderful breakthrough and we are going to contain the size of the Government; that this is the end of the era of big Government. But the fact is, it is not. It is a growth. It is larger Government. It is more taxing. But it is hard to kind of decipher these things.

Let me read some material from James Miller, who was the OMB head in the Reagan years. He is talking about the things that have been said, and what he thinks, at least, the real facts are. Miller says we have, in ''. . . the president's words, 'the smallest government in 35 years[.]' '' And yet, in 1963, ''at the height of Camelot,'' he calls it, ''total federal spending (in 1997 dollars''—1997 dollars, adjusted for that—was $580 billion, with 48 percent going for defense. For 1998 the federal government will spend $1,625 billion, of which 16 percent is for defense. And the President says ''the smallest Government in 35 years.''

You know, that just is not the way it is. Now we are spending 15 percent for defense, as the Senator from Texas just described. Federal spending per capita was $3,069 in 1997 dollars in 1963. It is, today, $6,000. Spending per capita has doubled. The President says we have ''the smallest Government in 35 years.'' The comparison is even more telling when you include State and local governments—$4,100 per capita in 1963; $9,500 per capita now.

You know, it is really discouraging to try to deal and get people involved in making decisions as to what they think is best for this country when the facts are so distorted. There is nothing wrong with having it laid out there in real terms. This is a legitimate decision. There are those who want more Government and more taxes and more expenditures. That is a legitimate point of view. I don't happen to share it. That is the liberal agenda. That is what we debate all the time. The other alternative, of course, is to have less taxes, less spending, a less large Federal Government and move, more and more governmental functions closer to people. Those are legitimate debates. Why it is, frankly, that we tend to hide those all the time under rhetoric I am not certain.

Let me give you another example. The President says, ''Under the leadership of Vice President GORE we have reduced the Federal payroll by 300,000 workers.'' According to the U.S. Office of Personnel Management, between January 1993 and September 1997, Federal civil employment fell by 254,000; 217,000 of that was attributable to defense, the closing of bases, civilian workers in defense; 17,000 came from downsizing the Department of Veterans Affairs; and 14,000 more from completing the work on S&L's. This is not a reduction in the size of Government. But, you know, we are told that.

So, Madam President, I am hopeful, too, we can hold the caps we agreed upon last year, that the President agreed upon. I hope we can continue to move towards making the Government smaller and more efficient. I hope we do not continue to grow and to bring in new fees that we don't recognize as taxes, although they are. So we have a great opportunity. All I ask is let us get it out there, debate it on the face of the real facts and not disguise it, trying to act as if it is something that it is really not.

Madam President, I yield now to the Senator from Kansas to complete our discussion for this morning.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I appreciate the recognition and the statement of the Senator from Wyoming, with which I associate myself.

I rise to make a few remarks on the President's $1.7 trillion budget proposal. Most people can't even recognize exactly what $1.7 trillion is, as a size, a quantity of money.

I believe one of the biggest challenges facing this second session of the 105th Congress is to maintain the fiscal discipline that we exercised during consideration of the historic bipartisan budget agreement. Unfortunately, after reviewing the budget it appears that the administration wants to walk away from that challenge, and that is truly regrettable for Americans today, for Americans born in the future, and certainly for the baby boomers soon to be retiring—in less than 15 years.

In this budget the President pretends to be fiscally responsible while at the same time calling for massive new spending programs, new programs in many areas that he says were directed towards helping families. But if the President really wants to help families, why doesn't he propose ending the marriage penalty that penalizes people for being married? Why doesn't he ask for marginal tax rate reduction? But, instead, it's just proposing more of the same tax-and-spend policies that have given us the era of big Government, which was supposedly over. It appears as if the era of big Government is back with a vengeance.

In contrast to the President, I believe that we must hold the line on the size of the Government and reject attempts by this administration to bolster spending in violation of our bipartisan budget agreement. Remember, this bipartisan budget agreement was not just the product of last year. It was something we have been struggling for

3 years, to get an agreement on the budget. For 3 years we have been fighting about how can we restrain Federal spending, get it in line with receipts so we could get to a balanced budget agreement. We have been struggling for 3 years on that, yet now, less than 7 months after the agreement, the President is walking away. This is in gross violation of this agreement. We cannot let the administration mortgage away our children's future in order to help satisfy this insatiable appetite for big Government spending. We must be able to deal with these problems within the framework that we have already agreed to.

I just want to point out a few things, and I know some people have already done this but in case we get carried with away with the idea that now we have these surpluses and everything is rosy, we can spend to our heart's content, I don't know how many people realize, I hope most do, that once we get to a balanced budget it has nothing to do with the mortgage we already have on the country, which is $5.4 trillion, over $20,000 per American. It has nothing to do with the unfunded obligations that we are on the hook for when the baby boomers and others start retiring, that extend to about $14 trillion in addition to the $5.4 trillion.

Here we are talking about being responsible for Medicare payments for when the baby boomers start retiring. We are talking about other entitlement programs that people have paid into, that there is an obligation by the Government, but we do not have funds set aside to take care of these obligations.

So you are looking at taxing future generations more and more and more to be able to meet those obligations at a time when, if we would exercise a minimum amount of fiscal discipline, just do the budget agreement we have already agreed to, we can start to deal with some of these unfunded obligations.

In case people think this is a long way off in the future, the baby boomers start retiring in less than 15 years, and they are going to be, instead of pulling the wagon, in the wagon saying, ''You obligated yourself, I paid into these funds, now I am calling on these.''

The percentage of the Federal Government, as a percentage of the overall economy, is at historically high levels, nearly 20 percent of the economy. If the President wants all these new spending programs, why doesn't he propose equal cuts to other Government programs? Does anybody in this body allege that we don't have significant amounts of Government waste in spending? Let's cut those programs if he wants the new spending programs, rather than adding more and more taxes and fees and burdens on the American public. That would be the way to deal with this, is to try to get at some of the wasteful spending programs that we already have.

I look forward to working with the administration on this budget, but we cannot break this hard-fought bipartisan budget agreement on the altar of just more and more taxing and spending that keeps driving up the cost of Government, keeps taking more and more from taxpayers, keeps making it harder and harder for the average family to make a living and to be able to support their own children like they would like to do.

So I have great disappointment with what the administration has put forward in growing and in getting back to the era of bigger Government. I am afraid we are just going to have to push to maintain what our agreement was this past year. I think it is regretful that we are at that point. Madam President, it seems as if we are. Thank you very much. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

EXECUTIVE SESSION

NOMINATIONS OF CARLOS R. MORENO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA AND CHRISTINE O. C. MILLER, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session to consider two nominations which the clerk will report.

The assistant legislative clerk read the nominations of Carlos R. Moreno, of California, to be United States District Judge for the Central District of California and Christine O. C. Miller, of the District of Columbia, to be a judge of the United States Court of Federal Claims.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Madam President, I rise today to support the nominations of Carlos Moreno to the Federal district bench in the Central District of California and Christine O. Miller to the Court of Federal Claims.

I plan to discuss in greater detail why I intend to support these judges' nominations, but first I would like to address some of the concerns that have been expressed with respect to the Senate's role in the confirmation of Federal judges.

As chairman of the Senate Judiciary Committee, one of the most important duties I hold or fulfill is in screening judicial nominees. Indeed, the Constitution itself obligates the Senate to provide the President with advice concerning his nominees and to consent to their ultimate confirmation. Although some have complained about the pace at which the Senate has moved on judicial nominees, I would note that this body has undertaken its constitutional obligation in a wholly appropriate fashion.

Indeed, the first matter to come before the Senate this session was confirmation of three of President Clinton's judicial nominees. Senator LOTT is to be commended for giving these nominees early attention. As well, the Judiciary Committee has announced judicial confirmation hearings for February 4 and February 25.

In 1997, the first session of the 105th Congress, the Senate confirmed 36 judges. This is only slightly behind the historical average of 41 judges confirmed during the first sessions in each of the last five Congresses. And I would note the Judiciary Committee itself processed 47 nominees, including the two judges we are considering today.

Currently, there are 88 judicial vacancies in the judiciary, 85 if the three nominees confirmed last week are included. In May 1992, however, when a Republican occupied the White House and the Democrats controlled the Senate, there were 117 vacancies on the Federal bench.

In fact, there are more sitting Federal judges today than there were through virtually all of the Reagan and Bush administrations. As of today, there are 756 active Federal judges. In addition, there are 432 senior judges who must, by law, hear cases, albeit with a reduced load. Ordinarily, when a judge decides to leave the bench, he or she does not completely retire, but instead takes senior status. A judge who takes senior status, as opposed to a judge who completely retires, must hear a certain number of cases each year. Thus, when a judge leaves the bench, he or she does not stop working altogether, he or she merely takes a somewhat reduced caseload.

Even in the ninth circuit, which has 10 vacancies, only one judge has actually stopped hearing cases. The others have all taken senior status and are still hearing cases. The total pool of Federal judges available to hear cases is 1,188, a record number of Federal judges.

The Republican Senate has confirmed the vast majority of President Clinton's judicial nominees, and if the President continues to send us qualified nominees, I am sure that trend will continue. Let me say, however, that I will not vote to confirm judges who refuse to abide by the rule of law. In my view, that is the absolute minimal qualification an individual must have to serve as one of our lifetime-appointed Federal judges.

Last year, I sought to steer the confirmation process in a way that kept it a fair and principled one, and exercised what I felt was the appropriate degree of deference to the President's judicial nominees. It is in this spirit of fairness that I will vote to confirm Judge Miller and Judge Moreno.

Judge Moreno is currently a Los Angeles superior court judge. He was appointed to that position in 1993 by Governor Wilson. Prior to his current appointment, Judge Moreno served as a municipal court judge, worked as an associate in the L.A. firm of Kelley, Drye & Warren, and served as deputy city attorney in Los Angeles.

Judge Miller currently serves on the Court of Federal Claims. She was appointed to that position in 1983 by President Ronald Reagan. Judge Miller, before her judicial appointment, worked at the law firms of Shack & Kimball, and then Hogan & Hartson. She also had the honor, after graduating from the Utah College of Law, of clerking for the Honorable David Lewis, a Tenth Circuit Court of Appeals judge.

I think both these individuals will serve the Federal bench well and, therefore, urge my colleagues to support them. I also would like to submit for the RECORD an editorial written by our leader, Senator TRENT LOTT, which appeared on February 2 in the Washington Post, also a letter I wrote to the ABA discussing the Senate's work in confirming nominees. I ask unanimous consent that both those documents be printed in the RECORD.

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

[From the Washington Post, Feb. 2, 1998]

REHNQUIST'S RUSH TO JUDGMENT

(By Trent Lott)

Chief Justice Rehnquist's 1997 year-end report has drawn considerable press attention to the Senate's role in the confirmation and appointment of federal judges. Good. It's about time proper attention was given to these unique government officials, who are appointed for life, paid salaries that can run to nearly $145,000 and are provided facilities and staff costing American taxpayers many millions of dollars annually.

And if the cost of these judgeships and the judiciary bureaucracy isn't enough to cause concern, consider the fact that many such lifetime-appointed judges actually attempt to make law from the bench. This is especially troubling when federal judges seek to impose taxes on the public or turn criminals loose on society.

The chief justice contends that federal judges are underpaid and overworked and that the ''quality of justice'' administered by the federal judiciary is in peril. He also attempts to make an argument for more judges based on statistics regarding, for example, the total caseload of all district and circuit courts and the number of judicial vacancies.

Interestingly, Rehnquist chooses to omit statistics that hurt his case. In his report, he notes that the ''Senate confirmed only 17 judges in 1996 and 36 in 1997, well under the 101 judges it confirmed during 1994.''

True, the 17 judges confirmed in 1996 were certainly low as compared with most other years. But in 1989, the Democrat-controlled Senate confirmed 15 of President George Bush's nominees. Moreover, the chief justice's reference to 1994 and the confirmation of 101 judges that year is inappropriate, because the Democrats controlled the Senate and the presidency that year. Historically, the number and pace of confirmations lessen when one party holds the White House and the other the Senate. The large number of vacancies on the bench in 1994 allowed Clinton to nominate many more judges than in an average year, which accounts for the large number of confirmations.

The chief justice also neglected to point out that Congress has authorized an additional 250 judgeships since 1978 (now totaling 849). Further, rather than retiring, many judges take ''senior'' status, in which they continue to be paid, have staff and decide cases. There are approximately 274 district and 82 circuit judges on ''senior'' status, contributing to the reduction of the workload of ''active'' judges.

Almost every year, Congress receives a request from the judiciary to add new judgeships to meet caseload increases. The Committee on Long Range Planning of the Judicial Conference projects that we will need 1,370 federal judges by the year 2000, 2,350 judges by 2010 and 4,110 by 2020. Clearly, the problems of caseload will have to be addressed over the coming years. But merely creating new judgeships will not provide solutions to such issues.

The chief justice also focused on the number of vacancies—83—in the district and circuit courts. This number pales in comparison with the 125 vacancies that occurred in 1993 during President Clinton's first year, when the Democrats controlled the Senate. The chief also failed to mention that President Clinton has not submitted nominees to the Senate for 41 of these vacancies.

Of the 13 nominees for circuit court judgeships, five were went to the Senate less than 30 days from adjournment. Of the 28 district court nominees, three were sent to the Senate within 30 days of adjournment, another three within 45 days and one within 60 days of adjournment. Even the most partial observers of the confirmation process recognize that more than 60 days is required for investigation of a nominee's education, experience and potential judicial temperament.

As noted by the chief justice, the judiciary characterizes 26 of the current 83 vacancies that have existed for more than 18 months as ''judicial emergencies.'' There appears to be no basis for this characterization other than the length of time the position has been vacant and the notion that every authorized position urgently needs to be filled. In fact, one vacant position in the 4th Circuit, authorized in 1990, has never been filled, and President Clinton has not nominated anyone to it. By the same token, he submitted nominees just last year for two Texas district court positions vacant since being authorized in 1990.

Clearly, the president did not view vacancies in any of those positions as ''emergencies.'' In all, of the 26 ''emergencies,'' only 12 apparently are deemed important enough that the president has submitted nominations fill them.

The pace of confirmation hasn't changed much in the Senate since 1987. That was the year Democrats regained control of the Senate and slowed the process of confirming Reagan nominees. District court confirmations averaged 129 days and circuit court confirmations 113 days in 1987. This pace continued during the Bush administration, when Democrats controlled the Senate. The experience of the Robert Bork, Douglas Ginsberg and Clarence Thomas nominations to the Supreme Court did much to further politicize an already labor-intensive and time-consuming review process.

The pace quickened in 1993 and '94, when President Clinton's district court nominees were confirmed on average within 74 days of referral to the Democrat-controlled Senate. The pace naturally slowed again when Republicans regained control of the Senate.

The chief justice's dismal assessment of the judiciary is not warranted. Congress will continue to closely monitor the needs of the judiciary to fulfill its function as a separate and equal branch of government. As a part of this process, Congress will create and maintain such judgeships as are necessary to empower the judiciary to accomplish the fair and equal application of justice through the interpretation and application of our laws.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 3, 1998.

Mr. JEROME SHESTACK,
President, American Bar Association, Philadelphia, PA.

DEAR PRESIDENT SHESTACK: I am sorry that I could not attend the American Bar Association's annual convention this year, as I am at the World Economic Summit. I understand, however, that Senator Patrick Leahy ably represents the Judiciary Committee. Nevertheless, I thought it prudent to make you aware of my views regarding the so-called judicial vacancies issue, in which, I am sure, the ABA has great interest.

As you are doubtless aware, Chief Justice William Rehnquist recently released his annual report on the federal judiciary. In that report, he noted, among other things, the need expeditiously to fill vacancies on the federal bench. The Chief Justice's comments were very similar to those made over the years, including 1992, when he urged the Senate to confirm more of President Bush's judicial nominees. Interestingly, 117 vacancies existed May 1992, compared with the 88 we have today.

In 1997, the Senate confirmed 36 judges, only slightly behind the historical average of 41 judges confirmed during the first sessions in each of the last five Congresses. And the Judiciary Committee itself processed 47 nominees during the past session. There are currently more sitting judges than there were throughout virtually all the Reagan and Bush administrations. As of today, there are approximately 756 active federal judges. In addition, there are 432 senior judges who must continue to hear cases, albeit with a reduced workload. That brings the total pool of federal judges available to hear cases up to 1,188.

Despite claims to the contrary, the Senate has confirmed the vast majority of President Clinton's nominees, and I am confident that we will continue on a steady course this session. I am basically pleased with the pace at which the Judiciary Committee and the Senate have acted on the President's nominees. Indeed, one of the Senate's first items of business this session was to confirm three judicial nominees, including Ann Aiken, a controversial nominee whom I supported. We can, of course, always improve. I am hoping that the Committee will establish a good working relationship with the White House in this new year.

Such a relationship, however, does not mean that the President has carte blanche to appoint judges. The Constitution obligates the Senate to give advice to the President on his nominees and ultimately to consent to them. Under my stewardship, the Judiciary Committee will not simply push nominees through just for the sake of filling vacancies. Only recently, after the Judiciary Committee had expeditiously reviewed and held hearings on two nominees, did information surface that caused one of those nominees to withdraw and that places the other's confirmation prospects in question. If the Committee were blindly to follow some sort of a timetable in processing nominees, the federal bench would have been adversely affected. Indeed, such a specific timetable could encourage nominees to withhold relevant information from the Committee in

the hope of forcing a vote. There is a good deal of background research that must be done by the Committee before it can send a nominee to the floor. If the Committee fails to do its groundwork, it fails the Senate, and thus prevents that body from fulfilling its constitutional duty. I do not hold the President to any sort of a timetable in selecting nominees; nor would I expect others to place such burdens upon the Senate.

I would further note that the Chief Justice's report did not focus solely on judicial vacancies. In fact, the primary focus of his remarks was the increase in the federal judiciary's workload. The Chief Justice complimented Congress on its efforts to reform federal habeas corpus procedures and to streamline prison litigation suits—two measures that he indicated would be of great benefit to the judiciary. As I recall, these were legislative measures the ABA opposed. Nevertheless, I am hopeful that the ABA will be supportive of further efforts to improve the judicial process.

In a similar vein, the Chief Justice expressed concern about the expansion of federal jurisdiction. I hope in the coming months to review the current status of federal jurisdiction and to search for recommendations on how federal courts might be freed from hearing cases more properly brought in state courts. I think we must be vigilant in searching for ways to utilize properly the federal courts' limited resources.

Last year, I sought to steer the confirmation process in a way that kept it a fair and principled one, and exercised what I felt was the appropriate degree of deference to the President's judicial nominees. Yet, the solution to an increased judicial workload should not be simply to add more judges or for the Senate to be held to some sort of a confirmation timetable. I am confident that the Committee will stay the course and continue to exercise its constitutional duty in an appropriate manner. Thank you for considering my views.

Sincerely,

ORRIN G. HATCH,
Chariman.

Mr. HATCH. I thank the Chair, and I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, I am glad to be here with my good friend from Utah and welcome him back from a productive weekend.

Last week, I commended the chairman of the Judiciary Committee for scheduling the judicial confirmation hearing, the first of this year, for tomorrow afternoon, and I commend the chairman again. I note that he is following through on his earlier statement by including both Margaret McKeown of Washington State and Susan Oki Mollway of Hawaii at that hearing. They have each been pending for over 18 months, and it will be good to have their confirmation hearing.

I hope we will maintain pace this year that was established during the last 9 weeks of the last session. In order to do that, I hope that in addition to these nominees we can proceed to confirm additional nominees for article III judicial vacancies before the end of the week.

I am delighted the Senate is getting the opportunity to consider the nomination of Judge Carlos Moreno to the United States District Court for the Central District of California. He has been strongly supported by both Senators FEINSTEIN and BOXER. They have both spoken to me about him and strongly support him.

I have spoken often about the District Court of the Central District of California, its workload and the need to confirm qualified nominees for the judicial vacancies that persist and are arising on that Court. I have spoken most often about that Court in connection with the longstanding nomination of Margaret Morrow. It is my expectation that the Senate will fulfill the commitment it made last year and proceed to that nomination by the end of next week.

Judge Moreno received his undergraduate education at Yale College and his law degree from Stanford Law School. He was a deputy city attorney in Los Angeles, as well as a municipal court judge before joining the Los Angeles Superior Court in 1993. Judge Moreno is currently serving the people of California as a Judge of the California Superior Court. He received high remarks from the American Bar Association and was reported by the Judiciary Committee on November 13, 1997, unanimously. I thank both the majority leader and my good friend from Utah for bringing him up this morning.

Along with Judge Moreno currently pending on the Senate calendar are Ms. Morrow, two nominees for long-vacant judgeships in Illinois and a Pennsylvania State court judge. I hope that we have a strong bipartisan vote in his favor.

I also expect that today the Senate will confirm the President's judgment in nominating and reappointing Judge Christine Miller to the Court of Claims. The President's nomination of Judge Miller was received last year before her first term expired, but the Senate failed to act on it before adjournment last fall.

The President used his recess appointment power to reappoint Judge Miller and resubmitted her nomination. Today the Senate will reaffirm the President's action and confirm her to a full term.

The Court of Claims is an important court. It is established by Congress under article I of the Constitution. No less than the Federal judiciary that is appointed to fill vacancies in the article III courts that we speak about so often, the vacancies on the Court of Claims should be filled and filled without delay.

Madam President, I hope that the distinguished Senator from Utah and I will be allowed by our caucuses to move forward on judges as quickly as possible. I know there is support in mine to do that.

Madam President, I see the distinguished Senator from California on the floor and yield to her.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Madam President, I thank the ranking member, and I thank the Presiding Officer. I also would like to begin by thanking the distinguished chairman of the Judiciary Committee for what was, by and large, a rapid and prompt processing of Carlos Moreno. I submitted the name of Carlos Moreno to the President for appointment to the District Court from the Central District of California. In a sense, Madam President, I believe he is prototypical of really what a good Federal judge should bring to that office. I would like to just quickly go over what is an amazing success story.

Judge Moreno was born in East L.A., just 2 miles from the Federal courthouse where he will be serving. He has earned the respect and admiration of both the legal and the law community, and he has had 13 years of service on the State courts. He has strong bipartisan support, including the endorsements of the former Governor George Deukmejian and Los Angeles County Sheriff Sherman Block.

As the chairman of the committee pointed out, he obtained his bachelor's degree from Yale in 1970 and his J.D. from Stanford in 1975. He began his legal career in the City Attorney's Office of Los Angeles where he worked for 4 years, from 1975 to 1979.

He prosecuted numerous jury trials, misdemeanor prosecutions, and criminal and civil consumer protection cases. He worked as a litigation attorney for 7 years, handling commercial litigation in State and Federal courts. So he has experience in both the civil as well as the criminal law. His caseload there included bankruptcy, wrongful termination, banking, real estate, and antitrust.

In 1986 the Governor of California, George Deukmejian, appointed him to the municipal court. He served there for 7 years, handling 40 civil jury trials in addition to a regular criminal trial workload.

In 1993, Governor Wilson elevated him to the California Superior Court where he served for the past 4 years. He averaged approximately 2 dozen jury trials a year, at least a third of which have been homicides. The remainder have consisted of a broad range of felonies and he has presided over about a dozen bench trials per year.

So, 13 years as a municipal and superior court judge. This year he was selected as the superior court judge of the year by the criminal law section of the Los Angeles County Bar Association and was described as one who earns praise from both prosecutors and defense attorneys for his fair, even-tempered handling of a high-volume calendar of criminal cases. The large number of court trials he handles in which both sides, both sides, waive the jury and try the case before him is an indicator, I believe, of the trust he has received from opposing counsels.

Madam President, I ask unanimous consent to have printed in the RECORD letters of support by George

Deukmejian, former Governor; a letter from the District Attorney of Los Angeles County; and a letter from the Sheriff of Los Angeles County.

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

LOS ANGELES, CA,
October 6, 1997.

Re Judge Carlos R. Moreno.

Hon. ORRIN HATCH,
Chairman, Committee on Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR HATCH: It has come to my attention that Judge Carlos Moreno has been nominated for an appointment to the U.S. District Court, Central District of California.

In 1986, it was my pleasure to appoint him to the Compton Municipal Court and in 1993 he was appointed by Governor Pete Wilson to the Los Angeles Superior Court.

It is my understanding that he has performed in an exemplary manner as a Municipal and Superior Court Judge and has a clear perception of the importance of maintaining a judicial system that insures fairness and social order.

Judge Moreno is well suited for this position. I am confident that he has the appropriate judicial skills and in light of his qualifications, I hope you will give him every consideration for appointment to the U.S. District Court.

Most cordially,

GEORGE DEUKMEJIAN,
35th Governor of California.

LOS ANGELES COUNTY
DISTRICT ATTORNEY,
Los Angeles, CA, May 2, 1997.

Hon. DIANNE FEINSTEIN,
U.S. Senator, San Francisco, CA.

DEAR DIANNE: Superior Court Judge Carlos R. Moreno has informed me that he is seeking an appointment to the U.S. District Court for the Central District of California, and I am writing to strongly recommend his nomination and confirmation.

Although Judge Moreno is not a personal acquaintance of mine, I have had the opportunity to personally interview him and to speak with several of my colleagues who have appeared before him on many occasions. All of the persons I contacted were effusive in their praise of the professional attributes that Judge Moreno brings to the bench as a Superior Court trial judge: he is fair, bright, willing to read with care the lawyers' written motions, control his courtroom, and give both sides fair hearings in his court. In addition, he apparently relishes legal research and thoroughly familiarizes himself with the issues of a case before he gives a decision—a quality which would serve him well on the Federal bench.

I do not make recommendations on behalf of those seeking appointments lightly, and in fact, I turn down most requests. However, the level of support and enthusiasm expressed by my colleagues on behalf of Judge Moreno prompted me to agree to interview him, and I found him during the interview to have the personal attributes that I had been told he displays on a daily basis in his court. I am confident Carlos Moreno would serve as a District Court judge with distinction, and I believe his appointment would be beneficial to the citizens of California.

Very truly yours,

GIL GARCETTI,
District Attorney.

COUNTY OF LOS ANGELES,
Monterey Park, CA, April 23, 1997.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
San Francisco, CA.

DEAR DIANNE: It has come to my attention that Los Angeles County Superior Court Judge Carlos R. Moreno has indicated his desire to be appointed a United States District Court Judge for the Central District of California. I am pleased and honored to give him my personal endorsement.

Judge Moreno has an extensive criminal justice background. He has been a Judge of the Superior Court of Los Angeles County since November of 1993. Prior to that, Judge Moreno was a City Attorney with the City of Los Angeles from 1975 to 1979 where he handled criminal and civil consumer protection prosecutions and legislative and politically sensitive matters. He was a member of the law firm of Kelley, Drye & Warren from 1979 to 1986, and in October 1986 Judge Moreno was elected Judge of the Municipal Court. He held that seat until his appointment to the Superior Court in 1993. Throughout his tenure on the bench, he has continually demonstrated the prerequisite abilities necessary to be a fair, impartial, and knowledgeable jurist.

Judge Moreno is an extremely hard working individual of impeccable character and integrity. His list of credits, both professionally and within the community, is extensive.

I would like to recommend that you favorably consider his appointment. I have no doubt that he would be a distinguished addition to the United States District Court.

Sincerely,

SHERMAN BLOCK,
Sheriff.

Mrs. FEINSTEIN. Madam President, to sum it up, I believe we have a man among men, a fine jurist, a fine attorney, skilled and knowledgeable in both criminal and civil law. This is the reason I respectfully submit him as someone who is really prototypical of the kind and type of background that one might bring to the Federal district court.

I thank the ranking member and I thank the chairman for the rapid processing of this distinguished nominee.

I yield the floor.

Mr. KENNEDY. Madam President, I strongly support the nominations of Carlos Moreno and Christine Miller to serve as federal judges.

Judge Moreno is superbly qualified to serve as a federal judge in the Central District of California. He is a graduate of Yale University, Harvard Business School, and Stanford Law School. Currently, he is a judge on the Los Angeles Superior Court. As a member of that court's Trial Delay Reduction Committee he was instrumental in establishing and enforcing policies that successfully reduced trial backlogs in Los Angeles County. At a time when lengthy backlogs are also plaguing the federal courts, Judge Moreno's experience will be an important asset for California's Central District Court.

Judge Miller is also well qualified to continue her service on the United States Court of Federal Claims. She has served on that court for the past fifteen years, and President Clinton's nomination of her for a second fifteen-year term is a tribute to her ability and leadership.

I also want to take this opportunity to express my concern that the Senate has still not had a chance to vote on the nomination of Margaret Morrow to the federal district court for the Central District of California. Ms. Morrow was first nominated in May 1996. She was approved by the Judiciary Committee in June last year, and it is long past time for the Senate to vote on her nomination.

On average, it is taking twice as long for Senate Republicans to confirm President Clinton's nominees as it took for Democrats to act on President Bush's nominations. But I am especially concerned about the Republicans' record of subjecting women who are nominated for federal judgeships to far greater delays than men.

Women nominated to the federal courts are four times—four times—more likely than men to be held up by the Republican Senate for more than a year.

Last year, the Senate confirmed 30 men, but only 6 women. And, by confirming only 36 judges, the Senate condemned many of our nation's busiest courts to even lengthier delays in processing their civil cases.

There is no question that Margaret Morrow possesses the necessary qualifications to be confirmed. She is a Harvard-educated attorney and a partner in a prestigious California law firm. She is the first woman to serve as the president of the California Bar Association. She is a well-respected attorney and a role model for women in the legal profession.

Yet action on her nomination has been delayed—like nine other nominees who have been waiting for more than 18 months—because the Republicans are playing politics and preventing needed judicial positions from being filled.

When even a Republican Chief Justice criticizes the Republican Congress for refusing to move more quickly to confirm judges, you know something's wrong. The Chief Justice is deeply concerned about the large number of judicial vacancies on the federal courts. There are too few judges to handle the workload.

The bottleneck in the Senate is jeopardizing the court system and undermining the quality of justice. Fewer than half of President Clinton's nominees have been confirmed.

We owe it to Americans across the country to give these nominees a vote. If our Republican colleagues don't like them, vote against them. But give them a vote.

The distinguished majority leader has rightly noted that the process of confirming judges is time-consuming. The Senate should take care to ensure that only individuals acceptable to both the President and the Senate are confirmed. The President and the Senate do not always agree. But it should not take longer to consider women than it does to consider men.

Some Republicans claim they have slowed the confirmation process to protect the federal courts from ''judicial activism.'' But this argument is a smokescreen. If President Clinton is actually nominating judicial activists, then why is it that these nominees are approved overwhelmingly when the Senate is finally allowed to vote on them? The closest vote that we have had on any nominee in this Congress was the 76 to 30 vote in favor of Ann Aiken last week.

The claim that Clinton judges are activist judges is a transparent ruse being used to slow down the confirmation process. The reason is obvious. The Republican majority in Congress is doing all it can to prevent a Democratic President from naming judges to the federal courts. The courts are suffering, and so is the nation.

In some areas of the country, people have to wait years to have their cases even heard in court. And then they have to wait years more for overburdened judges to find time to issue their decisions. Families, workers, small businesses, women and minorities have traditionally looked to the courts to resolve disputes. The lack of federal judges makes the swift resolution of their cases impossible.

The number of cases filed in the federal appeals courts has grown by 11 percent over the last six years. The average time between filing and disposition has also increased. Courts with long-standing vacancies are in even worse shape.

In California's Central District Court, the Court to which both Carlos Moreno and Margaret Morrow have been nominated, the caseload has grown by 15 percent since 1994. The time people have to wait for their civil cases to be resolved has increased by 11 percent. In that district, over 300 pending civil cases are more than three years old.

Across the country, real people are being hurt. In the Central District of Illinois, a disabled Vietnam veteran who was fired after enduring harassment from his co-workers has been waiting over three and a half years for a resolution to his case.

In the Southern District of Texas, 4,000 victims of a student loan fraud are waiting for the outcome of a class action suit that has been pending for almost eight years.

In the District Court of South Carolina, there is still no decision in a suit filed more than six years ago against the state's apportionment laws. The outcome of this case will affect hundreds of thousands of citizens. It goes to the heart of whether the basic constitutional principle of ''one person, one vote'' is being fairly applied. The last communication the lead plaintiff received from the Court was in June of last year.

In the Southern District of Florida, Julio Vasquez—a U.S. citizen migrant worker—broke his leg in 1989 in a boarding house provided by his employer. To this day, nearly nine years later, Mr. Vasquez has never received sufficient medical attention, and his injury affects his ability to work. He is still waiting for the judge's ruling in his case.

These are typical victims of the vacancy crisis in the federal courts. They are hard-working Americans injured on the job—citizens seeking to exercise their right to vote—students trying to get an education—disabled veterans searching for justice.

I commend my colleagues for bringing two distinguished nominees to a vote today. I hope with this new year we will see a new day in moving ahead to fill the vacancies in our courts and end these unconscionable delays.

Mr. HATCH. 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.

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

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

Mr. LEAHY. Madam President, on these judges today, I learned long ago, and certainly have had it reiterated during my 23 years in the Senate, that it is not always wise to predict the outcome of votes. I have been surprised before both pleasantly and unpleasantly. I have been surprised at some I thought might pass and failed to pass, and other times have had a very pleasant surprise to find something did pass when I didn't expect it to.

I think it is safe to say—and I believe there will be bipartisan consensus on this—that these judges' nominations will pass overwhelmingly, which is usually what happens with a judgeship.

Starting this year we have proceeded on more judicial nominations in the first couple of weeks this session than we did over the course of the first months last year.

I hope that we have strong bipartisan votes on these judgeships today. It will signal that the Senate is moving forward and that we will make progress to help fill the vacancies that plague the Federal judiciary. Today, there are 86 vacancies on the Federal courts. After these favorable votes, we will have 54 nominees pending before the Senate in need of our prompt attention. I have spoken with President Clinton on a couple of occasions recently, urging the White House to move quickly in sending up further nominations, and they are. We saw that on the first day that we came back when a dozen new nominations came up. We have 55 nominees pending. Almost two-thirds of the current vacancies have nominees pending to fill them.

Now I think it is time to say that for whatever reasons—political, ideological or otherwise, for whatever reasons—the Senate went slowly last year on nominations. The distinguished chairman and I want to be allowed by our respective caucuses to move forward, fulfilling our roles as chairman and ranking member of the Judiciary Committee, to move nominations forward.

I do not question the integrity of the chairman of the Judiciary Committee, who has worked very hard on this, and has on more than one occasion strongly supported somebody who would not have been his nominee had he been the one appointing; in the same way, I have strongly supported nominees of past Presidents who would not have been mine had I been the person making the nominations. But in both instances, the Senator from Utah and I looked at a man or a woman of high qualifications, of good legal background, perhaps of a different background than our own, but somebody who would serve the interests of justice well, and we have pushed forward for their confirmation.

I hope, so that the U.S. Senate does not send the wrong image to the Judiciary and to the American people, that we would be able to move forward in the way the Senator from Utah and I have preferred to work in the past and move these judges, vote them in or vote them down.

I am not suggesting to any Senator how he or she should vote. If they do not like a nominee, vote against that nominee. Give us a chance to vote on them, vote them up or vote them down, but keep the Federal Judiciary out of politics.

It is, after all, one of the linchpins of our democracy, this great democracy. We are the third most populous country in the world, the most powerful nation on Earth, the most powerful democracy history has ever known. We maintain that power as a democracy and not a totalitarian society. We maintain it largely because of the integrity and independence of our Federal Judiciary. They act as a break on a runaway Executive or a runaway Congress because what they hold is their great shield and great bulwark. The Constitution of the United States is something that stands above all of us, whether as Members of the Congress, the Executive Branch or the Judiciary itself.

We need their integrity and we need their independence. With it, we guarantee the diversity of thought and the diversity of action that protects our freedoms and our democracy—in this case, the greatest democracy on Earth.

Madam President, I yield the floor.

Mr. HATCH. Madam President, I ask for the yeas and nays on each of the nominations.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON NOMINATION OF CARLOS R. MORENO

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Carlos R. Moreno, of California, to be United States District Judge for the Central District of California.

The clerk will call the roll on the first nomination.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. COATS) is necessarily absent.

Mr. FORD. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote ''aye''.

The PRESIDING OFFICER (Mr. SESSIONS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 2 Ex.]

YEAS—96

Abraham	Feinstein	Lott
Akaka	Ford	Lugar
Allard	Frist	Mack
Ashcroft	Glenn	McCain
Baucus	Gorton	McConnell
Bennett	Graham	Mikulski
Bond	Gramm	Moseley-Braun
Boxer	Grams	Murkowski
Breaux	Grassley	Murray
Brownback	Gregg	Nickles
Bryan	Hagel	Reed
Bumpers	Harkin	Reid
Burns	Hatch	Robb
Byrd	Helms	Roberts
Campbell	Hollings	Rockefeller
Chafee	Hutchinson	Roth
Cleland	Hutchison	Santorum
Cochran	Inhofe	Sarbanes
Collins	Inouye	Sessions
Conrad	Jeffords	Shelby
Coverdell	Johnson	Smith (NH)
Craig	Kempthorne	Smith (OR)
D'Amato	Kennedy	Snowe
Daschle	Kerrey	Specter
DeWine	Kerry	Stevens
Dodd	Kohl	Thomas
Domenici	Kyl	Thompson
Dorgan	Landrieu	Thurmond
Durbin	Lautenberg	Torricelli
Enzi	Leahy	Warner
Faircloth	Levin	Wellstone
Feingold	Lieberman	Wyden

NOT VOTING—4

Biden	Coats
Bingaman	Moynihan

The nomination was confirmed.

VOTE ON THE NOMINATION OF JUDGE CHRISTINE O. C. MILLER

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Christine O. C. Miller, of the District of Columbia, to be a Judge of the United States Court of Federal Claims? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Indiana (Mr. COATS) is necessarily absent.

Mr. FORD. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote aye.

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 3 Ex.]

YEAS—96

Abraham	Feinstein	Lott
Akaka	Ford	Lugar
Allard	Frist	Mack
Ashcroft	Glenn	McCain
Baucus	Gorton	McConnell
Bennett	Graham	Mikulski
Bond	Gramm	Moseley-Braun
Boxer	Grams	Murkowski
Breaux	Grassley	Murray
Brownback	Gregg	Nickles
Bryan	Hagel	Reed
Bumpers	Harkin	Reid
Burns	Hatch	Robb
Byrd	Helms	Roberts
Campbell	Hollings	Rockefeller
Chafee	Hutchinson	Roth
Cleland	Hutchison	Santorum
Cochran	Inhofe	Sarbanes
Collins	Inouye	Sessions
Conrad	Jeffords	Shelby
Coverdell	Johnson	Smith (NH)
Craig	Kempthorne	Smith (OR)
D'Amato	Kennedy	Snowe
Daschle	Kerrey	Specter
DeWine	Kerry	Stevens
Dodd	Kohl	Thomas
Domenici	Kyl	Thompson
Dorgan	Landrieu	Thurmond
Durbin	Lautenberg	Torricelli
Enzi	Leahy	Warner
Faircloth	Levin	Wellstone
Feingold	Lieberman	Wyden

NOT VOTING—4

Biden	Coats
Bingaman	Moynihan

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. FAIRCLOTH). Under the previous order, the Senate will resume legislative session.

The Chair recognizes the distinguished Senator from Minnesota.

Mr. GRAMS. Mr. President, I request unanimous consent to be able to speak for up to 10 minutes as in morning business, and also immediately following that Senator HARKIN will be allowed to speak as in morning business for 5 minutes.

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

THE 16TH AMENDMENT: AN IGNOBLE ANNIVERSARY

Mr. GRAMS. Mr. President, 85 years ago today, the 16th Amendment to the United States Constitution was ratified, giving Congress the power to levy an income tax on the people. As we mark this occasion, I rise to call upon Congress to take immediate action to end the federal tax code as we know it, and end 85 years of ever-increasing hardship for America's taxpayers.

Let me focus on how we got here and why we need real tax reform.

Mr. President, this great Nation was born out of a revolt against the abusive taxing powers of its motherland. This tax revolt created a nation of individual liberty. In this land, a person owns himself, his labor, and the fruit of his labor. To protect individual liberty, our founders crafted Clause 4 of Article I, Section 9 of the U.S. Constitution, rejecting all direct income taxes that were not apportioned to each State by its population.

This clause, as originally adopted in the Constitution, clearly reflected the genius, wisdom, and experience of our founders—protecting individual liberty by limiting the Government's power to tax. For more than 100 years following the founding of this nation, the American people enjoyed tax freedom and did not pay any income taxes. Although an income tax was imposed as a temporary measure to finance the Civil War in 1862, it was repealed shortly after the war ended.

In the same period—during the last decade of the 18th, the entire 19th, and first decade of the 20th century—the Supreme Court also defended this freedom and held the income tax to be unconstitutional. However, under the direct influence of the rise of socialism in Europe at that time, on February 3rd, 1913, the 16th Amendment to the Constitution was ratified. The 16th Amendment says:

''The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.''

Mr. President, in my view, nothing has been more damaging to America's families than the 16th Amendment. It opened a Pandora's box we have never since been able to contain. A few months after the Amendment was ratified, the Revenue Act of 1913 was enacted, imposing an individual income tax. The ratification of the 16th Amendment and enactment of the first tax code fundamentally eroded individual liberty and created the shadow of servitude that has darkened our Nation since.

Former IRS Commissioner T. Coleman Andrews said the 16th Amendment, in effect, repealed Article Four of the Bill of Rights. The 16th Amendment has empowered tax collectors to invade our citizen's homes, papers, and private affairs. Worse still, it is used for social engineering, redistributing private income, and promoting class warfare.

Initially, the income tax did not apply to individuals with taxable incomes less than $3,000, which in today's dollars means that people with incomes of $44,000 or lower would be exempted from paying tax. It only imposed a one-percent tax on the first $20,000, which equals over $300,000 in today's dollars. The highest tax rate was up to 7 percent for income above $500,000, which equals over $8 million today.

Less than one percent of all Americans paid any income tax in 1913. Only 5 percent of Americans paid any income tax as late as 1939, before World War II. Then came the New Deal, which tripled Government spending, producing a large Federal budget deficit.

It was the Second World War that gave the Government an excuse to enact the first mass income tax increase in U.S. history. The lowest tax rate rose from 4 percent on income over $4,000 to 23 percent on income over $2,000. Higher taxes were accompanied

by a withholding system that took money out of each worker's paycheck, rather than requiring them to pay their taxes in one lump-sum payment at the end of the year. After the war, tax rates and Federal revenue receded somewhat, but never returned to prewar levels.

Today, the Federal tax burden is at an historic high. For the average worker, more than three hours of every eight-hour working day are dedicated just to paying taxes. The average American family spends more on taxes than it does on food, clothing, transportation, and housing combined. A typical median-income family can expect to pay nearly 40 percent of its income in Federal, State, and local taxes. This. In 1996, an average household with an annual income between $22,500 and $30,000 paid an average of $9,000 for food, clothing, and housing and paid $11,000 in total taxes.

Households with incomes ranging from $45,000 to $60,000 averaged $16,000 for basic necessities, and paid the tax collector $25,000. If the ''hidden taxes'' that result from the high cost of Government regulations are factored in, a family today gives up more than 50 percent of its annual income to the Government. The budget submitted yesterday by the President continues this pattern of growing Federal intrusion into the taxpayers' daily lives.

While I have always called for a smaller, more efficient Government, the President's budget endorses just the opposite. While I want to close down Government agencies that do not perform their duties, the President wants to give them more money. That includes the Department of Energy, a taxpayer-financed black hole for which the President wants to boost spending by another 8 percent next year.

Overall, it appears the President would increase Federal spending by $135 billion and raise taxes and fees by $115 billion to pay for all that new spending. And the President's scheme to help fund his laundry list of new initiatives by using $65.5 billion in tobacco settlement proceeds is risky—if a settlement does not occur, then where do the dollars come from? Even higher taxes? I know some of my colleagues take offense when I use the phrase ''Washington's big spenders.'' But I cannot think of any euphemism in which to couch what is happening here.

This is a budget cooked up by big spenders and served to a taxpaying public that did not order it and does not want it. But that has long been the pattern in Washington.

To make matters worse, as the tax burden has grown higher and more unfair, the government tax collector, the IRS, has turned into an arrogant, inefficient, cold-hearted, heavy-handed, intrusive, and abusive bureaucracy. We have heard many horror stories about how IRS agents routinely use their enormous coercive power to squeeze more money out of the taxpayer's pockets to meet the demands of ever-increasing Government spending. Not only do people pay more taxes, but they spend more time and money calculating their tax burden. Our tax system has become extremely complicated and difficult to understand, even for IRS experts. Do you know the tax code was only 14 pages long when it was first enacted, but today it has grown to 10,000 pages, and on top of that, there are another 20 volumes of tax regulations, and thousands and thousands of pages of instructions and other guidance. The current tax code is anti-family and anti-economic growth. It destroys economic opportunity, hinders job creation, impedes productivity, and retards competitiveness. It has deepened despair and disaffection among the poor and disadvantaged. It encourages abuse, waste, and corruption.

Our Nation faces many great challenges in the 21st century. But without real change, the present tax system will fail to lead us there. We must fix the system. To correct the problem once and for all, Congress must pass new legislation to fundamentally reform our tax system and replace the ever-more-complicated tax code with one that is simpler, fairer, and more friendly to the taxpayers.

The American people deserve a new tax code that promotes harmony among people instead of promoting class warfare; a new tax code that encourages work and savings; a new code that rewards families and success rather than penalizing them; a new code that stimulates real economic growth and produces more jobs and higher tax revenue for the Government; a new tax code that allows people to keep more of their own money.

Congress should explore all possible solutions to achieve these objectives. The 85th anniversary of the 16th Amendment's ratification is an ignoble occasion. I urge my colleagues to reflect on this day and what it has come to mean to America's struggling taxpayers. And I urge them to join me in a pledge to the people that we will not let another anniversary come and go before we dedicate ourselves to ending the tax code as we know it.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Iowa.

CASEY MARTIN

Mr. HARKIN. Mr. President, I will just take a few minutes to speak about an individual and a case that is now taking place in the State of Oregon. The individual I refer to is one Casey Martin, an outstanding golfer who just happens to have a disability. I am also referring to the PGA Tour's determination to exclude Casey from participating in a professional sport for which he is eminently well qualified and by which he has attempted to earn his living. The PGA Tour has said no, Casey can't play with the cart he needs to accommodate his disability. The Tour wants to keep Casey out because of his disability and because of a certain rule and tradition.

Mr. President, Casey Martin has had the guts and the gumption not to back down, but to take on the PGA Tour.

Last week, Senator Dole and I held a press conference in Washington, DC, with Casey Martin to show our support for him and to state for the record that as two of the primary sponsors of the Americans with Disabilities Act, it certainly was our intention, and the legislative intent, to cover this type of a situation. We wanted to state for the record that the ADA did, in fact, apply to the Casey Martin situation.

Yesterday, Casey Martin's case started. His trial began in Oregon.

Casey Martin has a powerful story. He has worked, he has practiced, he has played, he has spent an enormous amount of time and energy—a lot of it painful—reaching the highest levels of one of America's most popular professional sports. It has been for him a very difficult road. Now Casey stands at a roadblock, much like the roadblock that millions of Americans with disabilities have confronted—Americans who each and every day only ask for reasonable accommodations and modifications that will allow them to live their lives and pursue their dreams just like everyone else.

We passed the Americans with Disabilities Act to give Casey Martin, and others with disabilities, an equal opportunity to fully participate in American life. That means in everything—employment, education, recreation, social activities and opportunities. I have often said that ADA really stands for the ''American Dream for All.'' That is what it is all about, and that is what it is about in this case, too—will Casey Martin have the opportunity to pursue his American dream?

I would like to take a moment to compliment those who have already shown their support for Casey Martin. Particularly, I would like to congratulate Mr. Phil Knight and all of the folks at Nike. Their commercial that they are running now showcasing Casey Martin makes a very powerful statement about the ability of people who also happen to have disabilities.

I would also like to compliment the golfers, like Greg Norman and Tom Latham, two outstanding golfers, who have publicly stated their support for Casey Martin.

Mr. President, I am here to say that Casey Martin should have an opportunity to compete in the PGA Tour and to say that the ADA guarantees him that right. As Senator Dole said last week at our press conference, PGA does not stand for ''please go away,'' and the PGA Tour shouldn't try to send Casey Martin away from a game for which he is otherwise well-qualified. Casey is someone who spent his entire life playing golf; he played in college, along with Tiger Woods, at Stanford in the NCAA; he is a golfer who, with his disability, recently won one of the tours,

a Nike tour in Lakeland, Florida. So this man is eminently well-qualified to play professional golf.

I am disappointed—I am sorely disappointed—in the PGA Tour's failure to reach an agreement with Casey, to come to some kind of an accommodation that would allow him to compete and earn his living being a professional golfer.

As I understand it, the sticking point here is the PGA Tour's tradition and rule of no carts. Well, Mr. President, I believe there are values to upholding traditions and rules, but there is no merit in rigidly standing on tradition simply because of outmoded assumptions.

Over the years, all kinds of traditions have scuttled the aspirations and limited the possibilities of millions of Americans with disabilities. People with disabilities just didn't do certain things. I always tell the story about my brother who I grew up with who had a disability. He became deaf at an early age. He was sent away to the Iowa School for the Deaf and Dumb—that is what it was called in those days, the School for the Deaf and Dumb. The Presiding Officer sitting in the Chair may be a few years younger than I am, but I remember when I was younger, that is what they called deaf people, they were deaf and dumb. As my brother said to me, ''I may be deaf, but I am not dumb.'' So we have done away with that tradition. We don't refer to people as deaf and dumb, and we don't have deaf and dumb schools any longer either.

But when he went to that school, they told him he could be one of three things: He could be a baker, a shoe cobbler or a printer's assistant. That was it. There was nothing else he could do. ''That is it, you can pick one of those three things.''

He said, ''I don't want to be any one of them.''

They said, ''Fine, you are going to be a baker then.''

Tradition and rules had it that deaf people could only do certain things. That has all gone by the wayside. We see deaf Americans now doing everything. Why, we even have a person who is deaf who is the president of a college. So we have done away with a lot of these old traditions, and the ADA is helping to change the old traditions. It is asking us to rethink our assumptions about people with disabilities and what they can do. It is asking us to look at reasonable modifications that would permit them, as I said, to pursue their American dream.

The ADA is intended to include people in the mainstream of American life. It requires entities to make—and I quote from the law—''reasonable modifications'' to ''policies, practices and procedures'' so long as those modifications do not create a ''fundamental alteration'' to the program or activity.

So, Mr. President, rules and traditions that create barriers for people with disabilities are rules and traditions that must be changed.

I am reminded of a recent incident here in the Senate, where we were asked to make a reasonable modification to a Senate policy. A staff person with a vision impairment was precluded from coming on to the Senate floor with her guide dog because we had a no-animals rule on the floor. Certainly, it sounded like a very reasonable rule and tradition. We don't want animals running all over the floor of the Senate. You don't want me bringing my pet dog on to the Senate floor. Well, that was a rule and tradition.

So we had a debate about whether we should change the rule to accommodate the needs of the staff person. We talked about the history, the traditions of the Senate. Ultimately, we did the right thing. We made a reasonable modification to that rule and that tradition so the staff person could do her job and bring her dog on to the Senate floor.

Allowing Casey Martin to use a golf cart is a reasonable modification under the Americans with Disabilities Act. The cart will help level the playing field a little on which Casey Martin competes without giving him an undo advantage. What we are talking about here goes to the heart of the principles and the foundation of the Americans with Disabilities Act.

The PGA Tour can say all they want, that a cart somehow alters the fundamental operation of the golf game. Yet, if that is so, then why do they allow carts to be used on the Senior Tour? Why do they allow carts to be used in the qualifying rounds for the younger people?

When the court enjoined the PGA Tour and said, yes, the Tour must allow Casey to use a cart, and he used a cart, the Tour said, ''We will let everybody use carts.'' I am told that out of 168 golfers, only 15 decided to use a golf cart. I thought to myself, if a golf cart gives players that much of an advantage, why wouldn't everyone use them?

So I consulted some of my golfing friends. I am not a golfer, but I have friends who are avid golfers. One individual told me, ''Well, there is nothing like walking a golf course, because when you walk, you feel the wind and you see how often it gusts and you know what direction it is blowing in. You get a feel for the lay of the fairway, and you can think about your next shot and what went wrong on the last one. You get in a golf cart and you lose all that feel.''

I have tested this hypothesis with other golfers, and they say, ''Yes, that is true.''

Allowing Casey Martin to use a golf cart will not give him any advantage at all in the PGA Tour. In fact, it may very well present a disadvantage. So, again, I just think this is one of those old rules and traditions that needs a reasonable modification under the ADA so that Casey Martin can compete in professional golf.

Lastly, Mr. President, Casey Martin may not fit the stereotype of what the PGA considers a competitive golfer, but millions of Americans who don't fit the typical image of a golfer have now taken up the game. It has moved from an exclusive sport played at private country clubs to an inclusive sport played by a cross-section of Americans.

When I was growing up in my State of Iowa, I bet I could count on one hand the number of golf courses in the State of Iowa, all at private country clubs, exclusively played by those people who belonged to those clubs. We have 99 counties in Iowa, Mr. President. I bet you every one has a golf course now. Some of them have more than one. Farmers out in the field get off the tractor and come in and play a game of golf. So it is no longer this sort of exclusive game it once was. Everyone is playing golf. Barriers to the sport have come down.

As I said earlier, barriers and traditions that prevent people with disabilities from fully participating are barriers and traditions that must come down. Holding up a barrier for Casey Martin sends exactly the wrong message not only to Americans with disabilities but to each and every one of us.

I am sorry that the PGA Tour saw fit to take this to court. They first tried to argue that they weren't even covered by the ADA, when the law was plain on its face they were covered. They went to court and, of course, the court threw that out and said, ''Of course, you are covered.'' Now they are back in court again to drag this thing out.

I wish they hadn't done it, because that very action alone tends to create a chilling effect. A lot of Americans will say, ''Well, I may have a disability, but if I want to do something and there is a rule or tradition against it, do you mean I have to go to court? Do you mean I have to hire lawyers? I have to go through all that just to get my rights?''

That is the message the PGA Tour, by going to court, is sending to Americans all over this country.

Mr. President, people with disabilities get up every morning, and they have a tough day ahead of them. They have to prepare for that day, many times with the aid of an assistant, perhaps they have to use a wheelchair or get in a special bus to go to work. It takes a lot of effort, a lot of time. They don't have the time and they don't want to go to court, but they want the Americans with Disabilities Act to work. People with disabilities want entities like the PGA Tour to use some common sense and some common decency to make reasonable modifications so that people like Casey Martin can pursue their American dreams.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, at 1:13 p.m., the Senate recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. FIRST).

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be allowed to speak for 10 minutes as in morning business.

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

WE CAN DO BETTER

Mr. WELLSTONE. Mr. President, I speak from the floor of the Senate as a Democrat but really to all of my colleagues, and to the President, as well.

I think that President Clinton's State of the Union Address was, indeed, an important step forward for our country in some of the initiatives that he outlined. When the President talked about education and talked about child care and talked about health care, I think what he said resonated with people throughout the country. I think it has a lot to do with the fact that people are less interested in denunciation and more interested in enunciation. They really want to know what it is we stand for and whether or not we are thinking seriously, all of us, even if we have disagreement on some of these issues, about where our country needs to be.

In that sense, what the President talked about was an important step forward. First, a response to what some of my colleagues had to say on the floor of the Senate, and then a response to some of the President's initiatives and to Democrats. On the Republican side, I think the argument that has been made, that I have heard colleagues make on the floor of Senate—and I summarize what any number of different Republican colleagues have said—in many ways amounts to the argument that when it comes to the most pressing issues of people's lives, there is nothing the Government really can or should do. This is not an appropriate role for the Government to play—to assure that there is affordable child care for working families, to assure that there is affordable health care, to invest in more teachers in our schools, reducing class size, and so forth. Quite frankly, that argument is a great argument for people who own their own large corporations or are wealthy, but it doesn't work for most of the people in the country. Most of the people in Minnesota and most of the people in the country are very focused, as I have said on the floor of Senate, as to how they can earn a decent living and how they can raise their children successfully.

The President's proposals speak to that, at least part of the way. But what concerns me about what the President said, and I give credit where credit is due, what concerns me about the way in which Democrats are speaking about these proposals, is I think that we can do much better. This is our opportunity. The business cycle is up. We all talk about economic performance. This is the time where we can really make some of these critical investments.

Mr. President, what I worry about is that we give the speeches, there is a lot of hype. We talk about the importance of early childhood development, we talk about the importance of education, we talk about health care, but we do not invest enough resources to put this on a scale where it is really going to make a significant difference. If we don't do that, if we have such a downsized politics and policy that we only reach a tiny fraction of those people that we are talking about, those children, those working families, then I think it invites mutiny because it becomes just symbolic politics.

Let me give a few examples. Mr. President, as far as I can determine when we talk about child care, without going into all the statistics, and we think about families with incomes of $35,000 a year and under, we will probably reach, with the amount of resources the President has talked about investing in early childhood development, about 2 out of 10 children who could benefit—2 out of 10 children. If it is so compelling, and if the evidence is irreducible and irrefutable that we have to get it right for these children by age 3 otherwise many of them will never do well in school and will never be prepared for life, then why are we only investing in 2 out of 10 children?

After-school program. Again, an important initiative, but as I look at the number of children who could benefit from this, and I think about my travel in some of our inner-city communities and rural communities, much less the suburbs, we will be reaching, with the President's proposal, about 1 out of 10 young people or children that are eligible. If it is important to have good positive things going on for young people in our communities after school, why is it only important to reach 1 out of 10 young people or children that would be eligible?

Now I know what I am saying is counterintuitive because in a way I'm in the tiny minority on this, but I think we can do much better. I will introduce child care legislation and I will talk about 5 out of 10 children, that we can at least reach half the children that really deserve to have nurturing child care, that deserve to have the highest quality child care. Why are we only talking about affordable child care that is only affordable for about 20 percent of the families that need the assistance? Why are we not making sure that every child in the United States of America, when he or she goes to kindergarten, knows how to spell her name, knows the alphabet, knows colors, shapes and sizes? Why can't we make sure that we make the investment in the public sector, private sector and volunteers and communities, that every single child comes to kindergarten, ready to learn? The President's proposal is a step in the right direction but we can do much better. We can do much better.

A second example, health care. Mr. President, I'm all for expanding Medicare, but the current proposal that the President has outlined makes it impossible for most citizens between the ages of 55 and 65 to be able to afford the premium. Most won't benefit. Second of all, I don't know why—I guess I speak more to Democrats, my party—why have we abandoned the idea of comprehensive health care reform, universal health care coverage? Why are we not talking about a strategy for our country whereby the next century, next millennium, each and every citizen will be able to benefit from dignified, humane, affordable health care? Why, Democrats, have we backed away from this?

I'm going to introduce legislation that will have a national progressive framework, a defined package of benefits. Remember, colleagues, remember what we talked about a few short years ago, that every citizen should have health care at least as good as what Senators and Representatives get? I believe that. I think all of us should believe that. It will also make sure that States agree that it will be affordable and it will also have strong consumer protection, but then it leaves it up to States as to how to get there. There will be Federal grants for each and every State that agrees to reach, within the next 5 years, universal coverage. Different states can do it different ways. We can decentralize it. But we ought not to give up on the goal of humane, affordable, dignified health care for each and every citizen in our country. The American people believe in that. It might be that the insurance industry, which has so much clout here, doesn't believe in it, but the majority of people in our country do, and Democrats and Republicans, we ought to be on their side. We ought to be on their side.

The third example, Mr. President, which is near and dear to my heart, call it counterintuitive politics because we don't talk about it very much but I think we should. I have traveled all across the country. I have had a chance to meet with a lot of people in poor communities. I want to raise the minimum wage. I think we should do that. It is a matter of elementary simple justice. I am proud to join Senator KENNEDY in this fight. We will raise the minimum wage 50 cents a year for the next 3 years and then index it. If people work full time 52 weeks a year 40 hours a week they ought not to be poor in America. If you had health care and child care, you really would be making a difference in terms of family income.

Mr. President, I also visited communities, be they rural or urban, where there are no jobs, even with the economy being where it is, even with official unemployment at record low levels. I go to inner-city Baltimore or inner-city Chicago or Minneapolis, I can go to Appalachia, rural Appalachia, I can go to rural Minnesota, and

in all too many cases the jobs are not there, or the jobs at decent wages are not there. Why don't we make a commitment to making sure that people find employment? That is dignity.

We have communities where there are compelling needs—there is elder care, there is child care, there is housing rehab, there is community crime prevention, there is teacher's assistance, there is environmental cleanup, all sorts of work to be done and people who can't find any jobs. I will introduce a bill that will provide people—we have now a 5 million job gap between people that want to work and jobs vacant—provide people with a transition whereby they have a job for a year at a decent wage with these benefits, and then can transition to private sector. We need to get more private capital in these communities. But when you have people in our rural areas, our ghettos and our barrios who have worked and worked on community-building jobs and have the dignity and build up some of the skills, then private sector gets more interested in these communities. But right now in a lot of communities in our country, people are crying out, where are the jobs?

Mr. President, we can do much better. We have to make these investments. I am saying to my colleagues today on the floor of the Senate that as we go into the next century there are some contradictions we cannot live with. There are some contradictions in this city, Washington, DC, right here in this city, and all across the country. We have to make sure that we are investing in communities. We have to make sure we are investing in children. We have to make sure we are investing in education, and not just in education for some children, not just affordable child care for some children, not just health care for some citizens. If we are going to argue that these are priorities, then we have to back the rhetoric with the resources. We have to make the investment.

Mr. President, I worry that at the very time where we have the best chance to make this investment—at a time of real optimism, at a time when I think people in the country feel good and know that we can do better, that justice, fairness, opportunity, building communities and building leadership are things that we can do—we are going to miss the opportunity by making speeches but not following up the speeches, by not really meaning what we say, and not really making the investment.

President Clinton, thank you for pinpointing some of these initiatives. Republican colleagues, maybe in areas like child care we can come together. I hope we can. But for the President and all my colleagues, we can't outline problems and say we are committed to making a huge difference and then not make the investment that is anywhere near the scale of what needs to be done to make a difference. We can do much better than what the President outlined in his address for children, we can do much better for education, we can do much better for health care, and we can do much better when it comes to tackling problems with race, gender, poverty, and children in America.

I appreciate what the President has outlined as a first step, but we ought to be doing much better here in the Senate and in the House of Representatives. We ought to be doing much better. This is our chance to make an enormous difference.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. HAGEL. Mr. President, I ask unanimous consent that there now be a period for morning business until 2:45 p.m., with Senators permitted to speak therein for up to 5 minutes each.

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

TRIBUTE TO COMMANDER RAY C. SIMMONS, U.S. NAVY

Mr. LOTT. Mr. President, I wish to take this opportunity to recognize and say farewell to an outstanding Naval officer, Commander Ray C. Simmons, upon his retirement from the Navy after more than twenty years of commissioned service. Throughout his career, Commander Simmons has served with distinction, and it is my privilege to recognize his many accomplishments and to commend him for the superb service he has provided the Navy and the nation.

Commander Simmons entered the United States Naval Academy from the State of New Hampshire in 1973 and was commissioned as an Ensign upon graduation in 1977. Since then, Commander Simmons has spent his career patrolling the world's oceans as a Naval Flight Officer and oceanographer. Following flight training, he began his service in Patrol Squadron Four in Barbers Point, Hawaii, making three deployments to the western Pacific, Indian Ocean and Persian Gulf, including operations in support of the 1979–80 Iranian hostage crisis. In 1990, he joined the staffs of the United States Sixth Fleet and NATO Strike Force South, embarked in USS *Belknap*, homeported in Gaeta, Italy. During the Persian Gulf War, Commander Simmons, as Fleet oceanographer, served as a member of the TLAM cruise missile targeting team, planning strikes on Iraq from the eastern Mediterranean Sea. He also served as Flag Lieutenant and personal aide to the Sixth Fleet Commander.

When not at sea, Commander Simmons has likewise served with distinction on the staffs of Patrol Wing Two and the Chief of Naval Operations, in the Naval Western Oceanography Center and as Aide and acting Deputy Executive Assistant to the Vice Chairman of the Joint Chiefs of Staff. He served with the National Aeronautics and Space Administration (NASA) as the first Department of Defense liaison officer for joint NASA-Defense earth science applications programs. In 1995, he commanded the United States Naval Ice Center, with additional responsibility as Director of the joint Coast Guard, Navy and National Oceanographic and Atmospheric Administration United States National Ice Center, and served as the lead Department of Defense lead technical advisor to the Russia-United States Gore-Chernomyrdin Commission Environmental Working Group. Among Commander Simmons's many awards and decorations are the Defense Meritorious Service Medal, four Meritorious Service Medals, two Navy Expeditionary Medals and the Southwest Asia Service Medal. He is both a qualified Naval Flight Officer and Naval oceanographer.

During his more than twenty year career, Commander Simmons has served the United States Navy and the nation with excellence and distinction. He has been an integral member of, and contributed greatly to, the best-trained, best-equipped and best-prepared naval force in the history of the world. Commander Simmons's unflappable leadership, integrity, and limitless energy have had a profound and positive impact on the United States Navy and the nation.

Commander Simmons will retire from the United States Navy on March 1, 1998, after twenty years and nine months of dedicated commissioned service. On behalf of my colleagues on both sides of the aisle, I wish Commander Simmons fair winds and following seas. Congratulations on completion of an outstanding and successful career.

RETIREMENT OF CAPTAIN JOHN LYNCH

Mr. THURMOND. Mr. President, I rise today to pay tribute to a man a number of us, especially those who are members of the Armed Services Committee, have come to know over the past several years, Captain John Lynch who retired from the United States Navy during the Christmas Recess.

There are few careers more demanding or rewarding than those in our armed forces, and in, 1972, John Lynch joined the Navy. Despite Richard Nixon's overwhelming re-election to the Presidency, this was a tension charged era in our Nation, we were in the waning days of our involvement in Vietnam and most young people were seeking ways to avoid military service. Few people were actually entering the

armed services on their own volition, but John was an exception, and his spirit of patriotism and selflessness would serve him well throughout his career. In 1974, a young John Lynch donned cap and gown and accepted his bachelor's degree in Industrial Education and earned a commission as an Ensign. Leaving the comfortable and familiar campus of The College of New Jersey, he headed south to the hot, humid weather of the Florida panhandle and the vocal, uncompromising, and unforgiving Marine Corps Drill Instructors who put the aviation candidates through their paces and initiated them into the life of the military.

By the time then Ensign Lynch graduated from flight school, Vietnamization was fully in place and responsibility for prosecuting the war was squarely on the shoulders of the Republic of Vietnam. Though American military personnel were no longer involved in a ''shooting war'', the United States was certainly locked into a tense, dangerous, and sometimes deadly Cold War with communist nations. During this period in our history, the United States and, primarily, the former Soviet Union stared at each other over fortified borders, and tested each other's defenses and military capabilities. Certainly one key element in how this Cold War was prosecuted was anti-submarine warfare, where American and Soviet submariners shadowed and evaded each other and the ships and aircraft that tried to detect and monitor their activities. It was as a part of this nuclear weapons cat and mouse game that John Lynch cut his teeth as a young Naval officer and aviator, flying operations looking for Soviet submarines.

As many will remember, the Cold War would heat up from time to time, and there was a period in the 1980's when events in the Middle East forced the United States to use force to protect our citizens, interests, and security. Inflammatory and hateful rhetoric espoused by radical leaders, coupled with things such as the infamous ''Line of Death'', the bombing of the Marine Barracks in Beirut, and a campaign of terror directed at the United States and her allies that brought American military assets to bear in the Mediterranean, and John Lynch was among those deployed to that region. As a matter of fact, as the Officer in Charge of the Navy's first dual SH–60B helicopter detachment aboard the U.S.S. *Halyburton* as it conducted operations off the coast of Libya, John logged nine combat flights in support of the fleet. Those experiences demonstrated the competence, composure, and courage of John Lynch, the essential qualities of any successful leader, whether he or she be in the military, the government, or the private sector. They certainly benefitted him, and those who served under him in HSL–42, during Operation Desert Shield/Storm.

Of course, Captain Lynch's career was not all dangerous missions flown in the cramped cockpit of Navy helicopters, throughout his 24-years in the service, he held a number of different assignments that promoted Naval rotor wing aviation, including at IBM; Naval Air Station North Island, San Diego; Naval Aide and Flag Secretary at Naval Air Station Jacksonville; and on the staff of the Chief of Naval Operations for Surface Warfare. He earned a Master's Degree from the University of Southern California while he was stationed in San Diego. He also participated in the LEGIS Fellows Program, serving as a Military Legislative Assistant to my friend, United States Representative Tillie Fowler.

It was during his almost three year tenure as Director of Senate Affairs in the Office of the Secretary of Defense that we came to know John Lynch. In that position, the Captain was responsible for being the liaison between the Department of Defense and all Senators and their staffers, though his primarily interaction was with the members and staff of the Armed Services Committee. A gregarious and competent man, Captain Lynch was an excellent representative of the Secretary of Defense who rendered an important service, helped facilitate positive relations between the Pentagon and the Senate, and made certain that the positions of the Secretary of Defense and the Executive Branch were well represented. He was unquestionably professional and accommodating and he set an excellent example for all those who worked for him in the Office of Senate Affairs, as well as for his successor.

After more than 20 years in service to the Navy and the Nation, it must be difficult for Captain Lynch to begin a new career, but he can look back on his time as a Naval Officer and take great satisfaction and pride in a job well done. His efforts helped to assure that the United States and her citizens were well protected, and I know Captain Lynch must be proud that his eldest son, Shaun, has chosen to follow in his father's public spirited footsteps by attending the Naval Academy and serving the Nation. I wish John Lynch, his wife Linda, son Shaun, and daughters Laurne and Kelly health, happiness, and success in the years to come.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, February 2, 1998, the Federal debt stood at $5,483,592,532,096.82 (Five trillion, four hundred eighty-three billion, five hundred ninety-two million, five hundred thirty-two thousand, ninety-six dollars and eighty-two cents).

Five years ago, February 2, 1993, the Federal debt stood at $4,177,801,000,000 (Four trillion, one hundred seventy-seven billion, eight hundred one million).

Ten years ago, February 2, 1988, the Federal debt stood at $2,463,053,000,000 (Two trillion, four hundred sixty-three billion, fifty-three million).

Fifteen years ago, February 2, 1983, the Federal debt stood at $1,200,725,000,000 (One trillion, two hundred billion, seven hundred twenty-five million).

Twenty-five years ago, February 2, 1973, the Federal debt stood at $449,134,000,000 (Four hundred forty-nine billion, one hundred thirty-four million) which reflects a debt increase of over $5 trillion—$5,034,458,532,096.82 (Five trillion, thirty-four billion, four hundred fifty-eight million, five hundred thirty-two thousand, ninety-six dollars and eighty-two cents) during the past 25 years.

MARKING THE 65TH BIRTHDAY OF SENATOR PAUL SARBANES

Mr. BYRD. Mr. President, I would like today to pay tribute to one of my most esteemed colleagues on the occasion of his birthday. For, sixty-five years ago, in Salisbury, Maryland, two Greek immigrants named Spyros and Matina Sarbanes gave birth to a child, whom they named Paul. I, for one, have no doubt—although history does not provide confirmation of my conjecture—that within a few days, or perhaps weeks, of this event, young Paul had begun the earnest and impassioned learning that would distinguish him throughout his life.

This learning has paid dividends throughout the life and career of PAUL SARBANES. It won him a scholarship to Princeton—from where he graduated Phi Beta Kappa—and earned him a Rhodes Scholarship. Thence, he proceeded to Harvard Law School and a prestigious clerkship with a federal appellate court judge. After conquering such mountains early on, he might have been forgiven for resting on his laurels, but these early triumphs proved to be simply prologue to further achievements. Senator SARBANES' drive and his intelligence propelled him from a law firm to the Maryland House of Delegates, then on to the U.S. House, and, in 1976, to the U.S. Senate. How wonderfully appropriate that the year in which this country celebrated its bicentennial it should also witness, in the election of Senator SARBANES, confirmation of the basic American tenet that any man—even the child of immigrants—can rise to the highest levels in this country! And who better than Senator SARBANES to prove that the American meritocracy, which rewards extraordinary wisdom and diligence, endures?

For over two decades, I have been privileged to work alongside Senator SARBANES. I have learned in that time to put down whatever business I have before me and pay careful attention when this man speaks on the floor. For I know that whatever words issue forth from his mouth will be the result of careful consideration, intelligent analysis, and a nuanced balancing of the facts. These qualities distinguish Senator SARBANES' remarks, and they are the reason why this man epitomizes for

me the best that the legal profession has to offer. If every lawyer would only emulate the reasonableness and wisdom of Senator SARBANES, the country's legal profession would be held in much higher esteem than it is today!

Mr. President, I am sure I speak for all my colleagues when I wish my esteemed colleague Senator SARBANES the happiest of birthdays. The words of Senator SARBANES' classical forebear, Aristophanes, seem particularly appropriate today: ''Blest the man who possesses a keen intelligent mind.

TRIBUTE TO THE NATIONAL CATTLEMEN'S ASSOCIATION'S 100 YEARS OF EXCELLENCE

Mr. CAMPBELL. Mr. President, I call upon my colleagues today to recognize an organization that has been very valuable not only to the hard working ranchers and farmers that I represent in Colorado, but to everyone in America whose livelihood depends upon the cattle industry.

Founded in 1898, the National Cattlemen's Beef Association is the marketing and trade association for America's one million cattle farmers and ranchers.

Small businesses, like cattle farms and ranches, are the heart of the American economy. The U.S. cattle industry is comprised of more than one million individual farms or ranches that provide our nation with a steady supply of safe, nutritious beef. Living on a small ranch in Ignacio, Colorado, I know the vast majority of U.S. cattlemen are family farmers and ranchers who are skilled stewards of their natural resources and trained caretakers of the animals under their care. Eighty percent of cattle businesses have been in the same family for more than 25 years and 10 percent for more than 100 years.

Cattle ranchers form the largest part of the U.S. food and fiber industry, which, in turn, is the largest segment of the U.S. economy—nearly 17.5 percent of the gross national product. Doing business in all 50 states, cattlemen contribute to thousands of rural economies and, directly and indirectly, add $153 billion to the national economy. It is also important to recognize that the beef industry provides 1.6 million American jobs, and the U.S. annually produces nearly 25 percent of the world's beef supply with less than 10 percent of the world's cattle inventory.

In Denver, where the industry is commemorating 100 years of the cattlemen's association history, we have a unique opportunity for people all across America to join in celebrating the labor of generations of America's cattlemen and women.

Since this historic event is taking place in my home state of Colorado, I would like to take this time also to recognize the Colorado Cattlemen's Association, which is one of the nation's oldest cattlemen's associations, founded in 1867, even before Colorado became a state. I am proud to say that with hard working grass-roots organizations like the National Cattlemen's Association and the Colorado Cattlemen's Association, issues that directly affect the West and across this country can be addressed in Washington with great success.

In 1996, I joined Senator DOMENICI on the Senate floor in support of the grazing reform bill in the 104th Congress. It was a moving sight to see so many cattlemen and women in the Senate gallery and the halls of Congress working with their senators to help ensure passage of this vital legislation. Currently, grazing legislation is pending in the Senate Energy and Natural Resources Committee on which I serve. With endorsements from strong grassroots organizations like the National Cattlemen's Beef Association and the Colorado Cattlemen's Association, we will continue to fight to get this legislation enacted into law.

Once again I commend the National Cattlemen's Beef Association for 100 years of dedicated service to America's ranchers and farmers.

Mr. HAGEL. 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. GRAMM. 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. GRAMM. Mr. President, I ask unanimous consent to speak as if in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Texas is recognized.

THE HIGHWAY BILL

Mr. GRAMM. Mr. President, as many of our colleagues are aware, there has been a problem in America since roughly 1990 in that we have collected taxes on gasoline. Those taxes, as anyone knows who has ever stood and read the gasoline pump as they are filling up their car or truck, are dedicated to building highways. But, yet, since 1990, over 25 cents out of every dollar we have collected in gasoline taxes has not gone to building highways. It has instead gone to fund general government.

This produces a real problem. If you read the sign on the gasoline pump, it basically gives you good news and bad news. The bad news is that about a third of the cost of a gallon of gasoline is taxes. The good news is that every penny you pay in gasoline taxes is supposed to go to build roads. The problem since roughly 1990 has been that the bad news is true and the good news is not true.

Senator BYRD, I, and others set about last year to try to correct this problem to basically try to bring honesty to Government by having a program that in reality conforms to what we tell the American people. And that program is that if you collect money on gasoline taxes to spend on roads that you spend the money on roads and nothing else. We have done it in two parts. One part is complete.

I offered an amendment to last year's tax bill which was adopted in the Senate, adopted in the House, and became law when the President signed the tax bill into law. It took the 4.3 cents a gallon tax on gasoline that in 1993 the President had dedicated permanently to general revenues—the first time in American history that such a designation had ever occurred—and it put that gasoline tax back into the highway trust fund. You can imagine how surprised we were when the President's budget came out and not one penny of that gasoline tax is proposed to be spent on highways.

Senator BYRD, I, and others have put together an amendment which now has, I believe, 52 cosponsors. I want today to outline what the amendment does and what it does not do, what the result of adopting the amendment would do, and what it would not do. I also want to address two other issues that people have talked about as reasons of not being for the amendment.

First of all, our amendment is on an authorization bill. It basically would change the highway bill to assure that the 4.3-cents-a-gallon tax on gasoline would be authorized to be spent on highways. Our amendment does not, nor could it, change the spending caps in the budget. Nothing in our amendment would in any way change the total amount of funds that are currently available to be spent under the budget agreement which we adopted last year. In fact, our amendment specifically states that nothing in the amendment will bridge or break those caps. So we are not debating how much total money is going to be spent next year. That debate is going to occur in the budget and probably to some extent in the appropriations process and perhaps in the Finance Committee with taxes and user fees.

My position is longstanding, and I don't intend to change it under any circumstances. And that position is that we should not raise the spending caps; that we made an agreement last year with the President. We took that agreement to the American people. We made a promise. I think we ought to live up to that promise.

The Byrd-Gramm amendment simply allows highways to compete with every other use of money within the budget agreement. If we do not adopt the Byrd-Gramm amendment, it means that for the next 6 years we are going to be spending less than 75 cents out of every dollar collected in gasoline taxes on highways, and we are going to continue to perpetuate an untruth where people were told when they buy gasoline that the money is going to build highways when in reality over 25 cents out of every dollar is going to general government. If you believe that when we have a dedicated revenue source—a

''user fee,'' as some call it—that we have an obligation, in fact, a moral obligation, to the American people to use the revenue for the purpose that it is collected for, then I believe that you should be for the Byrd-Gramm amendment.

We have, I believe now, 52 cosponsors. I don't have any doubt about the fact that if we voted on the Byrd-Gramm amendment today as an amendment to the highway bill it would be adopted and it would probably get 75 or 80 votes.

Here is the problem. Those who oppose the amendment would like to delay its consideration and consider it in the context of the budget. When we are considering the budget we are going to be considering many proposals to break the spending caps. And it is the hope of those who oppose the amendment to use that parliamentary position to try to convince people that rather than fulfilling the commitment we made to the American people about spending gasoline taxes on roads that we should not do that so we can raise spending in other areas.

In fact, the strategy is to commingle this effort to allow highways to compete in an effort to break the budget entirely. I didn't think that is where we ought to consider this amendment. This is not a budget amendment. Our amendment does not break the spending caps. All we do is authorize highways at a level that would allow the spending of every penny collected in the gasoline tax, or at least that new portion, 4.3 cents a gallon. It would then be up to the Appropriations Committee within their overall budget to decide how much to spend on highways.

Let me make it clear. I believe that under those circumstances we would be successful, and that we would provide the full level of funding. But in doing so we would do it within the spending caps.

A couple of additional points. Our highway bill will expire on May 1st. It would be my intention—and I believe it is the intention of Senator BYRD—that if that highway extension expires, we would want an opportunity as part of rewriting it to offer our amendment. In fact, we are preserving our right to offer our amendment, as obviously anyone can at any time to any bill. We don't want to do that. We want to have the opportunity to have the highway bill in front of us.

I hope my colleagues will join Senator BYRD and join me in urging our leadership on both sides of the aisle to come forward with the highway bill. I came over today because we are here at 3 o'clock with no business before the Senate. We could have already written the highway bill. It takes time to plan the building of roads and bridges. It takes time for States to set out their blueprint of what they are going to do. I am blessed in being with a Southern State that has a long construction cycle. But for people who live in States like North Dakota, they have a very short construction cycle in terms of highway construction. And if the highway bill should expire, if they lose May, June, and July, they will end up not having a highway construction period this year.

So I believe that we need to get on with this bill. I think there is a solid consensus that says that within the spending caps we want to allow highways the right to compete for funds up to the amount of taxes that we collect on gasoline. If those of us who believe that the money should be spent on highways can't win that debate, then obviously we will not get the money.

But since the money was collected on gasoline taxes, people were told it was going to be used for highway construction, I believe that if we do authorize its expenditure we will be successful.

So I came over today to basically make two points. No. 1, nothing in the Byrd-Gramm amendment raises the spending caps. The amendment specifically states that the spending in the Byrd-Gramm amendment will be within the spending caps. We are going to debate spending caps and the total level of spending in the budget. The Byrd-Gramm amendment is authorization which authorizes the construction of highways at a funding level up to the expenditure of the gasoline taxes that we are now collecting. It will be up to each of us then within the spending limits that are set in the budget—and I hope they will be the spending limits that we agreed to last year and I intend to fight for, but within that we will have an opportunity to compete so that funds can be spent on highways and so that we can have truth in Government, so that when working Americans go to the filling station and stick the nozzle in their gas tank and they sit there while they are holding it reading on the gas pump that every penny of gasoline taxes goes to build roads, that will not be false advertising by the Government, that it will in fact be a reality.

The final point I wanted to reemphasize is we are running out of time. The extension of the highway bill expires on May 1. We are not going to be able to get another clean extension. We obviously have time to deal with this bill since there is no action in the Chamber here at 3 o'clock in the afternoon. It is early in the session. We were told when Congress adjourned for the Christmas recess the first item of business was going to be the highway bill. With a construction cycle beginning in May in the northern tier of the country, with the desperate need for highways and highway modernization, with the fact we told people the money they spend on gasoline taxes is a user fee to be used for highways and roads, I believe it is important that we move ahead. I urge our leadership, both on the Republican side of the aisle and on the Democratic side of the aisle, to move ahead with the highway bill. Let the Senate work its will and know that the amendment which will be offered by Senator BYRD and by me and by 52 Members of the Senate is an amendment that does not break the spending caps.

Under no circumstance am I going to support breaking the spending caps. This is a debate about priorities. It is a debate about whether or not, when you tell people that their gasoline taxes go to build roads, it should go to build roads. This is competition for available money. It is not a debate about increasing the total level of spending. I know people get confused on this issue, and I wanted to be sure that we continue every day to reiterate that this is a debate about priorities. It is a debate about honesty in Government. But it is not a debate about the total level of spending. That decision will be made in the budget, and hopefully the decision will be made to live up to the commitment we made last year.

Mr. President, I thank the Chair for recognition. I yield the floor.

Mr. FRIST. 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.

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

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

UNANIMOUS CONSENT AGREEMENT—S. 1575

Mr. LOTT. Mr. President, with regard to S. 1575, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 301, S. 1575, the Ronald Reagan airport legislation, and it be considered under the following agreement:

One amendment to be offered by Senator DASCHLE or his designee regarding a commission; one amendment to be offered by Senator DODD regarding a commission; one amendment to be offered by Senator DASCHLE or his designee regarding Dulles Airport naming; one amendment to be offered by Senator COVERDELL, which is a technical change amendment; one amendment to be offered by Senator REID regarding the FBI building renaming; one relevant amendment to be offered by Senator LOTT or his designee; and one relevant amendment to be offered by Senator DASCHLE or his designee.

I further ask that these amendments be the only amendments in order and they all be in the first degree and must be offered and debated prior to the close of business this evening, and any votes ordered with respect to the amendments or passage occur on Wednesday morning, at a time to be determined by the majority leader after notification of the Democratic leader.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, reserving the right to object, and I will not

object, but I would simply clarify that this has been a work in progress for several days. I appreciate very much the cooperation of the majority leader in accommodating Democratic Senators and Republican Senators who wish to offer amendments.

There were two issues here. One was the opportunity to offer amendments. This unanimous consent request does that. People can vote up or down on the amendments and can certainly vote up or down on the bill. There will be plenty of discussion about the reasons for a vote on either side of these amendments as the debate unfolds.

The second issue was one relating to the IRS bill. It was our view that the bill reforming the IRS needed to be brought to the attention of the Senate and needed to be scheduled. The majority leader has acknowledged the need to do that as well, and he has given me a commitment that we will take up the IRS bill prior to the end of March. So given his commitment to address the IRS and to allow amendments to be offered, that will, in my view, certainly provide us with an opportunity to move forward. So I appreciate very much his effort to respond to those concerns.

We have no objection.

The PRESIDING OFFICER. Regarding the majority leader's unanimous consent request, without objection, it is so ordered.

Mr. LOTT. Mr. President, I thank Senator DASCHLE for his comments. I think this is a fair agreement. Senators understandably want to be able to offer relevant amendments, and these amendments do pertain to this general area of discussion. I think that is reasonable. I think that is fair. I was concerned earlier on at the suggestions that were being made that we would wind up with just a litany of amendments making it impossible for us to bring this to a reasonable conclusion, and delaying other issues that we have already made a commitment to do. So I am pleased that we have this agreement.

IRS RESTRUCTURING LEGISLATION

Mr. LOTT. Mr. President, I further announce to all Senators that it will be my intention to call up and consider the IRS restructuring legislation no later than March 30, 1998. I have done that after consultation with Members on both sides of the aisle and, particularly, the chairman of the Finance Committee. He has assured me that he is very dedicated to getting this done. We found out last year in our hearings in the Finance Committee that, in fact, the abuses we had heard about were occurring.

The House passed a bill that made some very positive changes and sent that over to the Senate right at the end of the session. We believe that we are finding out still other problems that exist, and that that bill can be strengthened. We have given our word, frankly, on both sides of the aisle, that we are going to deal with this issue and we are going to deal with it in a timely way. I think the Finance Committee may have another hearing or two, although I am not limiting it to that. I didn't ask the chairman how many more he wanted to have. We heard from the Secretary of Treasury last week and the new IRS Commissioner, Mr. Rossotti about their reorganization plans. We are still learning things that are happening in order to maybe try to change the culture at IRS, but at the same time we are continuously finding additional problems that have not been addressed in the bill that came across from the House. I believe we can have whatever additional hearings that we need to have and have a markup and have this legislation on the floor of the Senate by the end of March.

The only reason why I didn't want to narrow it down more than that, frankly, is we have a number of issues we have to deal with in March, as Senator DASCHLE knows, such as NATO enlargement, the budget, supplemental appropriations, which I presume will involve at least a part, or all of IMF, as well as this issue. Now, I believe this issue may not take that much time. But we have to make sure that we have looked at the entire schedule for March and we have allowed appropriate time to consider this very important issue of restructuring of the IRS. I think this is a good agreement and we should move forward with it.

Mr. DASCHLE. Mr. President, I only want to acknowledge, again, the extraordinary leadership in our caucus that this Senate has benefited from, thanks to Senator KERREY, on the issue of IRS reform. He and Congressman PORTMAN were the two chairs of the IRS commission that delved into all of these issues. They formulated the policy, convinced the administration, and worked to resolve many outstanding differences. So I appreciate very much their tenacious leadership in this area and, again, thank them for their efforts in bringing us to this point. We will, at long last, resolve this matter.

I am told that 1½ million taxpayers have been adversely affected by IRS activity since the House passed its reform legislation last year. We need to put an end to that, and we need to find ways in which to ensure that the American people and the IRS have a clear message: The old days are gone. The time for reform of the IRS is here.

The Senate, on a bipartisan basis, thanks to the leadership of Senator KERREY is committed to that. We will send the bill to the President well before the April 15 filing time for taxes for the last calendar year.

I thank the majority leader, and I yield the floor.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

IRS REFORM

Mr. KERREY. Mr. President, first, let me thank both the majority leader and the Democratic leader for resolving this. I thank, as well, Chairman ROTH of the Finance Committee, Senator GRASSLEY, and others who have worked on this. Getting it done by the end of March means that, prior to the 15th of April, taxpayers will have substantially more power. I know that Senator ROTH is looking at some additional things that he might add to the bill.

Let me identify a few that are in this bill that, if we can get it passed before April 15, taxpayers will have. Under current law, the IRS can come out and try to collect money from a taxpayer that they think owes money and, if they make a mistake, tough luck, there is no sanction against them. Under this changed law, if the IRS goes out and does this and it is discovered that they are negligent, they can be responsible for $100,000 in punitive damages to be paid to the taxpayer. And if it is discovered that they were wrong, they have to pay the legal fees and other expenditures that the taxpayer would have been out. It puts the burden on the IRS to make certain that they don't send out a collection notice unless they are certain there is a collection there. Today, they have no negative sanctions at all. This will shift a substantial amount of power to the taxpayers, which I think is needed.

Chairman ROTH has used what is called section 6103 to look at some of the privacy problems, and he has some additional ideas he may want to add in this area. Just with what the House has passed and what we have in our bill right now, there is a substantial amount of new power that the taxpayer will have. We will make the taxpayer advocate more independent. Senator JOHN BREAUX and others—and I believe Chairman ROTH supports it—will make the taxpayer advocate even more independent by removing them from the IRS. They do a relatively good job, but there is a conflict of interest and they have a difficult time being able to be a powerful advocate for the taxpayers.

There are lots of other things that this piece of legislation does, and to be able to get it done by the 15th of April, I think taxpayers are going to like it a lot. Here are some more examples. We all know the code is complicated, and we all know that one of the cheapest ways to get an audience to their feet and to appreciate this is to propose some tax break, a deal that we favor. And everybody around here has one that they like. If we have a reconciliation bill or a tax bill we are going to move through this bill, this law would say that the IRS Commissioner has to be at the table when that is being discussed, and then to say this is what it is going to add to the taxpayer burden.

It has been estimated now that it costs somewhere between $100 billion and $200 billion a year to comply with

the code. This would put the Commissioner at the table and give the commissioner a sufficient amount of independence to say this is what it will cost, or that it requires an index and some measure of cost to the taxpayer.

We heard Mr. Rossotti talk about his need for power. It's surprising how little management authority the Commissioner has, though you will not likely see that having an impact immediately. Long-term, there is no question that is going to have an impact. My guess is that most Members have heard complaints coming from citizens that they know have to go to a regional office to get an answer to a question or get a problem solved. That is because what IRS has done is increasingly centralized the decisionmaking process. And what Mr. Rossotti, correctly, is trying to do is decentralize that process, so you have human beings in offices at the local level helping to make decisions. The way he is proposing to do that is to end the stovepipe stricture that exists and create functional structures. He needs the law to be changed in order to have the management authority to get that done.

So I thank the majority leader very much and the Democratic leader, Senator DASCHLE, for their determination to get this done. I thank Senator GRASSLEY and Senator ROTH. And before I leave the floor, I also want to thank Secretary Rubin. There was an awful lot of attention paid to a conflict that Congressman PORTMAN, who was cochair of this effort, and I had having to do with an independent board for the IRS. We worked out those disagreements. Lost, unfortunately, in the process of debating that is another change we put in place, which was to require some consolidated oversight on Congress' side and the purpose of both is so that we can get to a point where you have a shared agreement, you have consensus between the executive and legislative branch about what you want the IRS to do. It is impossible to make technology decisions.

The administration is asking for another $400 million for tax system modernization. Without this piece of legislation in place and Mr. Rossotti with the power and consolidated congressional oversight, I would vote no on that.

This process began with Senator SHELBY and I on the floor adding money for the creation of this commission. Congressman Lightfoot and Congressman HOYER, the ranking member of the Subcommittee on the Treasury, were involved in the House. It began because Senator SHELBY and I saw that the General Accounting Office had said that nearly $3 billion of money had been wasted trying to modernize the information systems at the Internal Revenue Service. Unless you can get an environment where the legislative and executive branch say we agree on the plan, we support the plan, we support what we are trying to do—everybody from the private sector and the public sector said, take another $100 million, or $400 million, or whatever you can, to put into technology and it is going to be more money down the rat hole.

To get this done by the 15th of April gives us an opportunity to increase confidence that when we give the IRS the technology money they need to modernize their system, it is likely to be that they will do the right thing. I also predict, Mr. President, that there is a title in here that hasn't been given a lot of attention because it is not very controversial. I think that 10 years from now it may be seen as one of the most significant parts of this legislation, and that is powerful incentives to move to the electronic world, electronic filing, and the removal of the some of the disincentives in place right now to electronic filing. I don't want to talk about the information superhighway, but the air rates for electronic filing is less than 1 percent; for the paper world it is 22 percent. The cost to the taxpayer to run the IRS, as well as the cost of the taxpayer to comply is substantially higher in a paper world than an electronic one.

Since the IRS deals with 100 million households on an annual basis, I also would forecast that if we can get the IRS into the electronic world so taxpayers will know with certainty what their bill is—for most families, it is one of the largest bills they have to pay. In Nebraska, for just the Federal obligation in taxes, the average individual contribution to Washington on an annual basis is $4,600 a year. So for most families, their tax obligation is one of the largest obligations or bills that they have to pay, and uncertainty about that can make it difficult for them to do financial planning.

I forecast that the electronic filing section of this bill is going to be something that is going to benefit taxpayers in lots of ways, and I also believe that it is going to be the sort of thing we will have to do in lots of other areas of Government if we are going to get the unit cost of Government down and the efficiency of the operation of the people's Government up.

So I appreciate very much knowing now with certainty that this bill will be brought to the floor prior to the 30th of March and, more importantly, prior to the 15th of April, because I think the American taxpayers have waited for this all too long.

RONALD REAGAN WASHINGTON NATIONAL AIRPORT

The PRESIDING OFFICER. The clerk will report S. 1575.

The legislative clerk read as follows:

A bill (S. 1575) to rename the Washington National Airport located in the District of Columbia and Virginia as the ''Ronald Reagan Washington National Airport.''

The Senate proceeded to consider the bill.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, first let me say to both the majority leader and the minority leader that the author and the cosponsors of S. 1575 are pleased that we were able to come to terms on the process by which we manage the legislation that would name Washington National Airport the Ronald Reagan Washington National Airport in memory of a great President of the United States. We hopefully are still on a timeframe by which this could be done in time for his birthday, which is this Friday. He will celebrate his 87th birthday.

The agreement is consistent with the argument that we have made all along that this is a memorial. The amendment process should be related to the context of the memorial, and extraneous issues should not have been a part of the amendment process. There is an integrity in this unanimous consent. All of these amendments are relevant, and all of them relate to the concept of whether this ought to be done or not.

We just heard from the Senator from Nebraska about his agreement or concurrence with the agreement that we would bring up IRS reform by April 15th. I, too, echo his agreement that that be done. But I did not believe it ought to be a part of this memorial. It diminished the nature of this for it to become a legislative vehicle for extraneous matters. No matter how important they are, they should not have been dealt with in the context of the memorial to former President Reagan.

I see the Senator from Nevada is present. I ask, if I might, is he here on behalf of the amendment under the agreement that we have just agreed to?

Mr. REID. What amendment is that?

Mr. COVERDELL. It has here ''an amendment to be offered by Senator REID regarding the FBI building.''

Mr. REID. I say to my friend from Georgia that is the reason I am here.

Mr. COVERDELL. I yield the floor in deference to the Senator from Nevada.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I will shortly send an amendment to the desk to delete the name J. Edgar Hoover from the FBI building.

Let me preface my remarks by saying how much I respect and admire President Reagan. When I served in the House of Representatives, I, on a number of occasions, sided with the President on a number of issues that I felt were important to the country and to the State of Nevada. President Reagan was a good friend of the State of Nevada. His No. 1 adviser and counselor was the Senator from Nevada, Paul Laxalt, for whom I also have great respect. I wouldn't do anything to withhold this measure from passing in time for his 87th birthday. This is not something I am going to talk a long time about. It is just something that I have

been looking, for more than a year, for an opportunity, for a vehicle to remove Mr. Hoover's name from the Federal Bureau of Investigation building.

I say to the sponsor of this bill that I commend and applaud him for being as tenacious as he has been in making sure this is done prior to the President's 87th birthday, which I understand is this Friday. I hope that the President, even though he is ill, will understand what an important act of Congress this is. It is one of many things that is going to be done to honor President Reagan's name. We, of course, have the largest Federal building in Washington, DC proper that will be named after him in Federal Triangle. There is going to be an aircraft carrier named after him, the largest in the Nimitz class that will be named after President Reagan. All of these honors are appropriate.

I want to make sure that I stress in my statement here today that my amendment has nothing to do with any attempt to take away the naming of the building for President Reagan. I hope that my friends on the other side of the aisle will support this amendment.

Let's look at J. Edgar Hoover. When I first became interested in this, I would show a book, ''J. Edgar Hoover, A Man and His Secrets,'' by Curt Gentry. Curt Gentry is a personal friend of mine. Curt and I have worked together for many years on a number of different things. I have the greatest respect for him. It took him 10 years to write this book, the most thorough research ever done on J. Edgar Hoover by Curt Gentry. It is a fine book. It is very readable. As you all know, he also wrote the book on Charles Manson called ''Helter-Skelter,'' which was also a best-seller.

I became convinced that we needed to do something to take the name off that building when I learned that, among other things, J. Edgar Hoover had a longstanding secret investigation of Quentin Burdick from North Dakota. Try that one on for size. Quentin Burdick from North Dakota was investigated by J. Edgar Hoover for his subservience. I would suggest to everyone that all of us who served with Burdick would suggest he was nothing other than a patriot.

Among other things, when J. Edgar Hoover died, his secretary had all of his personal records taken out of the FBI building and taken to his home. These were files on people. We will never know the full extent of the investigation this man did over the five decades that he was involved with the FBI. We know that it took, on a daily basis, working the longest and as hard as people could, 2½ months to shred the personal files which he had on people. We have learned in years past—and this is one—that he conducted investigations of many, many people. We could go through a long list of people he conducted investigations on. The index of this book that I have before me goes over names of people who are fine Americans who he had secret investigations done on.

We all know of the work that he did to cause all the problems he could to the person from Georgia, Dr. Martin Luther King. And the things he did alone to Dr. Martin Luther King was about as un-American as anything could be.

J. Edgar Hoover's name on the FBI building is a stain on the building. Arguably there is no other public official of this century who did so much to undermine the civil liberties as did J. Edgar Hoover. That says a lot because we have had many people who have been involved in going after people's civil rights and civil liberties, and I would say Hoover was at the top of the list. This was engaged in while he was head of the FBI. We have learned since he died that he did many different things.

Because the sponsor of the bill is from Georgia, I hope that he will join me in this effort.

Twenty-five separate actions were taken against Dr. Martin Luther King in the 1960s by J. Edgar Hoover that had no statutory basis—none. By the FBI's own admission, the allegations of ''Communist'' that flew over Dr. King were never proved nor established. There was a concerted undercover campaign of continuous wiretapping of his home, his office, and travel accommodations for over 3 years. The FBI Director himself approved of an attempt to disrupt Dr. King's marriage. The FBI launched an aggressive campaign intended to, among other objectives, replace Dr. King with a civil rights leader more acceptable to J. Edgar Hoover. When Dr. Martin Luther King received the Nobel Peace Prize, the FBI sent a thinly veiled recommendation in a letter to Dr. King himself that Dr. King kill himself before accepting the prize.

J. Edgar Hoover went to extraordinary lengths to pursue a vicious vendetta against Dr. King, and I don't think I need to dwell on that anymore. Dr. Martin Luther King did not need this aggravation, this intrusive interference with this person's life.

The reason I mention Dr. King is because he is a very prominent figure. This happened to prominent and not-so-prominent people, anybody that J. Edgar Hoover felt needed to be looked at, and he did so in spite of what the law might have been because he was the law in his own mind.

Under his direction, the FBI continued to harass activists, or protesters, or any political movement. They didn't have to be in the civil rights movement—any political movement. He moved in with his minions, harassed, and did whatever he could to disrupt people. This was carried out by intimidation, slander, and threatening to disrupt their marriages, force them out of jobs, and smear them in the eyes of parents and teachers. Letters were used to incite violence between rival black groups, counting on contracts to be placed on certain leaders' lives in each group. Additional letters were forged over local Communist Party leaders' signatures to attack the employment practices of Mafia-owned businesses in order to intensify further animosity between these organizations.

The full extent of the FBI involvement will never be known because, as I have indicated, most all the records of relevant and highly pertinent Bureau documents were destroyed after he died in 1972.

So now that Americans have the real story on this demagoguery, we might be shamed into a more appropriate name for the FBI headquarters. I say to my friend from Georgia that my original intent was to take the name off the building and insert some other President's name—President Eisenhower, President Bush, or President Truman. But I do not want to make this a political debate. I think we should go ahead and name the airport after President Reagan and get Hoover's name off the FBI building. Then I am happy to work with my friends from the other side of aisle to come up with an appropriate name for the FBI building. But I don't think it does this country any good to have this man's name affixed to the FBI building. Here is a person who spent his entire life taking away people's rights.

So I hope this does not become a partisan issue. As I have indicated to my friend from Georgia, I hope there is a large vote for the Reagan bill from this side of the aisle. But I also hope there is a vote on the other side of the aisle to get this man's name off the Federal Bureau of Investigation building. I have so much respect for that organization and the people who work in it. I have spoken to FBI agents who really do not want his name on the building. The more time that goes by and the less people who worked under his influence, the more this happens all the time. The FBI is known today as an entity that protects people's rights, not take rights away.

So I hope that the message has been made. I only use one example. That is Dr. King. If anyone wants more information, I can certainly spread across this Senate the records of hundreds of people who were treated the same way that Dr. King was treated.

AMENDMENT NO. 1640

(Purpose: To redesignate the J. Edgar Hoover FBI Building in Washington, District of Columbia, as the ''Federal Bureau of Investigation Building'')

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada (Mr. REID) proposes an amendment numbered 1640.

At the end, add the following:

SEC. ___. REDESIGNATION OF J. EDGAR HOOVER FBI BUILDING.

(a) IN GENERAL.—The J. Edgar Hoover FBI Building located at 935 Pennsylvania Avenue

in Washington, District of Columbia, shall be known and designated as the ''Federal Bureau of Investigation Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''Federal Bureau of Investigation Building''.

Mr. REID. Mr. President, I would just state in closing that we have numerous newspaper articles: ''FBI Aide Terms Effort to Villify King Illegal;'' ''FBI Can't Justify Acts Against King;'' ''FBI Labeled King Communist;'' ''Senate Probe Bares Secret Files;'' ''Crusade to Topple King;'' ''Kelly Explores FBI Effort to Destroy King;'' ''King Widow Demands Reopening Martin Luther King Murder Probe;'' ''FBI Supervisor Linked to Dr. King Case;'' '' 'No Legal Basis for Harassing King,' FBI official says;'' ''FBI Tried to Kill Reverend King's Reputation.'' And I say again there are numerous people who were treated as badly, if not worse, as Dr. King. And if there is any question from anybody on either side of the aisle in that regard I would be happy to supply that information.

I also ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, first I thank the Senator from Nevada for his opening acknowledgement about the appropriateness of this legislation to honor former President Reagan. I appreciate his acknowledgement of the nature of the timeframe, that we are wanting to do this in conjunction with the President's 87th birthday.

I thank the Senator from Nevada for acknowledging that, indeed, this is a very unique period in the twilight years of the former President, and that he is bravely and courageously struggling with an illness; that he has used that illness as a last attempt to do public good by calling attention to its nature and highlighting the problem to the Nation. And I appreciate very much those generous remarks on behalf of the former President.

With regard to the presentations the Senator has made on behalf of his amendment, there will be a recorded vote up or down, and the Members of the Senate may make their decision as to their agreement or not with whether or not the current name of the FBI building would be removed and left to future congressional action to determine if another name should so honor the building.

I also agree with the Senator in his admiration of the Federal Bureau of Investigation. It has had some difficult times, but clearly it has been throughout our history an instrument to which the American public looked for security and integrity.

Today, of course, the central objective is to fulfill the goal of S. 1575 which is to honor former President Reagan in this very fitting way by redesignation of Washington National Airport as Ronald Reagan Washington National Airport.

I thought it might be useful, Mr. President, to share some of the Nation's efforts to encourage the Congress and the President to get this job done by Friday. Resolutions are being introduced and passed throughout the country in support of the renaming of National Airport for President Reagan. On January 16, 1998, the California assembly passed a resolution in support of this legislation. Of course, it is extremely fitting because former President Reagan was twice elected Governor of the great State of California, where he served successfully and with integrity and purpose. I have been told that a similar resolution was introduced yesterday in the South Dakota Senate by Senator Alan Aiker and in the Maine House of Representatives by Representative Adam Mack. The Alabama House of Representatives, my neighboring State, has passed a resolution in support of the redesignation of National Airport. The Arizona Senate has passed a resolution in like support of redesignation. The Idaho, Illinois, and Ohio legislatures will introduce resolutions next week. In Wisconsin, a resolution has been introduced and will be voted on this week. In addition, on February 6, President Reagan's 87th birthday, the Wisconsin legislature will vote on a plan to name the new Department of Administration building in Madison after former President Ronald Reagan.

Mr. President, I am glad this short-lived filibuster has come to an end and that we can move on to resolution of this legislation.

As I said when we began the debate on this legislation, there are fewer than 12 namesakes of former President Reagan. As indicated by the Senator from Nevada, assuming the success of this legislation, I think we are going to see a growing crescendo across the country. As we look back on the Reagan Presidency, if you had to find a word that characterized it, it was ''optimism''—optimism, a complete belief in the spirit and nature of the American people. Historically, there are very few eras for which the principles of American freedom were more center point, almost on a par in a sense with the founding. President Reagan's policies unleashed unprecedented economic liberty, created millions and millions of new jobs, created unprecedented growth, created and made the value of economic liberty fall into the homes of millions and millions of Americans across this country.

Sometimes when we talk about American liberty we tend to focus on the component of keeping ourselves free from impoundment by adversarial forces, the Axis powers and Adolf Hitler, Saddam Hussein. But one of the critical components of American liberty is economic liberty. We fought the War of Independence over economic liberty. And there has not been another American leader so committed to it as was former President Ronald Reagan. He fought for it throughout his entire life and, as President, implemented policies that enriched it in every corner.

Having said that, he was also one of the strongest proponents of defending our freedom through strength, and as we said over the last several days his strong conviction with regard to the Soviet Union, which he labeled ''the evil empire,'' was unprecedented in changing the fortunes of world history as he brought down the Berlin Wall and he brought down the Soviet Union's grasp over millions of people in the world. So he was seeing to liberty not only at home but liberty abroad.

Mr. President, I see the Senator from Nevada is seeking recognition, and I will yield the floor to the Senator at this time.

Mr. REID. I extend my appreciation to the Senator. I want to complete anything I have on this legislation prior to our automatic 5 o'clock break, and I want to say a couple things.

First of all, just so the record is clear, there were a number of things written about J. Edgar Hoover but one of the most telling things was written on the day of his death when a local columnist wrote about some of the things they were beginning to discover in some detail, the files he had kept on people. And this one columnist indicated he had reviewed the titillating tidbits about such diverse figures as Marlon Brando, Harry Belafonte, athletes like Joe Namath, Lance Rentzel, Joe Louis, Muhammad Ali, and, of course, he was always hard on all black leaders. Included in this article was Ralph Abernathy and Roy Ennis. After Dr. King was assassinated, he continued his work going after his widow. It wasn't good enough that he had attempted to vilify this man; he went after the widow.

And then I guess it is all summed up by a note that President Nixon sent to John Dean when he said, and I quote, ''He's got files on everybody,'' which I guess is true. I deleted some swear words in the note from Nixon to Dean.

So I hope that we could get this part of the history at least off the FBI building. It is a great institution. Whenever I can do anything legislatively to help the FBI, I have done that. I think they are a great organization that today we should be proud of, and in spite of J. Edgar Hoover the FBI I think has a great reputation.

Mr. President, let me just say, since I see my friend from Arizona in the Chamber, and I know we have a 5 o'clock break, a couple words to extend my appreciation to the majority leader for setting a time certain that we can take up the IRS bill, which certainly is one of the most important things that we can do, the restructuring of the Internal Revenue Service. It passed the House widely last year. We should have

passed it ourselves last year. I think it is important that we move forward on this as quickly as we can. It is important legislation to, among other things, change the burden of proof in a tax case from the taxpayer to the tax collector. Certainly it seems that would be an appropriate thing to do. It needs to be restructured. It will pass overwhelmingly when we get to it. I hope that Chairman ROTH will move forward with hearings as quickly as possible so that we can have all that done. There is no excuse we cannot move forward with this on the date in March the majority leader has selected.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, many opponents of this legislation have expressed concerns about Congress stripping the local airport authority of its control. As many of my colleagues know, I have long advocated that the Federal Government get out of the business of running National and Dulles airports. The Federal Government, much to my chagrin, mandates the number of hourly operations at National Airport and the length of nonstop flights to and from National Airport, known to many of us as the so-called perimeter rule. My attempts to deregulate National Airport have been met with ardent local resistance.

I just want to take this opportunity to say that National and those who represent it cannot just accept the Federal regulations that are convenient for them and that they like. If they oppose our activities with respect to an airport that's still federally owned, I urge them to step up and oppose all Federal statutes that specifically address Washington National, such as the perimeter rule.

I say to those who are raising this concern about our involvement by acting congressionally in renaming the Washington National Airport the Ronald Reagan Airport, I hope that you will express at least a scintilla of that same zeal in trying to remove the Federal requirement that every flight that leaves National Airport can go no further than what, just by coincidence, turns out to be the western edge of the runway at Dallas-Fort Worth Airport, which rule happened to have been put in by the former Speaker of the House, Jim Wright. I know that is purely coincidental.

The reality is that there are very strict Federal regulations that govern National Airport and Dulles Airport, and those regulations should be removed. So I continue, of course, also to be amused at the fact that at Washington National Airport, hundreds of thousands of dollars of revenue on an annual basis are lost, or perhaps millions, because of the reserved parking places for Members of the Congress, diplomats and judges. But that problem has been, to a large degree, solved, because the very clever and intelligent people that run Washington National Airport, when faced with occasional complaints by people who were struggling past empty parking lots with a sign on them that said ''Reserved for diplomats, Members of Congress and Supreme Court Justices,'' struggling people like women with children, elderly individuals who had to go much, much further away because these parking lots are reserved close in to the airport, they solved this problem for us, and it probably will not come up again, because they took down the signs that said, ''Reserved for diplomats, Supreme Court Justices and Members of Congress,'' and they put up signs that said, ''Reserved.'' So, for all intents and purposes, that problem is pretty well resolved.

The fact is that it is outrageous and it is a disgrace. It is, again, an example of the Federal involvement in National Airport.

I would like to be serious for just a moment, if I could. I want to thank Senator COVERDELL. I thank Senator COVERDELL for bringing this issue up and for his usual tenacity in seeing this thing through. But I also want to say it's not just tenacity that characterizes Senator COVERDELL, it's a willingness to discuss and negotiate this issue with those on the other side of the aisle so we have reached what I think is a reasonable agreement that would resolve this issue. I thank my friends on the other side of the aisle who have been willing to enter into this agreement so we can have their legitimate concerns ventilated in the proper parliamentary fashion, the way we do business around here in the Senate.

I was disturbed last Thursday when apparently we were going to go through some kind of filibustering over this issue, rather than resolve it in the way we are resolving it now. I didn't think it was a good way for us to start the year. So I thank my friends, especially the Democratic leader, Senator DASCHLE, for his characteristic willingness to resolve the differences we may have had.

Each of these amendments which are germane will be voted on. I am sure many of them have merit. I remind my friends on the other side of the aisle, they feel very strongly and with great affection for their heroes. And their heroes are deserving of their respect and affection. And we on this side of the aisle share that respect and affection for their heroes. Perhaps not to the degree, but certainly we share the affection and respect. We also on this side of the aisle believe that Ronald Reagan did marvelous things, not only for all Americans but all citizens of the world in providing an opportunity for peace and freedom. He did keep the United States of America as a beacon of hope and freedom to all mankind and I believe that what we are going to do is exceedingly appropriate. I am pleased that we will be able to resolve this. I am sure that in the minds of many of us there is never any way we will be able to properly honor and commemorate his services to our Nation. What we are doing is done in a very small and insignificant fashion in the grand scheme of things.

Again, I thank Senator COVERDELL and I thank my friends on the other side of the aisle for their cooperation with us on this issue. I pledge, at least for myself and I think most people on this side of the aisle, that when an issue of this nature arises which is emotionally as well as intellectually important, that we will try to show and should show the same consideration to you as was displayed on this issue.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank my cosponsor, Senator MCCAIN of Arizona, for his remarks and for his support of this effort and for the enormous contribution he has made to our coming to this point. He spoke to an amendment that I want to take just a second on.

We understand there will be an amendment that would suggest that this is an intrusion into local matters. This is, of course, an amendment that I would encourage all my colleagues to oppose. I would just cite the Federal law that contemporarily governs Washington National. It says:

> The Federal Government has a continuing but limited interest in the operation of the two Federally-owned airports which serve the travel and cargo needs of the entire metropolitan Washington region as well as the District of Columbia and the national seat of Government.

To be candid about it, I think if it weren't for the Congress, National Airport, like many other close-in metropolitan airports, would have been closed. It is just that the Congress would never have accepted that. Of course it was funded by the Federal Government through 1987, and since that time has received appropriate grants from several Federal entities. So I believe the idea that there is not an appropriate national and Federal role here cannot be substantiated. This is one amendment—I have not seen the exact language—but that I would encourage opposition to. I see my good friend from New Jersey is on the floor to make comments. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, I know to many Americans it may be strange or bewildering with so many issues before the Congress that we are debating naming, honoring, Americans by placing their names on different public facilities. But who we honor, and the names we attach to public buildings and locations, matters. By whom we choose to honor, we set standards about ourselves. We communicate with future generations the qualities of people that we admire and the things in American history that

are important. The Senator from Georgia has rightly noted the considerable contributions of former President Ronald Reagan. The Senator from Nevada, Mr. REID, has offered an amendment of importance for another reason.

Standards change. Nations learn conduct and behavior. No sooner had the Soviet Union fallen than statues of Stalin and Lenin tumbled to the streets. Samoza, Marcos, Batista had probably not even left office when their names and statues were removed from public places.

In America through the years we have had despots of a different order, people who lived in a free society but did not always respect the law. They were part of the U.S. Government but not always in its best traditions. The Senator from Nevada has raised an issue before the Senate that the name of J. Edgar Hoover remains on the FBI building in Washington, DC. Every year, thousands of American schoolchildren wander down Pennsylvania Avenue to visit the FBI headquarters. Because the FBI now is often a model of law enforcement in our country, because the country has been fortunate to have Louis Freeh as its director, who respects the law and is in the highest traditions of our country, neither those schoolchildren nor many of our citizens, probably, remember or understand that there was a time when the Federal Bureau of Investigation's leadership, under J. Edgar Hoover, neither lived within nor always respected the law.

Mr. COVERDELL. Will the Senator yield for just one moment for an administrative note?

Mr. TORRICELLI. I am happy to yield.

ORDER FOR RECESS

Mr. COVERDELL. I ask unanimous consent that at the closure of the Senator's remarks, the Senate stand in recess until the hour of 6 this evening. As you know, this is for the Members' briefing on Iraq.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I ask for 1 minute following his remarks.

The PRESIDING OFFICER. Is there objection to the unanimous consent request as amended by the Senator from Nevada? Hearing none, it is so ordered.

Mr. TORRICELLI. Upon J. Edgar Hoover's death, perhaps his closest colleague in the Bureau, William Sullivan, described Mr. Hoover as a ''master blackmailer.''

We now know from historians Mr. Hoover had compiled files on Presidents of the United States and Members of Congress through illegal surveillance and wiretapping, holding dossiers on leaders of the U.S. Government. It was a practice of blackmail. It changed policies. It threatened America. And it was wrong.

Probably no one of his time, through subterfuge, within the U.S. Government, had a more adverse impact on the civil rights movement. He vigorously dispatched agents of the U.S. Government to harass the leadership of the NAACP. He called leading civil rights organizations ''Communist fronts.'' Indeed, he instructed agents to stand by and watch as racist mobs would beat up voter registration workers and civil rights workers in organized and lawful marches. To the extent that he harassed Martin Luther King, former Vice President Walter Mondale called J. Edgar Hoover ''a disgrace to every American.''

I don't know how we explain to American schoolchildren who leave their schools to honor Martin Luther King, who learn in our classrooms about the American Constitution, our respect for laws, that when they visit this proud Capital of our country, the most prominent name on the most prominent street in America is J. Edgar Hoover. But I know this, the Senator from Nevada is right, that it is a contradiction that should be removed, an explanation that no longer need be made. It is time to remove the name of J. Edgar Hoover from the FBI building. And if it is not enough that we suspected all along his intimidation of Presidents and his violation of basic rights, his biographers now give us more than enough reason. If you don't respect the Constitution, or civil rights, or civil liberties, Mr. Hoover lived outside the laws that he pretended to uphold.

It is now known that he had secret relationships with underworld boss Frank Costello, whose primary duties in organized crime including fixing games of chance and horse races. Gambling tips were given to Mr. Hoover, so he was able to support a lifestyle and live with income outside of the law. He had close contacts with members of New York's organized crime families as well, who he refused to investigate, or even acknowledge that they were a public policy problem for more than a decade. It is now claimed that outside of these illegal acts, within the bureau itself he used hundreds of thousands of dollars of public money for his own personal use.

The Senator from Nevada has brought before the Senate a painful decision, because it requires an honest reflection on a period of history of our own country.

Mr. Hoover was not in the best traditions of this country. And in a time when many fear that civil liberties in our country are sometime threatened, no longer from without but from within, it is a valuable message not only to our own people but, indeed, to law enforcement that we honor people not only who enforce the law but who live within it.

As Richard Cohen of the Washington Post observed in 1990:

> You affect the future, by what you do with the past and how you interpret it. All over the world, when regimes change, so do names. Danzig becomes Gdansk. Images of Lenin come down all over Eastern Europe, and in the Soviet Union, Stalingrad becomes Volgograd. These are all political statements. They say, ''there's a new way of doing things.''

Mr. President, exactly, there is a new way of doing things.

The Senator from Georgia offers the name of Ronald Reagan because Ronald Reagan makes us proud. He was the right way of doing things in our country, whether you agree with the naming of the airport or you do not. Mr. Hoover is an indication of the wrong way of doing things in America. I support the amendment offered by the Senator from Nevada. I am proud to offer it with him. I yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, there may be some who feel that Ronald Reagan was not the greatest President. I have already laid across this RECORD how I feel about Ronald Reagan. But everyone would say that Ronald Reagan's heart was in the right place. He was a true American patriot who did what he thought was best for this country.

The direct opposite is applicable to J. Edgar Hoover. He didn't do things that were good for this country. His heart was not in the right place. He was a vicious, mean-spirited man, and his name should be taken from the building that houses the Federal Bureau of Investigation the very same moment we rename National Airport for President Ronald Reagan.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 6 p.m.

Thereupon, at 5:02 p.m., the Senate recessed until 5:58:32 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COVERDELL).

RECESS

The PRESIDING OFFICER. In my capacity as a Senator from the State of Georgia, I ask unanimous consent the Senate stand in recess until the hour of 6:15.

There being no objection, the Senate, at 5:58 p.m., recessed until 6:18 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. BROWNBACK].

RONALD REAGAN WASHINGTON NATIONAL AIRPORT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senate is considering S. 1575.

Mr. COVERDELL. Mr. President, parliamentary inquiry. We are returning to the Ronald Reagan legislation, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. COVERDELL. It is my understanding that the Senator from Connecticut is here to speak on his amendment. I wonder if I might get the Senator's attention for a moment. About how long does the Senator need?

Mr. DODD. I will be taking maybe all of 5 to 10 minutes.

Mr. COVERDELL. I yield the floor, Mr. President.

Mr. DODD. Mr. President, shortly, I will offer an amendment. I am making some drafting corrections to it. When that is completed, I will submit it to the desk for consideration. Allow me to, first of all, ask unanimous consent to set aside the pending amendment.

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

Mr. DODD. Mr. President, in a moment I will send that amendment to the desk. First of all, on the underlying question here, in terms of the naming of the National Airport in honor of President Ronald Reagan, I support that, Mr. President. I realize others apparently do not, and I certainly respect people's right to make that decision. For those who have been around here long enough, I guess going back to the days when President Reagan served as President, there were not many issues on which we agreed. I fought rather vociferously on issues involving Latin America, domestic policy, and questions on a wide range of issues. But I happen to believe that the people who have served this country as President, elected twice, deserve recognition. Whether you agree with him or not, the people elected him twice to the highest office in our land, a position achieved only by some 41 or 42 people in the history of this country. So if this is what has been chosen by those who believe it is a proper way to recognize the contribution of Ronald Reagan, I respect that.

It has been suggested that we haven't named anything for Harry Truman or Jimmy Carter, and I think that is a legitimate point. Certainly, those who want to do that—and I join them in that—ought to find an appropriate way to recognize their contributions. It seems to me that that ought not to detract from the effort here to name something in honor of Ronald Reagan.

So if this is what the President's family and others believe, as I said a moment ago, is an appropriate and proper way to recognize him, then this Senator—this Democrat, if you will, which comes secondary to my role in the Senate, and as a citizen—I am going to support that decision. I noted earlier that it took many years before we were able to recognize Franklin Delano Roosevelt with a monument. He was one of the greatest Presidents in this century, having led us during the Great Depression and a world war. I was saddened that day when the ceremonies opened up that wonderful memorial, and it occurred to me that there weren't many people on the other side of the aisle there.

We ought to take politics out of these decision whenever possible. I call for the establishment of a commission so that, henceforth—not on this issue, but henceforth when we decide to name or rename facilities, there ought to be a deliberative way in which we proceed. Too often these issues are raised when a particular monument is up for consideration, and based on whether people agree or disagree with that choice, there are suggestions about sending this off to a commission or some group for consideration. I understand that, but too often once that issue is put aside and ended, we go back to business as usual and never come back to how we consider these issues.

So the amendment that I am offering establishes a commission. It does not condition this naming on the commission being established, but rather it is prospective. So that in the future when such namings or renamings will occur, there is a process by which we can do it.

I offer a second part of this amendment, which is a Sense-of-the-Senate resolution that has to do with the naming of facilities here on the Capitol grounds. Rather than trying to write statutory law here, I just made it a Sense-of-the-Senate resolution that would establish a commission made up of former Members of Congress from both parties. So that on the Capitol grounds when we are naming rooms or facilities within the Capitol here, there would also be a deliberate process by which we go, and that is really a sense of the Senate. The idea is that it would give our former colleagues a role to play when the issue arose as to whether or not we ought to name buildings, facilities, porticoes, or balconies that have been named in the past. I think as temporary custodians of these wonderful grounds of the Capitol, we ought to be deliberate and cautious in how we go about naming these facilities, so that long after we are gone, there is an appropriate designation that the test of time would wear well.

I point out to my colleagues that, in the last 24 hours or so, we have heard of the people who have just been named to the National Basketball Association Hall of Fame. What is the relationship? I note that there is a requirement that there be a period of 5 years since the person has left professional basketball before they can even be considered. I note that Larry Bird, someone I admired immensely, as most Americans did for his great skill on the basketball court, I suppose you might have made the case when he retired in 1992 that he should have been named immediately. Yet, the rules are that you have to wait 5 years and then a board thinks about it, analyzes it, and makes its judgment.

All I am suggesting here is as temporary custodians, for these wonderful Capitol grounds, that we ought to establish a similar kind of a process before we go off and name buildings and rooms and facilities and other parts of these grounds for people who may be very well deserving of such a designation, but the test of time and a little deliberation would serve us all well and serve future generations well accordingly.

So there are two parts of this amendment. First is that we would establish, by law, a commission that would consider naming, in future days, Federal facilities around the country. And the second part is a sense of the Senate to deal with the Capitol grounds and buildings.

Mr. President, as I say, this is prospective. It doesn't affect the decision of naming the National Airport for Ronald Reagan. I support that. I said to my colleagues that, despite whatever differences—and they were significant—I had with this American President, I believe that naming such an airport for him is not inappropriate. In fact, having served this Nation for 8 years as President, chosen by the American public, a designation such as this in his honor is appropriate, and I support that.

With that, I will be happy to yield the floor.

Mr. COVERDELL. Mr. President, if the Senator seeks a rollcall vote, which would occur tomorrow, it would be appropriate to ask for the yeas and nays.

AMENDMENT NO. 1641

(Purpose: To provide an orderly process for the renaming of existing Federal facilities)

Mr. DODD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 1641.

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

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

The amendment is as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. FEDERAL FACILITIES REDESIGNATION ADVISORY GROUP.

(a) IN GENERAL.—There is established a Federal Facilities Redesignation Advisory Group comprised of—

(1) 2 members of the House of Representatives designated by the Speaker of the House;

(2) 2 members of the House of Representatives designated by the Minority Leader of the House;

(3) 2 members of the Senate designated by the Majority Leader of the Senate;

(4) 2 members of the Senate designated by the Minority Leader of the Senate; and

(5) the Administrator of General Services.

(b) PURPOSE.—The purpose of the Advisory Group is to consider and make a recommendation concerning any proposal to change the name of a Federal facility to commemorate or honor any individual, group of individuals, or event.

(c) CRITERIA.—

(1) IN GENERAL.—In considering a proposal to rename an existing Federal facility, the Advisory Group shall consider—

(A) the appropriateness of the proposed name for the facility, taking into account any history of association of the individual for whom the facility is proposed to be named with the facility or its location;

(B) the activities to be carried out at, and function of, the facility;

(C) the views of the community in which the facility is located (including any public comment, testimony, or evidence received under subsection (d));

(D) the appropriateness of the facility's existing name, taking into account its history, function, and location; and

(E) the costs associated with renaming the facility and the sources of funds to defray the costs.

(2) AGE AND CURRENT OCCUPATION.—The Advisory Group may not recommend a proposed change in the name of a Federal facility for a living individual unless that individual—

(A) is at least 70 years of age; and

(B) has not been an officer or employee of the United States, or a Member of the Congress, for a period of at least 5 years before the date of the proposed change.

(d) ADMINISTRATION.—

(1) MEETINGS.—The Advisory Group shall meet publicly from time to time, but not less frequently than annually, in Washington, D.C.

(2) HEARINGS, ETC.—In carrying out its purpose the Advisory Group—

(A) shall publish notice of any meeting, including a meeting held pursuant to subsection (f), at which it is to consider a proposed change of name for a Federal facility in the Federal Register and in a newspaper of general circulation in the community in which the facility is located, and include in that notice an invitation for public comment;

(B) not earlier than 30 days after the date on which the applicable meeting notice was issued under subparagraph (A), shall hold such hearings, and receive such testimony and evidence, as may be appropriate; and

(C) may not make a recommendation concerning a proposed change of name under this section until at least 60 days after the date of the meeting at which the proposal was considered.

(3) ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall provide such meeting facilities, staff support, and other administrative support as may be required for meetings of the Advisory Group.

(e) REPORTS.—The Advisory Group shall report to the Congress from time to time its recommendations with respect to proposals to rename existing Federal facilities.

(f) PROPOSAL TO RENAME DCA.—Notwithstanding subsection (b), the Advisory Group shall not have the authority to consider any proposal to rename Washington National Airport, or a portion of the airport, in honor of former President Ronald Reagan.

SEC. 2. REPORT REQUIRED BEFORE EITHER HOUSE PROCEEDS TO THE CONSIDERATION OF LEGISLATION TO RENAME FEDERAL FACILITY.

(a) IN GENERAL.—It shall not be in order, in the Senate or in the House of Representatives, to proceed to the consideration of any bill, resolution, or amendment to rename an existing Federal facility unless the Advisory Group has reported its recommendation in writing under section 1(e) concerning the proposal and the report has been available to the members of that House for 24 hours.

(b) RULES OF EACH HOUSE.—This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and of the House of Representatives, and as such subsection (a) is deemed to be a part of the rules of the Senate and the House of Representatives; and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate and the House of Representatives to change the rules (so far as relating to the procedure of the Senate or House of Representatives, respectively) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate or House of Representatives.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) ADVISORY GROUP.—The term ''Advisory Group'' means the Federal Facilities Redesignation Advisory Group established by section 1.

(2) FEDERAL FACILITY.—The term ''Federal facility'' means any building, road, bridge, complex, base, or other structure owned by the United States or located on land owned by the United States.

TITLE III—SENSE OF THE SENATE CONCERNING COMMISSION TO NAME FEATURES OF CAPITOL BUILDING AND GROUNDS

SEC. 301. SENSE OF THE SENATE CONCERNING COMMISSION TO NAME FEATURES OF CAPITOL BUILDING AND GROUNDS.

It is the sense of the Senate that Congress should establish, in accordance with the rules of the Senate and the House of Representatives, a commission consisting of former members of Congress, appointed by the Speaker of the House, the Minority Leader of the House, the Majority Leader of the Senate, and the Minority Leader of the Senate, to recommend the naming or renaming of—

(1) architectural features of the Capitol (including any House or Senate office building); and

(2) landscape features of the Capitol Grounds.

Mr. DODD. Mr. President, may I inquire of the distinguished Senator from Georgia, chairman of the committee, may it not be possible—and I see my colleague, the distinguished Democratic leader arriving. He has an amendment that is very similar. In fact, it is drawn in similar language, but it has a different application. I inquire as to whether or not the ordering of the amendments might be such that his amendment be considered—

Mr. DASCHLE. Will the Senator yield?

Mr. DODD. I yield to the Democratic leader.

Mr. DASCHLE. Mr. President, I think the Senator may be referring to an amendment that I understand the Senator from Virginia may be offering. I will be offering another amendment. But I think the suggestion made by the Senator from Connecticut is a good one and perhaps we could make that arrangement later on in the unanimous consent agreement.

Mr. DODD. I hope that might be the case. It would be a proper ordering of these.

Mr. WARNER. Mr. President, parliamentary inquiry: Could the distinguished floor manager, the distinguished Senator from Georgia, or the distinguished Democratic leader, advise the Senate, is tonight to embrace all of the debate that is going to be on the central bill as well as the amendments and, therefore, Senators desiring to speak should do so this evening?

Mr. COVERDELL. By close of business this evening.

Mr. WARNER. Mr. President, at some point I hope to be recognized for a period not to exceed 4 or 5 minutes.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, under the unanimous consent I believe we have established the order of the amendments. The first was an amendment to be offered by Senator DASCHLE or his designee regarding the commission. So the Senator's desire that that be considered first is accomplished.

The next amendment is the one offered by the Senator from Connecticut to be followed by another amendment to be offered by Senator DASCHLE or his designee regarding Dulles Airport. There is then an amendment to be offered by myself, which I would at the moment not likely offer, to be followed by the amendment which has already been offered by Senator REID dealing with the FBI building. There is a provision for a relevant amendment to be offered by the majority leader which may or may not be offered, and a similar amendment—I think that is what we have here—to be offered by the minority leader. So I believe the order has been established, and it accomplishes what the Senator from Connecticut would have preferred.

Mr. DODD. I thank my colleague for that.

Mr. President, if I may inquire further, I was just told—I apologize to my colleague from Virginia, Senator ROBB—it is my understanding that the distinguished Democratic leader would be offering the commission amendment. All I was suggesting is if it is appropriate at the proper time that an unanimous consent request would provide an order for these amendments so there would be a proper flow here in a way that we would consider the amendment of the Senator from Virginia, I suspect, prior to mine, and then mine. If that would be the order, again, I am here on the floor because I have another engagement and was asked to come over and properly deal with the amendment which I want to offer. There was no attempt to try to get ahead of anybody in line. Maybe a sequencing of these amendments would serve everybody's interest. I would have no objection to that, if the amendment of the Senator from Virginia can be considered prior. We can deal with this at a later point.

Mr. COVERDELL. If I might ask a question of the minority leader, is the amendment of the Senator from Virginia fulfilling this first amendment request, he or his designee, on the commission amendment?

Mr. DASCHLE. I will respond, if the Senator will yield, by acknowledging the leadership of the Senator from Virginia. It is my understanding that he will be prepared to offer the amendment relating to a commission and that we would want to precede to the other commission amendment offered by Senator DODD.

I will simply inform colleagues that the amendment relating to the renaming of Dulles International Airport will likely not be offered.

So, as the Senator from Georgia has suggested, it may be appropriate just to ensure that everyone has a clear understanding, that the amendment relating to a commission offered by Senator ROBB, be first; the amendment by Senator DODD, second; the amendment, should he choose to offer it, by Senator COVERDELL, third; the amendment by Senator REID, fourth; the amendment by Senator LOTT, fifth; and the amendment by myself relevant, or my designee, sixth.

Perhaps there would be an appropriate time to propound the unanimous consent, and I will do so.

The PRESIDING OFFICER. Is there objection to the sequence of the amendments?

Mr. COVERDELL. Mr. President, reserving the right to object, which I will not, the minority leader has followed the path of the unanimous consent previously ordered. I can think of no reason for anybody on our side, even though I can't counsel with the majority leader, to object. Therefore, there is no objection.

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

Mr. DODD. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senate Democratic leader.

Mr. DASCHLE. Mr. President, I appreciate very much the indulgence of the senior Senator from Virginia.

Mr. President, as I noted, the amendment relating to the renaming of Dulles International Airport will not be offered, and Senator ROBB will be offering the amendment relating to a commission.

I would like to use my authority under the unanimous consent agreement relating to the relevant amendment to send an amendment to the desk and ask for its immediate consideration.

AMENDMENT NO. 1642

(Purpose: To require approval by the Metropolitan Washington Airports Authority of the renaming of Washington National Airport as the Ronald Reagan National Airport)

Mr. DASCHLE. I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota (Mr. DASCHLE) proposes an amendment numbered 1642.

On page 3, after line 5, insert the following:

SEC. 3. MWAA APPROVAL REQUIRED.

This Act shall not take effect until the Metropolitan Washington Airports Authority approves the redesignation of the airport provided for by section 1 of this Act.

Mr. DASCHLE. Mr. President, that is the entire text of the amendment.

I have spoken on this issue on several occasions, so I don't need to restate many of the thoughts that were already expressed. Obviously, this is an issue that will unfortunately divide us in some respects. But I don't think the question of honoring President Reagan should divide us at all.

There is no doubt that we, on a bipartisan basis, should seek ways in which to honor former leaders and former Presidents. Frankly, I am not all that troubled about whether they are still living and very much a part of our country and society in roles of leadership, as is the case with President Reagan. I do think there have been a number of questions legitimately raised about whether this is the most appropriate way with which to honor our former President, and the appropriateness of renaming Washington National Airport has been the subject of a good deal of discussion over the last several days.

Senator ROBB and others have pointed out that Washington National Airport was transferred to the Metropolitan Washington Airports Authority in 1986 under a 50-year lease. The Airports Authority and other local authorities under that lease have been given all jurisdiction relating to matters pertaining to the airport. Some have noted that imposing this change in name will require countless businesses to make, in some cases, substantial investments and commitments financially that they have already noted could be very prohibitive.

Some asked as well whether it is appropriate, given the fact that the International Trade Center in Washington will be named after our former President, Ronald Reagan in May. This is the single most expensive Federal building ever erected and is second only to the Pentagon in size. The naming of this building will provide us with a sufficient opportunity to call attention to Ronald Reagan's commitments and contributions to this country.

That isn't the only matter that will be raised with regard to renaming or naming of facilities. A new *Nimitz*-class aircraft carrier will be named after the former President as soon as it is completed.

So we have the International Trade Center to be named in May and the *Nimitz*-class aircraft carrier in the near future. We have clearly demonstrated that we are prepared to honor this former President on a bipartisan basis.

Many people have questioned whether or not the Greater Washington Board of Trade's views about renaming Washington National Airport ought to be considered. In a letter to Congressman SHUSTER, the Washington Board of Trade noted that this change ''would be very confusing to air travelers, visitors, and local residents alike.''

The imposition of the Federal Government on local jurisdiction has also been raised. Perhaps no one spoke more forcefully and passionately about the importance of local control, about the importance of local decisionmaking, about the importance of giving more power to the local level, than President Reagan. Yet, we find the chairman of the Arlington County Board in opposition to this name change. Christopher Zimmerman, the chairman of the Arlington County Board, noted, ''Memorializing President Reagan by imposing a name change, against the wishes of the local business community, Metropolitan Washington Airports Authority, and local jurisdictions which it serves, would certainly go against the spirit and intent of the President's actions while in office.''

The chairman of the Metropolitan Washington Airports Authority, also questions whether Congress could impose the change legally without the authority's consent, given the contractual arrangements under which we are now operating. Alexandria Mayor Kerry Donley is concerned that the name change could affect nearby businesses and suggested that Congress ''leave well enough alone.''

The city council of Alexandria also urges Congress to ''retain the present name of Washington National Airport, which honors the ''Father of our Nation' and our first President, George Washington.''

Linwood Holton, who served as the chairman of the Airports Authority when the Federal Government leased Washington National Airport in 1986, also opposes renaming it. He argues that the purpose of the lease was to achieve ''local control, management, operation and development of the airport,'' and that this bill is not ''consistent with either the literal terms or the purpose of that lease agreement'' and ''would be detrimental to the airport and its users and affect the traveling public in ways currently not intended by the drafters of this legislation.''

Mr. President, I ask unanimous consent that a copy of Mr. Holton's letter sent by Mr. Holton to Congressman MORAN which describes the concern in greater detail be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. DASCHLE. Mr. President, as I noted, President Reagan made it very clear that were he to waive the magic wand, the more the Federal Government could turn local decisionmaking over to local decisionmakers, the happier he would be. Here we have virtually every single local decisionmaker elected and appointed who oppose the very renaming that is incorporated into this legislation.

How ironic that in the name of President Reagan we do the very thing that he opposed the most—forcing Federal will on local officials.

I don't think that Congress should pass legislation that removes Washington's name from National Airport and

replaces it with the name of another President, or anybody else, over the objection of local officials. I personally oppose it. But that shouldn't be the issue. In the name of the spirit of Ronald Reagan, the issue should be, what do the local authorities think? What would they do? And if we are prepared to say tomorrow that we don't care what they think, it doesn't matter how opposed they are, we are going to do it anyway, Mr. President, how ironic.

How ironic, indeed. The airports authority has only had this very unique opportunity to govern themselves for 11 years. We turned over that airport to them for 50 years.

Another irony is that Ronald Reagan signed that legislation. So it, indeed, represented the spirit of the Reagan philosophy when we enacted it. All the local entities, in keeping with his spirit, said, ''We'll take this responsibility. This is what is probably as indicative of what you are trying to do as anything. You are turning over the responsibility to us. Give it to us.'' Now they have it. They have had it for 11 years. Now the irony is we are saying, ''Well, we take it back.'' And all the more ironic, we are going to take it back in the name of President Ronald Reagan.

So, Mr. President, the amendment I am offering simply says, look, if we are going to honor the spirit of former President Ronald Reagan, let's, at the very least, do what he said was what his Presidency was all about. Let us ensure that local governmental decisionmakers have the opportunity to have a voice in keeping with the spirit of Ronald Reagan. So the amendment I am offering is very simple. It states this act shall not take effect until the Metropolitan Washington Airports Authority approves the redesignation of the airport.

As everyone knows, the airports authority is a bipartisan panel, Republicans, Independents and Democrats. Let's do what President Reagan said we should do in honoring his name, in honoring the spirit of his Presidency. Let us not say we did not mean it in 1987. Let us not say, over your objections, we are going to do it anyway. Let's honor the spirit of this President by doing the right thing. Let's give them the opportunity to have a voice. This amendment does that. We will have the opportunity to vote tomorrow. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DASCHLE. Mr. President, I yield the floor.

EXHIBIT 1

LINWOOD HOLTON,
McLean, Virginia, January 29, 1998.

Hon. JAMES MORAN.

DEAR JIM: I am writing to you in regards to the pending legislation to change the name of the Washington National Airport to ''Ronald Reagan National Airport.'' I had the honor of working closely with the Congress and Secretary of Transportation Elizabeth Dole in advancing the Metropolitan Washington Airport Act of 1986 to transfer Washington National Airport out of the Federal Government to the Metropolitan Washington Airports Authority. This legislation of course was signed into law by President Reagan. The Airports Authority was created by the Commonwealth of Virginia and the District of Columbia. The Federal Government leased Washington National Airport and Washington Dulles International Airport to the Authority for fifty years beginning on June 1987. I was privileged to serve as Chairman of the Authority at that time and I signed that lease on behalf of the Authority.

The purpose of the transfer, as recited in the lease itself, was to achieve ''local control, management, operation and development'' of the airports. I am very concerned that after ten years of this lease arrangement, the Congress now proposes to take unilateral action to change the name of the airport. This is not at all consistent with either the literal terms or the purpose of that lease agreement. Further, the change to the name as proposed, while honoring a president for whom I have the greatest respect, would be detrimental to the airport and its users and affect the traveling public in ways certainly not intended by the drafters of this legislation.

The lease grants the Authority complete control, power, and dominion over the airports. The intent of Congress, Virginia and the District of Columbia in this arrangement is clear. Even though the Federal Government continues to own the underlying land, the airport is to be treated as any other airport, not as a federal facility. In the past, there have been changes made to the lease at the request of Congress and the changes have been brought about by a mutually agreed upon agreement to the lease to secure the consent of the Airports Authority. The proposed name change legislation does not acknowledge the need to obtain the consent of the Authority and this is inconsistent with the intended relationship between the Federal Government and the Authority.

As for the consequences, the removal of ''Washington'' from the airport name removed the location and market identifier that is obviously very important to travelers and shippers at points distant from the Washington area. It is worth noting that well over half of those who travel through National are not residents of the Washington region. The word ''Washington'' provides immediate market and location information. Without it, there will be confusion that does not exist today about where the airport is and what market it serves. The cost of such loss of identity and confusion may not be readily qualified, but I believe that it would be substantial. There also are other costs such as the costs to local businesses who have associated their identities with Washington National Airport.

In conclusion, the legislation which transferred Washington National Airport to the Metropolitan Washington Airports Authority granted to the Authority the control and oversight of the airport. Unilateral action by the Congress to take the drastic action of changing the name of the airport is inconsistent with both the spirit and the intent of the transfer.

Very truly yours,

LINWOOD HOLTON.

Mr. COVERDELL. Mr. President, this amendment would be among those that the sponsors of S. 1575 would oppose. I want to first acknowledge that the Senator from Connecticut in offering his amendment, which is prospective, offered his support of the effort of the sponsors to redesignate Washington National as Ronald Reagan Washington National Airport, and that he would vote for this redesignation even though he had differences. The differences were so pronounced I can remember them, and I was a long way from the Senate at that time.

I really believe the nature of the amendment that has just been described by the minority leader is basically a disagreement of redesignation and not so much one of the philosophical issue over local control. Of course, it isn't the Alexandria airport. It is the National Airport. Cities are constitutional instruments of States. The Governor of the State of Virginia has endorsed the redesignation of the airport which is an appropriate governing local facility.

But, again, we could argue this forever. The level of Federal Government control of operations at Washington National is without parallel in the United States. The legislation that authorized limited local authority over Washington National contains congressional directives—appropriate landing fees, employee bargaining rights. The precise composition of the Metropolitan Washington Airports Authority and political affiliations of its members is mandated by Congress, not constructed by State or local government.

By statute, the Federal Government limits the length of nonstop flights to and from National Airport—National Airport, not Alexandria—to 1,250 miles. That is the Metropolitan Washington Airports Act of 1986, section 6012. There is only one other federally imposed perimeter rule in the country, in the entire United States—Love Field, TX.

In addition, the Federal Government controls the number of slots, take off and landing rights at four ''high density rule'' airports: Washington National, New York LaGuardia, JFK, and Chicago O'Hare. Air carriers are limited to 37 hourly operations at Washington National; 11 hourly operations are reserved for commuter aircraft, and 12 for general aviation and business activity, all Federal mandates.

When the Federal Government authorized the lease of Washington National and its limited governance by the Washington Metropolitan Airports Authority in 1986, it codified all of the regulations of the Metropolitan Washington Airports into Federal regulations. These Federal regulations govern airport operations such as taxicab operation, nighttime noise, and landing fees. And the Federal Government has the prerogative and authority legally and emotionally to designate the name of the National Airport.

I could cite the specific authority, but in deference to time, and I know the Senator from Virginia has strong opinions and wants to be heard, I will not linger on this question. I do want to say that any amendment that creates a retroactive impoundment on Congress' ability to designate will be opposed by the sponsors.

We are pleased that there is bipartisan support for this designation. I want

to say, and I have mentioned it several times during the discussion, obviously there are disagreements on the contribution, but, as Senator DODD said, there is no disagreement about the admiration the American people have for former President Ronald Reagan. To be quite candid about it, talking about the ironies, I am not sure that the naming of the most expensive building in Washington's history is exactly in concert with President Reagan.

In conclusion, let me say that this President is wounded. He was a great American servant. He is in the sunset of his life. He is probably engaged in the most courageous battle he ever was tested for. I think sometimes extraordinary conditions and circumstances call for a spontaneous response. I am most hopeful that this legislation will be successful, and it will be successful in order to meet his 87th birthday, which is this Friday.

Mr. President, I yield the floor.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senator from the great State of Virginia.

Mr. ROBB. I thank the Chair. I thank you for the characterization of Virginia.

AMENDMENT NO. 1643

(Purpose: To provide an orderly process for the renaming of existing Federal facilities)

Mr. ROBB. Mr. President, in accordance with the unanimous consent agreement, I would like to send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia (Mr. ROBB) proposes an amendment numbered 1643.

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

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

The amendment is as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. FEDERAL FACILITIES REDESIGNATION ADVISORY GROUP.

(a) IN GENERAL.—There is established a Federal Facilities Redesignation Advisory Group comprised of—

(1) 2 members of the House of Representatives designated by the Speaker of the House;

(2) 2 members of the House of Representatives designated by the Minority Leader of the House;

(3) 2 members of the Senate designated by the Majority Leader of the Senate;

(4) 2 members of the Senate designated by the Minority Leader of the Senate; and

(5) the Administrator of General Services.

(b) PURPOSE.—The purpose of the Advisory Group is to consider and make a recommendation concerning any proposal to change the name of a Federal facility to commemorate or honor any individual, group of individuals, or event.

(c) CRITERIA.—

(1) IN GENERAL.—In considering a proposal to rename an existing Federal facility, the Advisory Group shall consider—

(A) the appropriateness of the proposed name for the facility, taking into account any history of association of the individual for whom the facility is proposed to be named with the facility or its location;

(B) the activities to be carried out at, and function of, the facility;

(C) the views of the community in which the facility is located (including any public comment, testimony, or evidence received under subsection (d));

(D) the appropriateness of the facility's existing name, taking into account its history, function, and location; and

(E) the costs associated with renaming the facility and the sources of funds to defray the costs.

(2) AGE AND CURRENT OCCUPATION.—The Advisory Group may not recommend a proposed change in the name of a Federal facility for a living individual unless that individual—

(A) is at least 70 years of age; and

(B) has not been an officer or employee of the United States, or a Member of the Congress, for a period of at least 5 years before the date of the proposed change.

(d) ADMINISTRATION.—

(1) MEETINGS.—The Advisory Group shall meet publicly from time to time, but not less frequently than annually, in Washington, D.C.

(2) HEARINGS, ETC.—In carrying out its purpose the Advisory Group—

(A) shall publish notice of any meeting, including a meeting held pursuant to subsection (f), at which it is to consider a proposed change of name for a Federal facility in the Federal Register and in a newspaper of general circulation in the community in which the facility is located, and include in that notice an invitation for public comment;

(B) not earlier than 30 days after the date on which the applicable meeting notice was issued under subparagraph (A), shall hold such hearings, and receive such testimony and evidence, as may be appropriate; and

(C) may not make a recommendation concerning a proposed change of name under this section until a least 60 days after the date of the meeting at which the proposal was considered.

(3) ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall provide such meeting facilities, staff support, and other administrative support as may be required for meetings of the Advisory Group.

(e) REPORTS.—The Advisory Group shall report to the Congress from time to time its recommendations with respect to proposals to rename existing Federal facilities.

(f) PROPOSAL TO RENAME DCA.—The Advisory Group shall meet within 60 days after the date of enactment of this Act to consider proposals to rename Washington National Airport, or a portion thereof, in honor of former President Ronald Reagan.

SEC. 2. REPORT REQUIRED BEFORE EITHER HOUSE PROCEEDS TO THE CONSIDERATION OF LEGISLATION TO RENAME FEDERAL FACILITY.

(a) IN GENERAL.—It shall not be in order, in the Senate or in the House of Representatives, to proceed to the consideration of any bill, resolution, or amendment to rename an existing Federal facility unless the Advisory Group has reported its recommendation in writing under section 1(e) concerning the proposal and the report has been available to the members of that House for 24 hours.

(b) RULES OF EACH HOUSE.—This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and of the House of Representatives, and as such subsection (a) is deemed to be a part of the rules of the Senate and the House of Representatives; and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate and the House of Representatives to change the rules (so far as relating to the procedure of the Senate or House of Representatives, respectively) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate or House of Representatives.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) ADVISORY GROUP.—The term ''Advisory Group'' means the Federal Facilities Redesignation Advisory Group established by section 1.

(2) FEDERAL FACILITY.—The Term ''Federal facility'' means any building, road, bridge, complex, base, or other structure owned by the United States or located on land owned by the United States.

Mr. ROBB. Mr. President, I was going to go ahead and allow the amendment to be read because it is not terribly long, and I think it is fairly straightforward.

I am also conscious of the fact that there are sufficient votes to pass the Coverdell bill as it was introduced. I would point out, however, that the bill was not referred to a committee. It was not subject to a hearing and does not have the benefit of any of the local input that would have been so desirable under the circumstances.

Because local views on this proposal were not considered, I made a speech in this Chamber yesterday reflecting my own views and, I believe, the views of many Virginians. My comments were similar to the views that were just expressed by the minority leader, who spoke more eloquently but came to the same conclusion.

I mentioned yesterday that I have long personally admired President Reagan's personal courage, his strong convictions, his infectious spirit, and his leadership in the national and international community. But I thought this particular legislation, because it was contrary to the wishes of all of the local governments that President Reagan worked so hard to empower, was simply not the right way to proceed.

I also suggested that renaming some other international airport, perhaps in his native State of Illinois or his adopted State of California, would be more appropriate. I talked about the fact that the most substantial Federal building ever built in Washington is going to be dedicated in his name on May 5. And I talked about the fact that the next super carrier will bear his name, and that given his role as Commander in Chief and the respect that he generated, not only throughout the United States but around the world, I wholeheartedly endorsed this designation.

The difficulty I have with the legislation before us is that it directly contravenes the legacy of the man we hope to honor. We have clear expressions of the views of the local governments. Both of the local governments, the City of Alexandria, and the County of Arlington, have expressed their concern and opposition.

In addition, my predecessor, the first Republican Governor of Virginia in this century, and a former chair of the Metropolitan Washington Airports Authority, was very explicit in his description of the intent of the 50-year

lease of the National Airport and Dulles airport, and the autonomy it provided for the Airport Authority.

I do not quarrel with the characterization of the distinguished Senator from Georgia as to some of the Federal strings that remain attached to that particular legislation. We seldom really ever turn loose anything in its entirety in this body, and I understand that.

But the bottom line is, in my judgment, this legislation disregards the views of local officials and business leaders, and thrusts the central government upon a local authority that was divorced from the federal government by President Reagan himself.

The amendment I have sent to the desk simply creates an advisory group which would take into consideration the views of the local community, and the history of a particular facility, before any renaming occurs.

There may be other approaches to this particular challenge, and in listening to the distinguished minority leader, I believe his approach would be entirely appropriate.

The problem here is that we are taking up and considering legislation that has not been considered by any committee of the Senate, that has not had any hearing. Indeed, when we have been able to ascertain the views of those who would normally be considered most interested, they have expressed reservations in various degrees. I think it would be appropriate under the circumstances, since the legislation before us today purports to honor the 40th President, if the views of either the President or Mrs. Reagan, who speaks so eloquently for him, were known on this matter. I think that would be helpful to many Members in considering this issue.

It may be entirely appropriate, after appropriate consultation, to go ahead and rename Washington National Airport.

In any event, the haste with which we move is designed, I believe, to reflect the coming birthday of President Reagan. And I would simply suggest that some consultation with the family—and specifically the President, or speaking for the President, Mrs. Reagan—might very much be in order.

A very nice ceremony, I am informed, has been planned for the dedication of the Ronald Reagan Building on May 5. The former First Lady is planning to participate, and I think all the Members of Congress will certainly be there, if not in body, then in spirit.

So I ask my colleagues to think about what we are doing, and think about whether or not this properly honors the man it is designed to honor.

The amendment I have sent to the desk will be taken up tomorrow. Again, it would create an advisory group that would deliberate on some of the issues I have raised, and report back to Congress in a timely fashion. It would not preclude any action by the Senate or the House. It would simply provide input from some of the local governments and communities that President Reagan so strongly defended during his long and illustrious tour as President of the United States.

Mr. President, I request the yeas and nays on the amendment I have sent to the desk.

The PRESIDING OFFICER (Mr. ALLARD). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ROBB. Mr. President, unless the Senator from Georgia wishes to take the floor at this point, 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. COVERDELL. 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. COVERDELL. Mr. President, once again this argument, which I just simply do not understand, suggesting that the President's family somehow has to come here and seek homage, or lobby the Congress—it is an incredible argument. That family would never do that. Anybody waiting for some communique or something of that nature—I would not hold my breath.

As I said a moment ago, this is something the Nation has to feel it needs to do. It is a ''thank you'' that they need to express; our country, our citizens. There is no way that family would come here lobbying for this kind of thing. I am always surprised when it is suggested that we have not heard or something. That is disappointing.

Mr. President, again I want to make it clear, the sponsors are going to oppose any of these amendments that change the rules retroactively, that impose some new constraint on this redesignation or some new constraint on the Congress. The concept of putting something in place prospectively may be laudable. There are several amendments here by Members on the other side who have declared they are going to vote for the redesignation but they have another issue that they are bringing forward. I think that is appropriate. But the amendments that reach backwards are not acceptable on our side.

The argument that a local city or authority has jurisdiction here is, in my judgment, a specious argument. The Federal Government's relationship with Washington National Airport is indisputable. You cannot go to that airport without seeing the presence of it any day or any night. And the law is very clear, in terms of the Federal role in that facility. I will read the short version rather than the elongated:

> The Federal Government has a continuing but limited interest in the operation of the two federally owned airports which serve the travel and cargo needs of the entire metropolitan Washington region as well as the District of Columbia as the national seat of Government.

As I said, municipalities are creatures of State governments and chartered by State governments and the Governor of the State of jurisdiction is in support of the redesignation.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

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

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

REPORT OF DEFERRALS OF BUDGETARY RESOURCES—MESSAGE FROM THE PRESIDENT—PM 89

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; referred jointly, pursuant to the order of January 30, 1975, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Finance, and to the Committee on Foreign Relations.

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report eight new deferrals of budgetary resources, totaling $4.8 billion.

These deferrals affect programs of the Department of State, the Social Security Administration, and International Security Assistance.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 3, 1998.*

REPORT CONCERNING FISHERIES OFF THE COASTS OF THE UNITED STATES—MESSAGE FROM THE PRESIDENT—PM 90

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; referred jointly, pursuant to 16 U.S.C. 1823, to the Committee on Commerce, Science, and Transportation, and to the Committee on Foreign Relations.

To the Congress of the United States:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Latvia extending the Agreement on April 8, 1993, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The

present Agreement, which was effected by an exchange of notes at Riga on February 13 and May 23, 1997, extends the 1993 Agreement to December 31, 1999.

In light of the importance of our fisheries relationship with the Republic of Latvia, I urge that the Congress give favorable consideration to this Agreement at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 3, 1998*.

REPORT OF THE RAILROAD RETIREMENT BOARD FOR FISCAL YEAR 1996—MESSAGE FROM THE PRESIDENT—PM 91

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 Labor and Human Resources.

To the Congress of the United States:

I transmit herewith the Annual Report of the Railroad Retirement Board for Fiscal Year 1996, pursuant to the provisions of section 7(b)(6) of the Railroad Retirement Act and section 12(1) of the Railroad Unemployment Insurance Act.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 3, 1998*.

MESSAGES FROM THE HOUSE

At 6:59 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, without amendment;

S. 1349, An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Prince Nova*, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 1271) to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated on Monday, February 2, 1998:

EC–3930. A communication from the Secretary of Defense, transmitting, pursuant to law, the report relative to intelligence-related oversight activities for the period April 1 through September 30, 1997; to the Committee on Governmental Affairs.

EC–3931. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report entitled ''Country Reports on Human Rights Practices for 1997''; 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–334. A concurrent resolution adopted by the Legislative Assembly of the State of Oregon; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION 26

Whereas the triweekly Amtrak Pioneer passenger railroad service between Portland, Oregon, and Boise, Idaho, is vital to the economy of the State of Oregon; and

Whereas the closure of the Amtrak Pioneer service will leave many people without their only form of transportation; and

Whereas many people in eastern Oregon rely upon the Amtrak Pioneer service in the harsh winter months when bus and automobile travel is not safe and often not possible; and

Whereas the closure of the Amtrak Pioneer service will leave many people, especially the elderly and disabled, stranded without adequate transportation to medical services in distant metropolitan areas; and

Whereas the closure of the Amtrak Pioneer service will have long lasting negative economic and cultural effects on the rural communities that line the route; and

Whereas the Amtrak Pioneer service has a history and tradition with the people who use the service; now, therefore,

Be it resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is respectfully urged to continue to fund the triweekly Amtrak Pioneer passenger railroad service between Portland, Oregon, and Boise, Idaho.

(2) A copy of this resolution shall be sent to the President of the United States, the Speaker of the House of Representatives and the President of the Senate of the United States and to each member of the Oregon Congressional Delegation.

POM–335. A concurrent resolution adopted by the Legislative Assembly of the State of Oregon; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION 22

Whereas the State of Oregon relies on its state trust lands to fund schools; and

Whereas the counties in the State of Oregon rely on federal timber receipts for school funds and vital elements of their infrastructure; and

Whereas responsible management of natural resources on federal land in this state is important for the economic, social and cultural stability of Oregon's communities; and

Whereas active forest management is necessary to prevent ecologic degradation by insects, disease and wildfire; and

Whereas the National Environmental Policy Act of 1969 provides a process for public participation in major federal actions significantly affecting the quality of the human environment; now, therefore,

Be it resolved by the Legislative Assembly of the State of Oregon:

(1) The President and Congress of the United States are urged to take action to prevent the designation of any national monument in the State of Oregon without full public participation and an express Act of Congress.

(2) The recipients of this resolution shall respond to this Legislative Assembly, conveying their plan to comply with this resolution.

(3) Copies of this resolution shall be sent to the President and Vice President of the United States, the Secretary of the Interior, the Council on Environmental quality and to each member of the Oregon Congressional Delegation.

POM–336. A resolution adopted by the General Court of the Commonwealth of Massachusetts relative to Swiss bank accounts; to the Committee on Foreign Relations.

RESOLUTION

Whereas, Switzerland has established, in accordance with a memorandum of understanding between the Swiss Bankers Association and the World Jewish Congress and World Jewish Restoration Organization, an independent committee on eminent persons to examine the issue of dormant World War II era accounts in Swiss Banks; and

Whereas, a comprehensive claims resolution process has been established, which includes the publication worldwide of the names of foreign dormant account holders from the World War II era and the creation of a board of trustees of the Independent Claims Resolution Foundation, which is being set up to operate the claims settlement process for resolving claims to said dormant accounts: and

Whereas, Switzerland has created a nine member Independent Commission of Experts to investigate the complex issues surrounding the fate of assets brought to Switzerland because of National Socialist rule; and

Whereas, Switzerland has established a special fund for needy victims of the Holocaust/SHOA, which has received contributions from the major Swiss Banks and private sector groups and institutions; and

Whereas, the Swiss public has organized several efforts to provide assistance to needy Holocaust victims; and

Whereas, Switzerland—the government, the private sector and the people—have made an overwhelming effort to rectify matters; Therefore, be it

Resolved, That, the Massachusetts General Court urges the Congress of the United States to continue its diligent efforts in seeking the resolution of the complex issues surrounding these dormant World War II era accounts in Swiss banks; and be it further

Resolved, That a copy of these resolutions be forwarded by the Clerk of the House of Representatives to the presiding officer of each branch of Congress and to the Members thereof from this commonwealth.

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. LEVIN:

S. 1597. A bill to establish food safety research, education, and extension as priorities of the Department of Agriculture, to require the use of a designated team within the Department of Agriculture to enable the Department and other Federal agencies to rapidly respond to food safety emergencies, and to improve food safety through the development and commercialization of food safety technology; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. D'AMATO:

S. 1598. A bill to amend the Internal Revenue Code of 1986 to establish and provide a checkoff for a Breast and Prostate Cancer Research Fund, and for other purposes; to the Committee on Finance.

By Mr. BOND (for himself, Mr. FRIST, Mr. GREGG, Mr. LOTT, Mrs. HUTCHISON, Mr. SHELBY, Mr. NICKLES, Mr. LUGAR, Mr. ABRAHAM, Mr. GRAMS, and Mr. HAGEL):

S. 1599. A bill to amend title 18, United States Code, to prohibit the use of somatic cell nuclear transfer technology for purposes of human cloning; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 1600. A bill to amend the Internal Revenue Code of 1986 to waive in the case of multiemployer plans the section 415 limit on benefits to the participant's average compensation for his high 3 years; to the Committee on Finance.

By Mr. LOTT (for himself, Mr. BOND, Mr. FRIST, Mr. GREGG, Mr. NICKLES, Mrs. HUTCHISON, Mr. SHELBY, Mr. LUGAR, Mr. ABRAHAM, Mr. GRAMS, Mr. HAGEL, and Mr. HUTCHINSON):

S. 1601. A bill to amend title 18, United States Code, to prohibit the use of somatic cell nuclear transfer technology for purposes of human cloning; read the first time.

By Mrs. FEINSTEIN (for herself and Mr. KENNEDY):

S. 1602. A bill to amend the Public Health Service Act to prohibit any attempt to clone a human being using somatic cell nuclear transfer and to prohibit the use of Federal funds for such purposes, to provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer in human beings, and for other purposes; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself and Mr. ROBB):

S. Res. 172. A resolution congratulating President Chandrika Bandaranaike Kumaratunga and the people of the Democratic Socialist Republic of Sri Lanka on the celebration of 50 years of independence; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN:

S. 1597. A bill to establish food safety research, education, and extension as priorities of the Department of Agriculture, to require the use of a designated team within the Department of Agriculture to enable the Department and other Federal agencies to rapidly respond to food safety emergencies, and to improve food safety through the development and commercialization of food safety technology; to the Committee on Agriculture, Nutrition, and Forestry.

THE SAFE FOOD ACTION PLAN ACT

Mr. LEVIN. Madam President, I am pleased to be introducing companion legislation to a bill prepared by Congresswoman DEBBIE STABENOW entitled the Safe Food Action Plan Act.

The bill adds food safety as a new statutory priority in the U.S. Department of Agriculture's research, education and extension programs. This should mean that more of the nearly $1.5 billion spent through existing grant and research programs, including the Fund for Rural America, will be focused directly on food safety. That's the kind of awareness that we need, to prevent and combat food supply contamination.

The bill also creates a Federal Emergency Management Agency-like approach to dealing with food safety crises. Currently, there are at least 3 agencies within the Department of Agriculture that have some responsibility for preventing and controlling outbreaks of food borne disease, not to mention the Food and Drug Administration and the Centers for Disease Control. This bill establishes a Food Safety Rapid Response Team across internal division boundaries within USDA that will coordinate with other Federal agencies. If outbreaks do occur, the American people must be confident that the government is prepared to efficiently handle and limit such public health threats.

This legislation was developed by Congresswoman STABENOW over several months with input from all parts of the food production and consumption chain and the Department of Agriculture. It is an excellent complement to the Administration's enforcement enhancement proposal. The Safe Food Action Plan is a sensible and cost-effective way to make the Federal government responsive and responsible.

I hope the Agriculture Committee will seek to move this legislation as quickly as possible, and I urge my colleagues to consider cosponsoring this important measure.

By Mr. BOND (for himself, Mr. FRIST, Mr. GREGG, Mr. LOTT, Mrs. HUTCHISON, Mr. SHELBY, Mr. NICKLES, Mr. LUGAR, Mr. ABRAHAM, Mr. GRAMS and Mr. HAGEL):

S. 1599. A bill to amend title 18, United States Code, to prohibit the use of somatic cell nuclear transfer technology for purposes of human cloning; to the Committee on the Judiciary.

THE HUMAN CLONING PROHIBITION ACT OF 1998

Mr. BOND. Mr. President, today, I rise to announce that we are introducing a measure that places an outright ban on the use of somatic cell nuclear transfer technology for human cloning purposes. Recent reports that a Chicago-based scientist is prepared to move forward with human cloning experimentation forces us to engage in an immediate debate on how far out on the moral cliff we are willing to let science proceed before we as a Nation insist on some meaningful constraints. When the announcement was made last month that these efforts to raise funds for human cloning were going forward, we stated that we would move on an emergency basis to deal with this and to express, through congressional action, a strong sense that this is unacceptable and we must prohibit it. I am pleased to be joined by the distinguished cosponsors, Senators FRIST, GREGG, LOTT, HUTCHISON, SHELBY, NICKLES, LUGAR, ABRAHAM, GRAMS, and HAGEL.

I believe we no longer have the luxury of waiting around for this morally reprehensible act to occur in the United States. Less than a year ago, the cloning of Dolly, the now famous sheep, provoked a debate of unprecedented proportions, a debate which to this day generates polar feelings of fascination and fear. We have in this body adopted prohibition on the use of Federal funds for research on or experimentation in human cloning. The time has come for us to make that a flat prohibition and to put our country in league with other civilized countries, which are saying human cloning is not acceptable and will not go forward.

Daily news accounts about the successful cloning of animals and stories of organizations and individuals pursuing human cloning have kept the debate alive. The American public is asking if similar techniques can be used to clone humans, and they are concerned whether something that was once thought only to be science fiction is now closer to becoming a reality.

Those opposing a prohibition on human cloning suggest that we cannot put the genie back in the bottle, and that we cannot stop progress. I suggest that in this case our technological capability may be outrunning our moral sense.

The ethical implications of human cloning are staggering. We should never create human life for spare parts, as a replacement for a child who has died, or for other unnatural and selfish purposes.

How many embryos or babies would we tolerate being created with abnormalities before we would perfect human cloning? It took Scottish scientists over 276 tries before they created Dolly, and we still do not even know if Dolly is the perfect sheep. What would have happened had those 276 been badly deformed potential humans? For humans, these results are entirely unacceptable. Dr. Ian Wilmut, the leading Scottish scientist who created Dolly, himself has stated that he can see no scenario under which it would be ethical to clone human life. I believe he is right.

Moreover, in September of 1994, a federal Human Embryo Research Panel noted that ''allowing society to create genetically identical persons would devalue human life by undermining the individuality of human beings.''

Further, the panel concluded that ''there are broad moral concerns about the deliberate duplication of an individual genome. The notion of cloning an existing human being or of making carbon copies of an existing embryo appears repugnant to members of the public. Many members of the panel share this view and see no justification for federal funding of such research.''

And I would emphatically argue that those statements apply to private sector research as well.

It is also important to note that this legislation is narrowly drafted, and it's sole objective is to ban the use of somatic cell nuclear transfer for human cloning purposes. We worked overtime to ensure that this language was specific so that it would only ban this technique which was used to create Dolly.

This technique has also been criticized by a representative of the pharmaceutical industry. In a prepared statement for members of Congress, dated January 13, 1998, the representative said,

While conventional cloning technology has been used extensively worldwide to meet global medical needs, nuclear transfer technology is fraught with untold failures for each partial success, and has major significant ethical issues associated with it. Furthermore, it has no strong therapeutic or economic based need driving it at this time. The concept that it is a viable alternative to infertile parents is cruel and completely unjustified. I would challenge you not to confuse the two as the Congress considers its options here.

In addition, our bill is straightforward and clear. It prevents a specific technology that is characterized by industry, researchers, theologians, ethicists, and others as ''fraught with failures and lacking therapeutic value.'' This bill, however, does allow important and promising research to continue.

In vitro fertilization research, plant and animal cloning, the cloning of DNA, cells and tissues, stem cell research, gene therapy research and other activities taking place at the Human Genome Center offer great hope in addressing how to prevent, diagnose, and treat many devastating diseases. And these types of research will continue to thrive.

I have long been a supporter of biotechnology; however, there is a bright line between those activities and human cloning. And we must draw that line.

The belief that all human beings are unique and created by God is shared by billions of us around the world. Human cloning, or man's attempt to play God, would change the very meaning of life, of human dignity, and of what it is to be human. Are we ready for that? Hardly.

I heard a profound statement from a leading bioethicist. He said, ''I have heard from many who wish they could be cloned, but I have never heard someone say that they wished they were a clone of someone else''—because cloning threatens human dignity, of what it means to be a unique individual.

There is a bright line between those activities—the legitimate activities and investigations to improve human life, to deal with the significant diseases that we have that might be ameliorated by technological research. We have to draw the line between legitimate research in medicine and human cloning.

Human cloning would devalue human life by undermining the individuality of human beings. We must show the moral courage and have the will to say no to human cloning.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1599

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 ''Human Cloning Prohibition Act of 1998''.

SEC. 2. FINDING.

Congress finds that in order to prevent the creation of a cloned human individual through human somatic cell nuclear transfer technology, it is right and proper to prohibit the creation of cloned human embryos that would never have the opportunity for implantation and that would therefore be created solely for research that would ultimately lead to their destruction.

SEC. 3. PROHIBITION ON CLONING.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

''CHAPTER 16—CLONING

''Sec.
''301. Prohibition on cloning.

''§ 301 Prohibition on cloning

''(a) IN GENERAL.—It shall be unlawful for any person or entity, public or private, in or affecting interstate commerce, to use human somatic cell nuclear transfer technology.

''(b) IMPORTATION.—It shall be unlawful for any person or entity, public or private, to import an embryo produced through human somatic cell nuclear transfer technology.

''(c) PENALTIES.—

''(1) IN GENERAL.—Any person or entity who is convicted of violating any provision of this section shall be fined according to the provisions of this title or sentenced to up to 10 years in prison, or both.

''(2) CIVIL PENALTY.—Any person or entity who is convicted of violating any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a civil penalty of not more than an amount equal to the amount of the gross gain multiplied by 2.

''(d) DEFINITION.—The term 'human somatic cell nuclear transfer technology' means taking the nuclear material of a human somatic cell and incorporating it into an oocyte from which the nucleus has been removed or rendered inert and producing an embryo (including a preimplantation embryo).''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 15, the following:

''16. Cloning §301''. .....

SEC. 4. COMMISSION TO PROMOTE A NATIONAL DIALOGUE ON BIOETHICS.

(a) ESTABLISHMENT.—There is established within the Institute of Medicine a commission to be known as the National Commission to Promote a National Dialogue on Bioethics (referred to in this section as the ''Commission'').

(b) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 25 members, of whom—

(A) 6 shall be appointed by the Majority Leader of the Senate;

(B) 6 shall be appointed by the Minority Leader of the Senate;

(C) 6 shall be appointed by the Speaker of the House of Representatives; and

(D) 6 shall be appointed by the Minority Leader of the House of Representatives; and

(E) 1, who shall serve as the Chairperson of the Commission, to be appointed jointly by the Majority Leader of the Senate, and the Speaker of the House of Representatives, in consultation with the Minority Leader of the Senate and the Minority Leader of the House of Representatives.

(2) REQUIREMENTS.—Each individual described in subparagraph (A) through (D) of paragraph (1) shall ensure that members appointed to the Commission are representative of the fields of law, theology, philosophy or ethics, medicine, science, and society.

(3) DEADLINE FOR APPOINTMENT.—Members of the Commission shall be appointed by not later than December 1, 1998.

(4) TERMS OF APPOINTMENT.—A member of the Commission appointed under paragraph (1) shall serve for a term of 3 years. Members may not serve consecutive terms.

(5) MEETINGS.—The Commission shall meet at the call of its Chairperson or a majority of its members.

(6) QUORUM.—A quorum shall consist of 13 members of the Commission.

(7) VACANCIES.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made not later than 30 days after the Commission is given notice of the vacancy and shall not affect the power of the remaining members to execute the duties of the Commission.

(8) COMPENSATION.—Members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission.

(9) EXPENSES.—Each member of the Commission shall receive travel expenses and per diem in lieu of subsistence in accordance with sections 5702 and 5703 of title 5, United States Code.

(c) DUTIES OF THE COMMISSION.—The Commission shall provide an independent forum for broad public participation and discourse concerning important bioethical issues including cloning, and provide for a report to Congress concerning the findings, conclusions, and recommendations of the Commission concerning Federal policy and possible Congressional action.

(d) STAFF AND SUPPORT SERVICES.—

(1) STAFF.—With the approval of the Commission, the chairperson of the Commission may appoint such personnel as the chairperson considers appropriate.

(2) APPLICABILITY OF CIVIL SERVICE LAWS.—The staff of the Commission shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title (relating to classification and General Schedule pay rates).

(3) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the chairperson may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(4) PHYSICAL FACILITIES.—The Administrator of the General Services Administration shall locate suitable office space for the operation of the Commission. The facilities shall serve as the headquarters of the Commission and shall include all necessary equipment and incidentals required for the proper functioning of the Commission.

(e) POWERS OF COMMISSION.—

(1) HEARINGS AND OTHER ACTIVITIES.—For the purpose of carrying out its duties, the Commission may hold such public hearings and undertake such other activities as the Commission determines to be necessary to carry out its duties.

(2) DETAIL OF FEDERAL EMPLOYEES.—Upon the request of the Commission, the head of any Federal agency is authorized to detail, without reimbursement, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(3) TECHNICAL ASSISTANCE.—Upon the request of the Commission, the head of a Federal agency shall provide such technical assistance to the Commission as the Commission determines to be necessary to carry out its duties.

(4) USE OF MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as Federal agencies and shall, for purposes of the frank, be considered a commission of Congress as described in section 3215 of title 39, United States Code.

(5) OBTAINING INFORMATION.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out its duties, if the information may be disclosed under section 552 of title 5, United States Code. Upon request of the Chairperson of the Commission, the head of such agency shall furnish such information to the Commission.

(6) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(7) PRINTING.—For purposes of costs relating to printing and binding, including the cost of personnel detailed from the Government Printing Office, the Commission shall be deemed to be a committee of the Congress.

(f) SUBCOMMITTEES.—

(1) IN GENERAL.—The Commission shall establish 6 subcommittees, including—

(A) a subcommittee on legal issues;

(B) a subcommittee on theological issues;

(C) a subcommittee on philosophical and ethical issues;

(D) a subcommittee on medical issues;

(E) a subcommittee on scientific issues; and

(F) a subcommittee on social issues.

(2) MEMBERSHIP.—With respect to the issues for which each subcommittee has been established, each subcommittee shall be composed of—

(A) 1 expert to be appointed by the members of the Committee who were appointed under subparagraphs (A) and (C) of subsection (b)(1);

(B) 1 expert to be appointed by the members of the Committee who were appointed under subparagraphs (B) and (D) of subsection (b)(1);

(C) 1 individual operating in the private sector who is acquainted with the issues but who is not an expert to be appointed by the members of the Committee who were appointed under subparagraphs (A) and (C) of subsection (b)(1);

(D) 1 individual operating in the private sector who is acquainted with the issues but who is not an expert to be appointed by the members of the Committee who were appointed under subparagraphs (B) and (D) of subsection (b)(1); and

(E) 4 members of the Commission with relevant expertise.

(3) MEETINGS.—Meetings of the subcommittees shall be approved by the Commission.

(g) REPORT.—Not later than December 31, 1999, and annually thereafter, the Commission shall prepare and submit to the appropriate committees of Congress a report which shall contain a detailed statement of the recommendations, findings, and conclusions of the Commission.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 5. UNRESTRICTED SCIENTIFIC RESEARCH.

Nothing in this Act (or an amendment made by this Act) shall be construed to restrict areas of scientific research that are not specifically prohibited by this Act (or amendments).

SEC. 6. SENSE OF CONGRESS.

It is the sense of Congress that the Federal Government should advocate for and join an international effort to prohibit the use of human somatic cell nuclear transfer technology to produce a human embryo.

Mr. BOND. Mr. President, I now yield to my distinguished colleague from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, I rise to support both the intent and to underscore the importance of this bill, the Bond-Frist-Gregg bill, which does address the issue of human cloning. The purpose of this bill is very straightforward, and that is to prohibit human cloning while at the same time protecting very important scientific research.

This bill does prohibit human cloning, a topic which has captured the imagination of not only the American people but really the world over the past year after the successful experiment by Ian Wilmut, the Scottish scientist who successfully cloned ''Dolly,'' an adult sheep, using a new technique, a technique called somatic cell nuclear transfer. Public sentiment in response immediately registered, and I think appropriately so, opposition to the application of this specific technique to human beings. Fears that the ''Dolly'' experiment might lead to asexual human reproduction nearly drowned out pleas from the scientific community to protect legitimate cloning research at the cellular and animal level.

Congress responded to the public fear by enacting a ban on the Federal funding for any human cloning research at the embryo level, and the President soon after issued an Executive order forbidding implantation of a cloned human embryo with the use of Federal funds.

Scientists in the private sector have been left unregulated, but most research societies, appropriately I believe, adopted a voluntary moratorium on the use of somatic cell technology for the purpose of human cloning.

Since no imminent threat of human clones at the time was perceived, the issue took a back seat to the more visible items before the Congress and the country, such as balancing the Federal budget. With the exception of an occasional television show, movie or news report, cloning pretty much faded from the mental radar screen of most Americans. But then not too long ago Dr. Seed gave new life to the whole human cloning debate when he announced in a public way his intention to use the Wilmut technique to create a cloned human individual.

At that time it very quickly became apparent to virtually everyone that without Federal legislation human cloning could, and many feel would, occur in the private sector without due consideration to the ethical, social, theological and medical implications of this new and unproved technique.

Our collective instinct that human individuals should not now be cloned has its roots in the most basic feelings we have about human nature. We know that an individual is more than the sum of individual body parts, more than the sum of the various organs, and we know instinctively that the human spirit, no matter how hard we try or how good the science is, cannot be replicated. The science of somatic cell nuclear transfer is still today imperfect. Wilmut's technique can be dangerous, we know, to the cloned child. In addition, we have no idea about the long-term effects of asexual reproduction on the human gene pool or on the psychosocial structures of our world.

Quite simply, we are not prepared for a human ''Dolly'' experiment. And our inability to respond adequately to the moral, the ethical and the theological implications of this technology has highlighted a serious weakness in the fabric of our social structure. In too many instances we have allowed ourselves to separate scientific progress from those ethical conversations. We no longer can divorce the two. Dr. Seed and others have forced us to confront our deficits and to fashion timely answers to the timeless question: ''Is there a line that should not be crossed even for scientific or other gain, and if so, where is it?'' I have used that line in this Chamber before. It is from a Washington Post editorial in October of 1994: ''Is there a line that should not be crossed even for scientific or other gain, and if so, where is it?''

The debate on this particular bill, and others that address the issue of cloning, will have to center around that question, where is that line?

I have a research background. I am a research scientist. I am a transplant physician. I am committed to the public welfare through that public service of medicine and science. From that background, I personally would use four principles that I think must, in my view, be a part of any legislation as we embark on prohibiting human cloning. First, legislation must differentiate between human cloning on the one hand and animal, cellular and molecular and plant cloning on the other. It is that human dimension we must address and address very specifically in order not to halt the progress of science in those other fields.

The second principle. The legislation must be crafted very specifically with surgical precision, with laser-like precision, narrowly, yes, so that we will avoid inadvertently banning other nontargeted research, research that is critically important to improving health care for the current generation as well as that next generation, important research that we must protect in terms of stem cell research, in vitro fertilization, our search for cures of juvenile diabetes, our attack on prevention and cure of cancer.

The third principle that I would encourage my colleagues to adopt as we

embark upon this banning of human cloning is that the legislation must prevent the specific technique of somatic cell nuclear transfer, the specific technique, because of its potential to facilitate the mass production of cloned human embryos that could be created solely for research and ultimately destroyed.

Fourth, the legislation must include the creation of a new permanent bipartisan commission that is representative of the American people, representative of science, representative of our ethical thinking, representative of theology, so that we can more adequately address in a sophisticated, mature way, consistent with the science and ethical thinking of today, the many issues that are going to face us in this arena of bioethics, this rapidly oncoming onslaught of science, and very good science as we look to the future. Science is critically important as we learn better to address the ravages of disease.

Two temptations threaten both science and ethics in the current environment. On the one hand, we have the pressure on legislators, often unfamiliar with the specifics of scientific issues, to rush out and draft laws that could hamper important research efforts if we are not very careful. And on the other hand, almost in parallel, is this tendency on the part of some scientists to say, no, we don't need that type of intervention, that type of oversight of ethics, of laws. Thus we have science and we have ethics that are almost lost in this political morass and the public meanwhile stays outside, all too often frightened, uninvolved, and unengaged.

This cloning debate, I think, maybe for the first time in the history of this body, forces us to address what is inevitable as we look to the future, and that is a rapid-fire, one-after-another onslaught of new scientific technological innovation that has to be assimilated into our ethical-social fabric.

Thus, this bioethics commission is important to consider these future innovations as they come forward. Right now there are no fewer than six legislative proposals that are either on the table or soon to be on the table on this issue of banning human cloning. These bills range from a sweeping prohibition of all types of cloning to really some very symbolic bans. The National Bioethics Advisory Commission, the commission that was appointed by and that reports to President Clinton, did a good job of trying to assimilate the information on the cloning under their very short, 90-day deadline last year. But they, as hard as they tried, were unable to substantively address the ethical issues surrounding human cloning.

The commission cited at the time that they had inadequate time to tackle these difficult ethical issues in the context of our pluralistic society, and they focused primarily on scientific concerns, as well as the less abstract issue of safety—a really proscribed area of safety, saying that the technique today is not safe or has not been proven to be safe. And then they appealed, to us, as Americans—to take this to the public square, take this out to the people around America and talk to them and look for the sort of leadership that we need on forming a national policy on human cloning.

In an effort to follow up on the recommendations of the National Bioethics Commission, the Senate Labor Committee's Subcommittee on Public Health and Safety, which I chair, on June 17, 1997, held a hearing. That hearing was entitled ''Ethics and Theology: A Continuation of the National Discussion on Human Cloning.'' And we heard outstanding testimony on all sides of the issue, from Christian, Islamic and Jewish traditions and from philosophers and theologians, all well schooled in biomedical ethics. We launched a much broader public debate with questions about the nature of human individuality, about family, about social structure. However, the time has now shown that both a Presidential commission and the U.S. Congress are really inadequate forums to fully address the diversity, the richness, the fabric of these bioethical issues and their importance as we look to the future.

I, therefore, today, through our legislation, propose creation of a new, permanent, independent national bioethics commission, representative of the public at large, with the combined participation of experts in law, ethics, theology, medicine, social science, philosophy, coupled with interested members of the public. It is my hope that this public commission, in an environment where it can capture the diversity of our society today, will forge a new path for our country in the field of bioethics, in considering new techniques and new innovation; that they will enable us to have an informed, ongoing, thoughtful, scientific debate in the public square, without fear or politics driving our decisions.

In this proposal the majority and minority leaders of Congress would appoint members of the panel, but no current Member of Congress or administration political appointee would participate during his or her term of office. Individuals would serve for 3 years. There would be 24 such members, six subcommittees looking at the various fields that I have mentioned. Each and every citizen should have an opportunity to participate in these ongoing bioethical debates.

I anticipate that some may question the role of theology in a public policy debate. Certainly the President's advisory commission found that their considerations were incomplete without examining the religious mores of our culture. Indeed, our Founding Fathers also recognized that public policy could not be formulated in a theological vacuum. While they forbade the establishment of a state religion, they simultaneously affirmed the rights of God-fearing people to make their voices heard in the public arena. Today, and throughout history, religion has been a primary source of the beliefs governing these decisions for men and women of all races, of all creeds.

While these four principles that I outlined earlier start as the basic foundation, we do need to reach out and receive the input of others as we embark upon consideration of this piece of legislation. With these four principles it is my hope that we can build a bipartisan coalition of support for a ban on human cloning.

I do call upon my colleagues in the scientific community to step forward and participate in the ongoing debate in good faith. We have much to gain from your expertise, and the public has much to gain from your ongoing work.

In recent days, many in the biotechnology community have argued that the mass production of cloned human embryos for research purposes is vital to their research efforts. I appeal to them this afternoon to take one step back and recognize that this legislation does not prohibit the vast majority of all current embryo and stem cell research, and acknowledge that there are serious ethical dilemmas associated with churning out human embryos as if they were products on an assembly line.

Let us have no more hedging about what is and what is not an embryo. Biologically it is clear. Proponents of embryo research have always been quite open that they are seeking to do embryo research because the embryo is biologically unique. So I say to those in the research community, this legislation does not threaten your ongoing embryo research. It does not limit your ability to experiment with stem cells, with gene therapy, with in vitro fertilization. Help us stop Dr. Seed dead in his tracks. Keep this issue focused on human cloning and join our efforts to create a new commission to deal with these issues on an ongoing basis.

The Washington Post, in 1994 said:

> The creation of human embryos specifically for research that will destroy them is unconscionable. . .. Viewed from one angle this issue can be made to yield endless complexities. What about the suffering of individuals and infertile couples who might be helped by embryo research? What about the status of the brand new embryo? But before you get to these questions [the Post says] there is a simpler one.

It is the question I read a few minutes ago at the beginning of my statement and I will read it again. It is:

> Is there a line that should not be crossed, even for scientific or other gain, and if so, where is it?

As the editor of the New England Journal of Medicine has said in the past:

> Knowledge, although important, may be less important to a decent society than the way it is obtained.

This is where the debate will be over the next several days. I believe that an

honest ban on human cloning must begin at the level of the activation of the embryo, not later at some point, at the time of implantation. Is the Federal Government capable of preventing a woman from implanting an embryo derived from her own genetic makeup into her own womb? Is it wise to perfect our cloning techniques on embryos when we forbid their implantation? Yes, I think we need to start the ban at the time of the activation of the embryo.

In closing, it is clearly vital that our public debate and reflection on scientific developments keep pace with and even anticipate and prepare us for this, really, rush of new scientific knowledge that is coming toward us each and every day. The moral and ethical dilemmas that are inherent in the cloning of human beings may well be our greatest test to date. We don't simply seek knowledge, but we seek the wisdom to apply that knowledge. As with each of those mind-boggling advances of the last century, we know that there is the potential both for good and evil. Our task as legislators is to reflect the public trust, to define the role of the Federal Government in harnessing this technology for the good. Our task as citizens is to exercise responsible stewardship of the precious gift of life.

Mr. President, I yield the floor.

By Mrs. BOXER:

S. 1600. A bill to amend the Internal Revenue Code of 1986 to waive in the case of multiemployer plans the section 415 limit on benefits to the participant's average compensation for his high 3 years; to the Committee on Finance.

INTERNAL REVENUE CODE LEGISLATION

Mrs. BOXER. Madam President, section 415 of the Internal Revenue Code limits annual pension benefits from multiemployer plans to the average of the three highest consecutive years of income while a worker was covered by the plan. The bill I am introducing today will exempt multiemployer pension plans from the income-based limitations imposed by Section 415.

Section 415 was enacted in an effort to prevent the ''gaming'' which occasionally occurred in single employer pension plans. Such gaming occurred when an employee's salary was significantly increased the year before retirement in order to increase that employee's retirement benefits. Single employer plans, unlike multiemployer plans, are generally based upon an employee's salary prior to retirement. Reportedly, from time-to-time, such gaming did occur in single employer plans.

Multiemployer plans, conversely, are generally based on the number of years an employee has worked, plus the collectively-bargained-for dollar amount of contributions made into the plan. Therefore, such gaming generally did not occur in multiemployer plans. Section, 415, however, does not distinguish between multiemployer plans and single employer plans. Instead, section 415 assumes the salaries of all workers increase steadily over the course of their employment. In fact however, for many workers, particularly those that belong to multiemployer pension plans, there is no such steady increase in earnings. Rather, the salaries of these workers tend to fluctuate over the course of their employment. Because of these fluctuations, the three highest years of compensation for many multiemployer plan participants are not necessarily consecutive.

Congress recognized this inequity and in 1996, as part of the Small Business and Jobs Protection Act (Pub. L. 104–188), exempted public employee pension plans from Section 415. This exemption, however, was not extended to private sector employees covered by multiemployer pension plans. The bill I have introduced today exempts multiemployer pension plans, single employer plans would still be subject to Section 415 limitations.

Congressman PETER J. VISCLOSKY introduced similar legislation in April 1997 in the House of Representatives. His bill has bipartisan support in the House. I hope that my bill will receive similar support here in the Senate. Private sector employees, who are covered by multiemployer pension plans, should receive the same treatment as public sector employees. My bill will alleviate the disparity which now exists.

Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1600

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

SECTION 1. TREATMENT OF MULTIEMPLOYER PLANS UNDER SECTION 415 LIMIT ON BENEFITS.

Paragraph (11) of section 415(b) of the Internal Revenue Code of 1986 (relating to special limitation rule for governmental plans) is amended—

(1) in the heading, by inserting ''AND MULTIEMPLOYER PLANS'' after ''GOVERNMENTAL PLANS''; and

(2) by inserting ''or a multiemployer plan (as defined in section 414(f))'' after ''governmental plan (as defined in section 414(d))''.

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall apply to plan years beginning after December 31, 1997.

By Mrs. FEINSTEIN (for herself and Mr. KENNEDY):

S. 1602. A bill to amend the Public Health Service Act to prohibit any attempt to clone a human being using somatic cell nuclear transfer and to prohibit the use of Federal funds for such purposes, to provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer in human beings, and for other purposes; to the Committee on Labor and Human Resources.

THE PROHIBITION ON CLONING OF HUMAN BEING ACT OF 1998

Mrs. FEINSTEIN. Mr. President, today, Senator KENNEDY and I are introducing legislation that would prohibit, for a period of ten years, any person from attempting to clone a human being using somatic cell nuclear transfer technology.

The reason for this legislation is simple: the cloning of a human being today remains scientifically dangerous, morally unacceptable, and ethically flawed.

Let me be clear about the intent of this legislation right at the outset: I am opposed to human cloning. I do not believe it is, or will ever be, morally acceptable to clone human beings.

This legislation was carefully drafted so that it would not prevent or interfere with vital biomedical research into cancer and other diseases, birth defects, infertility, and the mass production of drugs and vaccines.

The Bill authorizes the continuation of the National Bioethics Advisory Commission, and requires the Commission to report to the President and the Congress in 4½ years and 9½ years on the science and ethical issues associated with this technology.

The Commission's reports to Congress will also include a recommendation as to whether the moratorium should be continued beyond the ten years set by this legislation.

TECHNOLOGY OUTPACES PUBLIC POLICY

The successful cloning of a sheep in Scotland last year, using a procedure known as somatic cell nuclear transfer, was hailed as an amazing scientific success.

But it also ignited a fierce international debate about the potential use of this technique to clone human beings, and the ethical, legal and religious questions raised by such a possibility.

Chicago-area physicist Dr. Richard Seed stirred that debate into full force last month when he told the media that he intends to clone human beings.

He said that there were ten clinics in the United States interested in offering cloning services and that he believes the demand will be for over 200,000 cases per year, according to the American Medical News.

Setting aside the fact that Dr. Seed's claims are somewhat implausible at the moment given the rudimentary state of cloning technology, he did hit a nerve.

This is a classic example, in my view, of how the lightening speed with which we are able to develop new technologies can sometimes get ahead of society's ability to handle these advances.

I do not believe that, today, we know enough to permit human cloning, or to make a permanent determination about the use of this technology.

But, when writing laws that would have such an enormous impact on an entire field of science—science that includes the development of lifesaving -

new therapies for disease, the prevention of birth defects, and fertility—Congress has a responsibility to be prudent and judicious in drafting legislation.

In preparing this legislation, Senator KENNEDY and I, and our staffs, met with representatives from: The National Bioethics Advisory Commission; The National Institutes of Health; The American Society for Reproductive Medicine; The Biotech Industry Association; The Department of Health and Human Services; The Food and Drug Administration.

Included in the National Bioethics Advisory Commission were members of the religious and medical ethics communities.

This bill is carefully drafted to prohibit attempts to clone a human being, while not impeding other important research involving somatic cell nuclear transfer technology, and the cloning of cells, tissues, DNA and animals.

PROCEDURE IS UNSAFE

One compelling reason to prohibit attempts to clone human beings at this time is the fact that the technology is so new that it is unsafe even in animals.

Dolly, the famous cloned sheep, was the only success out of 277 attempts, and the procedure has not been repeated successfully (although there are reports of the pending birth of at least one calf using the same cloning procedure).

The National Bioethics Advisory Commission concluded that attempting to use this process to clone humans would involve unacceptable risks to the fetus or potential children, possibly resulting in multiple miscarriages, developmental abnormalities, and unknown risks to the mother.

Even if and when concerns about safety are resolved, the ethical concerns of cloning humans still remain.

This 10-year moratorium will allow us the time to study and debate this issue fully—which we as a society need to do because the science is not going to go away, and we will have to have a greater understanding of it to make informed decisions on its use.

MUST NOT IMPEDE OTHER IMPORTANT RESEARCH

The term ''cloning'' is used by scientists to describe various techniques that involve duplication of biological material, both animal and human.

A blanket ban on cloning, or on use of the nuclear cell transplant technique to clone, would be too broad, and would deprive the United States—and the world—of invaluable biological research.

The cloning technique that was used to produce Dolly, somatic cell nuclear transfer, was an extension of experiments carried out over 40 years to facilitate understanding of how development of an animal from a single fertilized egg is carried out.

The agricultural industry has been using nuclear transplantation research to try to improve livestock breeding.

Biotechnology companies are exploring ways to use cloning to improve the production of therapeutic drugs.

And health researchers are hoping that a greater understanding of nuclear transplantation cloning can lead to new treatment for human disease.

CANCER

A report issued by the National Institutes of Health, dated January 29, indicates that cloned tissue culture cells have allowed scientists to test potential chemotherapies on cancerous cells, to study the cellular events leading to cancer, and to mass-produce drugs and vaccines.

DIABETES

Cloning technology, using somatic cell nuclear transfer, could teach scientists how to augment the insulin-producing cells in diabetics using cells from their own bodies.

Not only could cloning technology revolutionize the treatment for diabetes—it could potentially provide a cure for this debilitating disease.

SKIN GRAFTS

Somatic cell nuclear transfer might also be used in the future to create skin grafts for people who are severely burned.

In severe burn cases, many times there is not enough healthy skin on the victim to perform a skin graft, so doctors are forced to use skin from cadavers or skin cells grown in tissue culture.

In both cases, the skin is genetically different from the burn victim, and while it provides material for emergency grafting, this skin is ultimately rejected and the patient must undergo numerous grafting.

Somatic cell nuclear transfer cloning could allow skin to be generated from virtually any of the burn victim's cells, which would be genetically identical and therefore should not be rejected.

The life-saving possibilities for this technology are enormous:

The creation of nerve stem cells to treat neurodegenerative diseases such as multiple sclerosis, Lou Gehrig's disease, Alzheimer's disease, Parkinson's disease, and to help repair injuries of the spinal cord.

Bone marrow stem cells, for the treatment of leukemia, sickle cell or other blood diseases.

Liver cells to treat liver damage.

Muscle cells to treat muscular dystrophy and heart disease.

Cartilage-forming cells to reconstruct joints damaged by injury or arthritis.

The cloning of cells in culture has reduced the use of live animals in research and has allowed studies of human cells that could not be done otherwise.

As scientists from NIH clearly warn, without future research exploring this cloning technology, these and other potential life-saving possibilities will be unrealized.

NIH scientists also make clear that all of these possibilities can be accomplished without using this technology to create, or attempt to create, a human being.

A letter signed by more than 50 medical and patient organizations sent to Members of Congress last week warning very clearly of the danger in drafting legislation to ban cloning.

In the letter they say:

> Poorly crafted legislation to ban the cloning of human beings may put at risk biomedical research, such as the use of cloning techniques on human cells, genes and tissues, which is vital to finding the cures to the diseases and ailments which our organizations champion.

THE DIFFERENCES WITH THE PRESIDENT'S PROPOSAL

The bill we are introducing today is very similar to the President's bill which he sent to Congress on June 10, 1997. But it differs from the President's in five important aspects.

First, it adds additional provisions to prevent anyone from cloning or even attempting to clone a human being. In addition to the outright prohibition on cloning a human being, the bill prohibits the use of Federal funds for such a purpose. Furthermore, the bill prohibits shipping the product of somatic cell nuclear transfer in interstate or foreign commerce for the purpose of attempting to clone a human being. This provision will ensure that no one may attempt to evade the law by shipping the product of somatic nuclear cell transfer overseas for the purpose of cloning a human being.

Second, it stiffens already tough penalties in the President's bill to deter any attempt at cloning a human being. The bill provides a penalty of $1,000,000 or three times the gross gain or loss from such a violation, whichever is greater. In addition, the bill provides that any property used in an attempt to violate the act, as well as any property traceable to such an attempted violation, will be forfeited. Furthermore, the Attorney General, who is solely empowered to enforce the act, is granted the power of injunction to immediately enjoin violations.

Third, the bill preempts state laws that prohibit or restrict research regarding, or practices of, somatic cell nuclear transfer, mitochondrial or cytoplasmic therapy, or the cloning of molecules, DNA, cells, tissues, organs, plants, animals, or humans.

This provision is important because I believe we need a consistent national policy and we should discourage the practice of ''forum shopping'' from state to state for lenient laws.

This bill is not intended to preempt state laws such as California Penal Code Title 9, Chapter 12, Section 367g, and California Business and Professions Code Division 2, Chapter 5, Article 12, Section 2260, which require that physicians and other medical personnel obtain signed written consent from patients before sperm, ova, or embryos are used for any purpose other than reimplantation in the same patient or in their spouse, and require that any use

of sperm, ova, or embryos of donors comply with the written intent of the donor.

The California statues were passed in order to address serious allegations by at least 60 California families, that medical personnel at fertility clinics at the University of California at Irvine and the University of California at San Diego transferred donors' sperm, ova, or embryos to researchers or implanted them in other women, without donors' knowledge or consent. These allegations raise grave concerns about serious violations of personal integrity and privacy. This legislation is in no way intended to preempt or interfere in any way with these California statutes, or with related statutes that would have a similar effect.

Fourth, the bill we are introducing urges the President to cooperate with foreign countries to enforce restrictions on human cloning. Other countries are moving to ban human cloning and we should join them so that scientists cannot evade our laws by moving their operations offshore.

Finally, our bill establishes a 10-year ban, as opposed to the 5-year ban in the President's recommended legislation.

It is conceivable that there could be incredible scientific breakthroughs with cloning technology over the next 3 to 5 years.

But developing a legal and moral framework for understanding of the potential use and abuse of this technology will take much longer.

This legislation sunsets after 10 years, during which time the National Bioethics Advisory Commission must keep Congress and the President informed on the status of the science, its potential uses for society, and make recommendations on whether to continue the prohibition.

Congress can extend the ban temporarily or permanently at any time during or after the ten year period if it so chooses.

CONCLUSION

Creating life outside of the normal reproductive process has challenged many of our basic beliefs—never more so than with the notion of cloning a human being.

It is important that we as a society engage in a rigorous public debate to fully understand the science, the dangers, the potential benefits, and the moral and legal implications of this technology.

Throughout history, science has empowered humankind to achieve things never before believed possible. Our challenge is to harness this power without losing control over our own lives, or the moral compass that guides us.

I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent to submit for the RECORD the letter to which I referred.

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

FEBRUARY 2, 1998.

REGARDING: LEGISLATION TO BAN CLONING OF HUMAN BEINGS

DEAR MEMBER: We are writing to express our concern about legislation pending in the Congress to ban the cloning of entire human beings.

Let us be clear. We oppose the cloning of a human being. We see no ethical or medical justification for the cloning of a human being and agree with the conclusions of the National Bioethics Advisory Commission (NBAC) that it is unacceptable at this time for anyone in the public or private sector, whether in a research or clinical setting, to create a human child using somatic cell nuclear transfer technology. We recognize that this application of the technology raises fundamental ethical and social issues. This technology is not currently safe to use in humans.

The American Society for Reproductive Medicine, the Biotechnology Industry Organization, and the Federation of American Societies of Experimental Biology have all stated that their members will not seek to clone a human being. These three associations include essentially every researcher or practitioner in the United States who has the scientific capability to clone a human being.

We agree with NBAC in its report on cloning that: ''It is notoriously difficult to draft legislation at any particular moment that can serve to both exploit and govern the rapid and unpredictable advances of science.'' Poorly crafted legislation to ban the cloning of human beings may put at risk biomedical research, such as the use of cloning techniques on human cells, genes and tissues, which is vital to finding the cures to the diseases and ailments which our organizations champion. Cancer, diabetes, allergies, asthma, HIV/AIDS, eye diseases, spinal cord injuries, Guillain-Barré syndrome, Gaucher disease, stroke, cystic fibrosis, kidney cancer, Alzheimer's disease, tuberous sclerosis, tourette syndrome, alcoholism, autoimmune diseases, osteoporosis, Parkinson's disease, infertility, heart disease, diseases of aging, ataxia telangiectasia and many other types of research will benefit from the advances achieved by biomedical researchers.

We urge the Congress to proceed with extreme caution and adhere to the ethical standard for physicians, ''first do no harm.'' We believe that there are two distinct issues here, cloning of a human being and the healing which comes from biomedical research. Congress must be sure that any legislation which it considers does no harm to biomedical research which can heal those with deadly and debilitating diseases.

Please keep patients' concerns in mind as you proceed in analyzing this very complicated issue.

Sincerely,

AIDS Action Council; Allergy and Asthma Network/Mothers of Asthmatics, Inc.; Alliance for Aging Research; Alzheimer Aid Society; American Academy of Optometry; American Academy of Pediatrics; American Association for Cancer Education;

tion for Cancer Research; American Autoimmune Related Diseases Association; American College of Cardiology; American College of Medical Genetics; American Diabetes Association; American Heart Association; American Paralysis Association; American Pediatric Society.

American Society for Reproductive Medicine; American Uveitis Society; Americans for Medical Progress; Association of Medical School Pediatric Department Chairmen; Association of Pediatric Oncology Nurses; Asthma & Allergy Foundation of America; A–T Children's Project; Cancer Research Foundation of America; Cancer Care, Inc.; Cancervive; Candlelighter's Childhood Cancer Foundation; Cystic Fibrosis Foundation; Foundation for Biomedical Research; Guillain-Barré Syndrome Foundation International; International Patient Advocacy Association.

Joint Council of Allergy, Asthma and Immunology; Juvenile Diabetes Foundation International; Kent Waldrep National Paralysis Foundation; Log Cabin AIDS Policy Institute; National Alliance for Eye and Vision Research; National Alliance of Breast Cancer Organizations (NABCO); National Association for Biomedical Research; National Campaign to End Neurological Disorders; National Coalition for Cancer Research; National Foundation for Cancer Research; National Gaucher Foundation; National Kidney Cancer Association; National Osteoporosis Foundation; National Patient Advocate Foundation; National Stroke Association.

National Tuberous Sclerosis Association; Oncology Nurses Association; Outpatient Ophthalmic Surgery Society, Inc.; Parkinson's Action Network; Radiation Research Society; Research! America; Research Society on Alcoholism; RESOLVE; Roswell Park Cancer Institute; Society for Pediatric Research; Tourette Syndrome Association, Inc.

Mr. KENNEDY. Mr. President, several months ago, the world learned of one of the most astounding developments in modern biology: the cloning of a sheep named Dolly. This extraordinary scientific achievement awakened widespread concern about the possibility of a brave new world, where human beings would be cloned and where individuals would seek to achieve a kind of immortality by reproducing themselves. There is widespread agreement among scientists, ethicists, and ordinary Americans that production of human beings by cloning should be prohibited, at least until the possibilities and pitfalls of this scientific procedure are better understood.

The President reacted rapidly to this scientific advance and the unprecedented issues it raised by asking the National Bioethics Advisory Commission to study the issue and make recommendations. The Commission recommended that creation of human beings by cloning should be banned for several years, and the Administration has submitted legislation to implement this recommendation.

The legislation that Senator FEINSTEIN and I are introducing today will assure the American public that reproducing human beings by cloning will be prohibited. It largely follows the President's legislation and the Recommendations of the Commission. It makes it illegal to produce human beings by cloning and establishes strict penalties for those who try to do so. In addition, it prohibits anyone from beginning the cloning process in this

country and carrying out the implantation step in another country.

But just as important as what the bill does is what it does not do. It does not seek to use public concern about cloning to establish a back door ban on research into human development.

A prohibition that goes too far could outlaw needed research on the prevention, treatment, and cure of cancer.

It could outlaw needed research on fertility, to help birth defects, and hereditary diseases.

It could outlaw needed research on the cure of spinal cord injuries.

All of these various kinds of research have broad support in Congress and the country. Yet a blunderbuss ban on human development research could easily interfere with this important and life-saving research, or even halt it altogether.

In addition, the FDA has jurisdiction over human cloning and will act vigorously to shut down any clinic that operates without FDA approval. The FDA must find that human cloning is safe and effective. Given the current state of the science, the DFA would almost certainly decide that a human cloning procedure is not safe at the current time. The FDA approval process is not a permanent ban on human cloning, but it effectively bans the procedures for the near future.

The American Medical Association and over forty national medical organizations and research groups have voiced support for the kind of research that is urgently needed to continue the progress we are making against a wide range of diseases. Benjamin Younger, the Executive Director of the American Society for Reproductive Medicine, has said, ''We must work together to ensure that in our effort to make human cloning illegal we do not sentence millions of people to needless suffering because research and progress into their illness cannot proceed.''

The legislation we are introducing today will do what the American people want—ban the production of human beings by cloning. It strikes the proper balance between assuring that human beings will not be reproduced through cloning and allowing needed research to continue. I hope that Congress will act promptly to enact this legislation.

ADDITIONAL COSPONSORS

S. 89

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 89, a bill to prohibit discrimination against individuals and their family members on the basis of genetic information, or a request for genetic services.

S. 153

At the request of Mr. MOYNIHAN, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 153, a bill to amend the Age Discrimination in Employment Act of 1967 to allow institutions of higher education to offer faculty members who are serving under an arrangement providing for unlimited tenure, benefits on voluntary retirement that are reduced or eliminated on the basis of age, and for other purposes.

S. 260

At the request of Mr. ABRAHAM, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 260, a bill to amend the Controlled Substances Act with respect to penalties for crimes involving cocaine, and for other purposes.

S. 367

At the request of Mr. WELLSTONE, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 367, a bill to amend the Family and Medical Leave Act of 1993 to allow leave to address domestic violence and its effects, and for other purposes.

S. 729

At the request of Mr. HUTCHINSON, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 729, a bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide new portability, participation, solvency, and other health insurance protections and freedoms for workers in a mobile workforce, to increase the purchasing power of employees and employers by removing barriers to the voluntary formation of association health plans, to increase health plan competition providing more affordable choice of coverage, to expand access to health insurance coverage for employees of small employers through open markets, and for other purposes.

S. 1252

At the request of Mr. D'AMATO, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1252, a bill to amend the Internal Revenue Code of 1986 to increase the amount of low-income housing credits which may be allocated in each State, and to index such amount for inflation.

S. 1260

At the request of Mr. GRAMM, the names of the Senator from South Carolina (Mr. THURMOND) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1260, a bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

S. 1264

At the request of Mr. HARKIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1264, a bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to provide for improved public health and food safety through enhanced enforcement.

S. 1291

At the request of Mr. HATCH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1291, a bill to permit the interstate distribution of State-inspected meat under certain circumstances.

S. 1297

At the request of Mr. COVERDELL, the names of the Senator from Arizona (Mr. KYL), the Senator from Washington (Mr. GORTON), and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 1297, a bill to redesignate Washington National Airport as ''Ronald Reagan Washington National Airport''.

S. 1334

At the request of Mr. BOND, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1334, a bill to amend title 10, United States Code, to establish a demonstration project to evaluate the feasibility of using the Federal Employees Health Benefits program to ensure the availability of adequate health care for Medicare-eligible beneficiaries under the military health care system.

S. 1335

At the request of Ms. SNOWE, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of S. 1335, a bill to amend title 5, United States Code, to ensure that coverage of bone mass measurements is provided under the health benefits program for Federal employees.

S. 1360

At the request of Mr. ABRAHAM, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 1360, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify and improve the requirements for the development of an automated entry-exit control system, to enhance land border control and enforcement, and for other purposes.

S. 1422

At the request of Mr. MCCAIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1422, a bill to amend the Communications Act of 1934 to promote competition in the market for delivery of multichannel video programming and for other purposes.

S. 1563

At the request of Mr. SMITH, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1563, a bill to amend the Immigration and Nationality Act to establish a 24-month pilot program permitting certain aliens to be admitted into the United States to provide temporary or seasonal agricultural services pursuant to a labor condition attestation.

SENATE RESOLUTION 96

At the request of Mr. CRAIG, the names of the Senator from Louisiana (Mr. BREAUX), the Senator from Oregon (Mr. WYDEN), the Senator from Maryland (Mr. SARBANES), the Senator from Washington (Mrs. MURRAY), the Senator from Indiana (Mr. LUGAR), and the

Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of Senate Resolution 96, a resolution proclaiming the week of March 15 through March 21, 1998, as ''National Safe Place Week''.

SENATE RESOLUTION 155

At the request of Mr. LOTT, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of Senate Resolution 155, a resolution designating April 6 of each year as ''National Tartan Day'' to recognize the outstanding achievements and contributions made by Scottish Americans to the United States.

SENATE RESOLUTION 170

At the request of Mr. SPECTER, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of Senate Resolution 170, a resolution expressing the sense of the Senate that the Federal investment in biomedical research should be increased by $2,000,000,000 in fiscal year 1999.

AMENDMENT NO. 1397

At the request of Mr. GRAMM the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of Amendment No. 1397 intended to be proposed to S. 1173, a bill to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

SENATE RESOLUTION 172—RELATIVE TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Mr. BROWNBACK (for Mr. ROBB) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S.RES. 172

Whereas February 4, 1998, is the occasion of the 50th anniversary of the independence of the Democratic Socialist Republic of Sri Lanka from Britain;

Whereas the present constitution of the Democratic Socialist Republic of Sri Lanka has been in existence since August 16, 1978, and guarantees universal suffrage; and

Whereas the people of the Democratic Socialist Republic of Sri Lanka and the United States share many values, including a common belief in democratic principles, a commitment to international cooperation, and promotion of enhanced trade and cultural ties: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates President Chandrika Bandaranaike Kumaratunga and the people of the Democratic Socialist Republic of Sri Lanka on the celebration of 50 years of independence;

(2) expresses best wishes to the Government and people of the Democratic Socialist Republic of Sri Lanka as they celebrate their national day of independence on February 4, 1998; and

(3) looks forward to continued cooperation and friendship with the Government and people of the Democratic Socialist Republic of Sri Lanka in the years ahead.

SEC. 2. TRANSMITTAL OF RESOLUTION.

The Secretary of the Senate shall transmit an enrolled copy of this resolution to the Government of the Democratic Socialist Republic of Sri Lanka.

Mr. BROWNBACK. Mr. President, I rise on behalf of Senate Resolution 172, which commemorates the 50th Anniversary of independence of Sri Lanka. I believe it is appropriate that we so mark this occasion by offering our congratulations to her excellency, President Kumaratunga and the people of Sri Lanka.

In the first five decades since Sri Lanka gained its independence from British colonial rule, Sri Lanka has held regular national elections as well as provincial and local government elections. The most recent parliamentary elections were held in August 1994, and the third presidential election was held in November 1994.

Sri Lanka has prospered economically since 1977, when it introduced economic liberalization policies which shifted the economy away from state controls, subsidies and public sector involvement to a market-oriented system in which private entrepreneurship flourishes. The U.S. is Sri Lanka's largest trading partner, accounting for 30% of the latter's exports, and over 90 U.S. companies have invested in Sri Lanka, with a heavy concentration in mining and textiles.

U.S. official relations with Sri Lanka date back to 1850 when John Black, an American merchant residing in Colombo was appointed the first American commercial agent in GALLE. Fifty years later the agency moved to Colombo and became a consulate. It subsequently became an embassy in 1948 after Sri Lanka became independent.

The exchange of bilateral visits has played an important role in strengthening the cordial relations between our two nations. Then Secretary of State John Foster Dulles visited Sri Lanka soon after its independence, and since that time members of this body as well as our colleagues in the House have regularly visited this lovely country.

Despite its prosperity and commitment to democratic principles, Sri Lanka has been plagued for many years by two domestic insurgencies, one mainly Tamil in the North, and the other mainly Sinhalese, in the South. The result has been the loss of many lives and heavy damage to property. The government has reiterated its commitment to addressing grievances articulated by these groups through dialog and the process of negotiation. Four rounds of unconditional talks with the Tamil Tiger separatists were held following the President's election in November 1994, and a cease fire was subsequently reached. This however, was breached by the separatists after 3½ months when they resumed their terrorist activity.

As a result of these terrorist actions at home, Sri Lanka has placed counter terrorism at the forefront of its foreign policy. Sri Lanka was the Vice Chair of the United Nations Ad hoc Committee on Terrorism and played an important role in the drafting of the Convention for the Suppression of Terrorist Bombing, being the first to sign the Convention at United Nations Headquarters on January 12, 1998.

I am therefore, Mr. President, pleased to introduce this Senate Resolution. I want to commend the chairman of the Foreign Relations Committee, Mr. HELMS and the ranking member, Mr. BIDEN for their support.

I urge my colleagues to vote ''yea'' on this Senate Resolution.

AMENDMENTS SUBMITTED

RONALD REAGAN WASHINGTON NATIONAL AIRPORT LEGISLATION

REID AMENDMENT NO. 1640

Mr. REID proposed an amendment to the bill (S. 1575) to rename the Washington National Airport located in the District of Columbia and Virginia as the ''Ronald Reagan Washington National Airport''; as follows:

At the end, add the following:

SEC. ___. REDESIGNATION OF J. EDGAR HOOVER FBI BUILDING.

(a) IN GENERAL.—The J. Edgar Hoover FBI Building located at 935 Pennsylvania Avenue in Washington, District of Columbia, shall be known and designated as the ''Federal Bureau of Investigation Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''Federal Bureau of Investigation Building''.

DOD AMENDMENT NO. 1641

Mr. DODD proposed an amendment to the bill, S. 1575, supra; as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. FEDERAL FACILITIES REDESIGNATION ADVISORY GROUP.

(a) IN GENERAL.—There is established a Federal Facilities Redesignation Advisory Group comprised of—

(1) 2 members of the House of Representatives designated by the Speaker of the House;

(2) 2 members of the House of Representatives designated by the Minority Leader of the House;

(3) 2 members of the Senate designated by the Majority Leader of the Senate;

(4) 2 members of the Senate designated by the Minority Leader of the Senate; and

(5) the Administrator of General Services.

(b) PURPOSE.—The purpose of the Advisory Group is to consider and make a recommendation concerning any proposal to change the name of a Federal facility to commemorate or honor any individual, group of individuals, or event.

(c) CRITERIA.—

(1) IN GENERAL.—In considering a proposal to rename an existing Federal facility, the Advisory Group shall consider—

(A) the appropriations of the proposed name for the facility, taking into account any history of association of the individual for whom the facility is proposed to be named with the facility or its location;

(B) the activities to be carried out at, and function of, the facility;

(C) the views of the community in which the facility is located (including any public comment, testimony, or evidence received under subsection (d));

(D) the appropriateness of the facility's existing name, taking into account its history, function, and location; and

(E) the costs associated with renaming the facility and the sources of funds to defray the cost.

(2) AGE AND CURRENT OCCUPATION.—The Advisory Group may not recommend a proposed change in the name of a Federal facility for a living individual unless that individual—

(A) is at least 70 years of age; and

(B) has not been an officer or employee of the United States, or a Member of the Congress, for a period of at least 5 years before the date of the proposed change.

(d) ADMINISTRATION.—

(1) MEETINGS.—The Advisory Group shall meet publicly from time to time, but not less frequently than annually, in Washington, D.C.

(2) HEARINGS, ETC.—In carrying out its purpose the Advisory Group—

(A) shall publish notice of any meeting, including a meeting held pursuant to subsection (f), at which it is to consider a proposed change of name for a Federal facility in the Federal Register and in a newspaper of general circulation in the community in which the facility is located, and include in that notice an invitation for public comment;

(B) not earlier than 30 days after the date on which the applicable meeting notice was issued under subparagraph (A), shall hold such hearings, and receive such testimony and evidence, as may be appropriate; and

(C) may not make a recommendation concerning a proposed change of name under this section until at least 60 days after the date of the meeting at which the proposal was considered.

(3) ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall provide such meeting facilities, staff support, and other administrative support as may be required for meetings of the Advisory Group.

(e) REPORTS.—The Advisory Group shall report to the Congress from time to time its recommendations with respect to proposals to rename existing Federal facilities.

(f) PROPOSAL TO RENAME DCA.—Notwithstanding subsection (b), the Advisory Group shall not have the authority to consider any proposal to rename Washington National Airport, or a portion of the airport, in honor of former President Ronald Reagan.

SEC. 2. REPORT REQUIRED BEFORE EITHER HOUSE PROCEEDS TO THE CONSIDERATION OF LEGISLATION TO RENAME FEDERAL FACILITY.

(a) IN GENERAL.—It shall not be in order, in the Senate or in the House of Representatives, to proceed to the consideration of any bill, resolution, or amendment to rename an existing Federal facility unless the Advisory Group has reported its recommendation in writing under section 1(e) concerning the proposal and the report has been available to the members of that House for 24 hours.

(b) RULES OF EACH HOUSE.—This section is enacted by the Congress—

(1) as an exercise of rulemaking power of the Senate and of the House of Representatives, and as such subsection (a) is deemed to be a part of the rules of the Senate and the House of Representatives; and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate and the House of Representatives to change the rules (so far as relating to the procedure of the Senate or House of Representatives, respectively) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate or House of Representatives.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) ADVISORY GROUP.—The term ''Advisory Group'' means the Federal Facilities Redesignation Advisory Group established by section 1.

(2) FEDERAL FACILITY.—The term ''Federal facility'' means any building, road, bridge, complex, base, or other structure owned by the United States or located on land owned by the United States.

TITLE III—SENSE OF THE SENATE CONCERNING COMMISSION TO NAME FEATURES OF CAPITOL BUILDING AND GROUNDS

SEC. 301. SENSE OF THE SENATE CONCERNING COMMISSION TO NAME FEATURES OF CAPITOL BUILDING AND GROUNDS.

It is the sense of the Senate that Congress should establish, in accordance with the rules of the Senate and the House of Representatives, commission consisting of former members of Congress, appointed by the Speaker of the House, the Minority Leader of the House, the Majority Leader of the Senate, and the Minority Leader of the Senate, to recommend the naming or renaming of—

(1) architectural features of the Capitol (including any House or Senate office building); and

(2) landscape features of the Capitol Grounds.

DASCHLE (AND ROBB) AMENDMENT NO. 1642

Mr. DASCHLE (for himself and Mr. ROBB) proposed an amendment to the bill. S. 1575, supra; as follows:

On page 3, after line 5, insert the following:

SEC. 3. MWAA APPROVAL REQUIRED.

This Act shall not take effect until the Metropolitan Washington Airports Authority approves the redesignation of the airport provided for by section 1 of this Act.

ROBB (AND OTHERS) AMENDMENT NO. 1643

Mr. ROBB (for himself, Mr. DASCHLE, and Mr. FORD) proposed an amendment to the bill, S. 1575, supra; as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. FEDERAL FACILITIES REDESIGNATION ADVISORY GROUP.

(a) IN GENERAL.—There is established a Federal Facilities Redesignation Advisory Group comprised of—

(1) 2 members of the House of Representatives designated by the Speaker of the House;

(2) 2 members of the House of Representatives designated by the Minority Leader of the House;

(3) 2 members of the Senate designated by the Majority Leader of the Senate;

(4) 2 members of the Senate designated by the Minority Leader of the Senate; and

(5) the Administrator of General Services.

(b) PURPOSE.—The purpose of the Advisory Group is to consider and make a recommendation concerning any proposal to change the name of a Federal facility to commemorate or honor any individual, group of individuals, or event.

(c) CRITERIA.—

(1) IN GENERAL.—In considering a proposal to rename an existing Federal facility, the Advisory Group shall consider—

(A) the appropriateness of the proposed name for the facility, taking into account any history of association of the individual for whom the facility is proposed to be named with the facility or its location;

(B) the activities to be carried out at, and function of, the facility;

(C) the views of the community in which the facility is located (including any public comment, testimony, or evidence received under subsection (d));

(D) the appropriateness of the facility's existing name, taking into account its history, function, and location; and

(E) the costs associated with renaming the facility and the sources of funds to defray the costs.

(2) AGE AND CURRENT OCCUPATION.—The Advisory Group may not recommend a proposed change in the name of a Federal facility for a living individual unless that individual—

(A) is at least 70 years of age; and

(B) has not been an officer or employee of the United States, or a Member of the Congress, for a period of at least 5 years before the date of the proposed change.

(d) ADMINISTRATION.—

(1) MEETINGS.—The Advisory Group shall meet publicly from time to time, but not less frequently than annually, in Washington, D.C.

(2) HEARINGS, ETC.—In carrying out its purpose the Advisory Group—

(A) shall publish notice of any meeting, including a meeting held pursuant to subsection (f), at which it is to consider a proposed change of name for a Federal facility in the Federal Register and in a newspaper of general circulation in the community in which the facility is located, and include in that notice an invitation for public comment;

(B) not earlier than 30 days after the date on which the applicable meeting notice was issued under subparagraph (A), shall hold such hearings, and receive such testimony and evidence, as may be appropriate; and

(C) may not make a recommendation concerning a proposed change of name under this section until at least 60 days after the date of the meeting at which the proposal was considered.

(3) ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall provide such meeting facilities, staff support, and other administrative support as may be required for meetings of the Advisory Group.

(e) REPORTS.—The Advisory Group shall report to the Congress from time to time its recommendations with respect to proposals to rename existing Federal facilities.

(f) PROPOSAL TO RENAME DCA.—The Advisory Group shall meet within 60 days after the date of enactment of this Act to consider proposals to rename Washington National Airport, or a portion thereof, in honor of former President Ronald Reagan.

SEC. 2. REPORT REQUIRED BEFORE EITHER HOUSE PROCEEDS TO THE CONSIDERATION OF LEGISLATION TO RENAME FEDERAL FACILITY.

(a) IN GENERAL.—It shall not be in order, in the Senate or in the House of Representatives, to proceed to the consideration of any bill, resolution, or amendment to rename an existing Federal facility unless the Advisory Group has reported its recommendation in writing under section 1(e) concerning the proposal and the report has been available to the members of that House for 24 hours.

(b) RULES OF EACH HOUSE.—this section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and of the House of Representatives, and as such subsection (a) is deemed to be a part of the rules of the Senate and the House of Representatives; and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of the Senate and the House of

Representatives to change the rules (so far as relating to the procedure of the Senate or House of Representatives, respectively) at any time, in the same manner and to the same extent as in the case of any other rule of the Senate or House of Representatives.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) ADVISORY GROUP.—The term ''Advisory Group'' means the Federal Facilities Redesignation Advisory Group established by section 1.

(2) FEDERAL FACILITY.—The term ''Federal facility'' means any building, road, bridge, complex, base, or other structure owned by the United States or located on land owned by the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2:00 p.m. on Tuesday, February 3, 1998, in open session, to receive testimony on the Defense authorization request for fiscal year 1999 and the future years Defense program.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. HATCH. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a hearing Tuesday, February 3, 1998, at 2:00 p.m., Hearing Room (SD–406), to receive testimony from Donald J. Barry, nominated by the President to be Assistant Secretary for Fish and Wildlife, Department of the Interior; and Sallyanne Harper, nominated by the President, to be Chief Financial Officer, Environmental Protection Agency.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 3, 1998, at 10:00 a.m., to hold a hearing.

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

SUBCOMMITTEE ON FORESTS AND PUBLIC MANAGEMENT

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, February 3, 1998, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:30 p.m. The purpose of this hearing is to receive testimony on S. 1253, the Public Land Management Improvement Act of 1997.

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

ADDITIONAL STATEMENTS

50TH ANNIVERSARY OF THE YALE LIONS CLUB

● Mr. ABRAHAM. Mr. President, today I rise to celebrate a momentous occasion for Lions Club of the City of Yale, Michigan. On Saturday, February 14th, the Yale Lions will commemorate their 50th anniversary. I am pleased to have the opportunity to offer my congratulations for this auspicious event.

The Lions Club is dedicated to community service, and for half a century Yale Lions have worked to benefit the entire City of Yale. At the crux of membership in the Lions Club is the desire to help fellow citizens, and their shining examples of service have been displayed to the whole community. Consequently, tremendous growth has occurred and membership continues to expand, with the number of members nearly tripling since the Club was founded many years ago. The strong commitment to helping other individuals is outstanding, and I commend each member of the association for all their tireless efforts.

Again, I wish to express my warmest wishes for a successful event. I thank the Lions Club of Yale for their ceaseless commitment to their community, and wish the organization a bright future.●

COMMENDING GAO ASSISTANT COMPTROLLER GENERAL J. DEXTER PEACH

● Mr. GLENN. Mr. President, I rise today to pay homage to one of our Nation's most dedicated and loyal public servants, Assistant Comptroller General of the United States, J. Dexter Peach.

On January 2nd of this year, J. Dexter Peach retired following a distinguished 38-year career with the United States General Accounting Office, capped by 15 years as an Assistant Comptroller General.

Mr. Peach began his career with the General Accounting Office in 1960, rising through the evaluator ranks to lead two of its major divisions—Energy and Minerals and the Resources, Community and Economic Development Divisions—serving as Assistant Comptroller General for the latter. He is an acknowledged subject matter expert on a wide variety of national programs and policy issues dealing with energy, environment, natural resources, and economic development matters and has an in-depth understanding of federal legislative and regulatory processes. As Assistant Comptroller General for Planning and Reporting, Dexter Peach had broad responsibility for maintaining the Office's planning system and assuring the overall quality of the agency's planning system and assuring the overall quality of the agency's products.

Mr. President, I had the privilege of working with Dexter Peach in my capacity as both Chairman and Ranking Minority Member of the Senate Committee on Governmental Affairs. His critical work relating to energy issues after the OPEC embargo in 1973, earned him the Comptroller General's Award for contributions to energy issues of national importance. He has also received three Federal Senior Executive Service Rank Awards—a Distinguished Rank and two Meritorious Ranks. The American University also distinguished him with their prestigious Roger W. Jones Award, bestowed annually to a career federal civil servant for outstanding public service.

Mr. President, the General Accounting Office was created in 1921 with the mandate to audit, evaluate, or investigate virtually all federal government operations—wherever they might take place. In other words, the GAO serves as a ''watchdog'' over the taxpayers' money—guarding against fraud, abuse, and inefficient allocation of public funds.

GAO evaluations under Dexter Peach's guidance and leadership have saved taxpayers billions of dollars. During his career as Assistant Comptroller General, Congress has implemented numerous recommendations resulting from his work—including budget reductions, cost avoidances, appropriations deferrals, and revenue enhancements. He has also been instrumental in assisting the Congress by directing reports on the costs of cleaning up nuclear weapons complexes, environmental crises such as the Exxon/Valdez oil spill, efforts to preserve and protect the nation's drinking water, and issues dealing with the deregulation and safety of the airlines industry.

In short, Mr. President, Dexter Peach's tenure at GAO has been characterized by success on every level; throughout his career, he has served as an example of a truly exceptional public servant. I am sure I speak for all of us here in the Senate in giving recognition to a man who has served this Nation with integrity, dedication, honor, and diligence—Assistant Comptroller General J. Dexter Peach.●

TRIBUTE TO DAVE MOORE

● Mr. GRAMS. Mr. President, it is with great sorrow that I rise today to acknowledge the passing of my former colleague Dave Moore on January 28, and with great joy that I recall his memory and the happiness he brought to Minnesota television viewers for over thirty-four years.

Dave Moore was hired by WCCO Television in Minneapolis for a series of announcing jobs in July of 1950. At the onset of daily newscasts at WCCO in 1957, Dave was placed at the helm of the 10 p.m. broadcasts.

For the next thirty-four years Dave would become a fixture on Minnesota television and a true icon. It is difficult to imagine that in July of 1957 the management of WCCO, and quite possibly Dave himself, knew that Dave

would become such an legend. Scores of Minnesotans would tune into WCCO news each night and hear Dave's friendly voice as he reported the news with his warm, yet serious, demeanor.

Trained as an actor at the University of Minnesota, Dave reported the news with the spontaneity, flair, and wit that only an actor could provide. Dave's acting talents made it possible for him to venture beyond his role as an anchorman to his role on ''Bedtime Nooz'' where each Saturday night between 1962 and 1971 he would take a satirical look at current events.

Dave's broadcasting success was acknowledged by a number of awards and honors, including the Mitchell V. Charnley Award in 1983, as well as being named Outstanding Broadcast Personality of 1991 by the Minnesota Broadcasters Association. In addition, ''The Moore Report,'' a documentary and public interest program hosted by Dave, won numerous awards, including the George Foster Peabody Award for its special titled ''Hollow Victory: Vietnam Under Communism.''

As a truly gifted orator, Dave used his talents to serve his community by doing volunteer reading for Radio Talking Books for the Blind, and making frequent visits to local elementary schools to read to the students.

A native of Minneapolis, Dave was quite content with establishing his career in the his hometown, untempted by the possibilities available to a person of his talents. Dave was the most visible personality on WCCO when it was at its pinnacle, yet that did not cause him to shy away from the public. Dave often acted in community plays and could be frequently seen around Minneapolis simply participating in life in the city he loved as just another one of its ordinary citizens.

Mr. President, I wish to offer my sincerest condolences to Dave's family and on behalf of the citizens of Minnesota reassure them that we all share in their loss. At the conclusion of his last broadcast on December 6, 1991, Dave expressed his sentiments by simply stating, ''There will be no maudlin, tearful farewell, just a simple, but very heartfelt thank-you to all of you for your support down through the years. I've been very touched by it.'' Thank you Dave, you touched us as well.●

COMMENDING VICKI DONOVAN AS THE 1998 NEW HAMPSHIRE TEACHER OF THE YEAR

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to Vicki Donovan for being named New Hampshire's 1998 Teacher of the Year. Vicki is a fourth-grade teacher at Belmont Elementary School, where she has taught for eleven years. I commend her outstanding accomplishment and well-deserved honor.

Vicki, who lives in Belmont, will spend the next year representing New Hampshire's teachers at various statewide and regional functions. As New Hampshire's Teacher of the Year, she will be considered for the National Teacher of the Year Award sponsored by the Council of Chief State School Officers and Scholastic, Inc. The National Teacher of the Year Program is the oldest and most prestigious honors program to focus public attention on excellence in teaching. New Hampshire's Commissioner of Education, Elizabeth Twomey, named Vicki the Teacher of the Year.

Vicki's accomplishments as a teacher are numerous. She organized Belmont Elementary School's yearbook in her first year there, and has taught at several grade levels in the elementary school. She is involved with the Belmont Elementary School Support Group, B.E.S.T., and has served on the town's Civic Profile Committee, Government Study Group, and Youth and Education Committee.

In addition to her numerous extracurricular accomplishments, Vicki has excelled in perhaps the most important area: her students. Vicki's students say their experience with her as their teacher marked their best year in school.

New Hampshire has always been fortunate to have many talented teachers, but Vicki Donovan is certainly a role model among teachers of the Granite State. As a former teacher myself, I am proud of her commitment to education and congratulate her on this distinguished achievement.●

IN RECOGNITION OF PEGGY POSA

● Mr. LEVIN. Mr. President, I rise today to recognize and pay tribute to a remarkable woman from Michigan, Peggy Posa. Peggy is retiring after more than ten years of service as Executive Director of the Coalition on Temporary Shelter (COTS).

Before Peggy Posa arrived, COTS was considered an important emergency shelter for homeless people in Detroit. By providing this service alone, COTS was a key part of the network of community organizations which serve underprivileged residents of Detroit. Under Peggy's leadership, however, COTS has grown to be considered one of Michigan's most respected providers of housing and comprehensive services for homeless people. She led COTS through an expansion and renovation of three shelter facilities; the creation of twenty-three units of permanent supportive housing for frail, elderly and mentally challenged individuals; the creation of three transitional housing programs; and the development of a variety of support services designed to assist people seeking to regain economic self-sufficiency and decent, affordable housing.

Peggy Posa is widely admired as an innovative and tireless leader on issues related to the problem of homelessness. While she is retiring from her full time responsibilities, she has said that she will continue to be involved with COTS on a part time basis. I have no doubt that her colleagues and the people she serves are grateful for her continued dedication and support.

Mr. President, Peggy Posa and COTS can take pride in the fact that they have truly succeeded in helping people to change their lives. I hope my colleagues will join me in saluting Peggy's commitment to her community and in wishing her well in her retirement.●

PRESIDENT EDUARD SHEVARDNADZE

● Mr. BROWNBACK. Mr. President, last Friday, January 23rd, was the birthday of President Eduard Shevardnadze. This is a man whose active and courageous involvement helped bring the cold war to a peaceful end and who is now rebuilding Georgia from a ruinous civil war. He has taken a courageous position, even in the face of assassination attempts, to bring about and maintain the independence of freedom of his native country, Georgia.

Mr. Shevardnadze is working hard to bring about difficult economic reform and to build an independent legislative branch. He has introduced some remarkable changes in Georgia: he introduced a new currency, adopted and implemented a new constitution, removed mafia leaders from powerful positions, secured the transportation of Caspian oil through Georgia and has worked hard at establishing regional cooperation with other leaders in the Caucasus and Central Asia. His dedication to furthering independence, economic prosperity and harmony in the region places him as a historic world figure. Mr. Shevardnadze's achievements should be noted and recognized on the occasion of his 70th birthday.

I ask that my letter to President Shevardnadze be printed in the RECORD.

The letter follows:

WASHINGTON, DC,
January 23, 1998.

His Excellency President SHEVARDNADZE,
President of Georgia,
Tbilisi, Georgia.

DEAR PRESIDENT SHEVARDNADZE, I am writing to congratulate you on the occasion of your 70th birthday and to take this opportunity to acknowledge your courageous work in building a free and independent Georgia. Your initiatives in promoting and advancing the economic and political freedom of your country are well noted by your friends and admirers throughout the world and place you as a historic world figure. Please count me as one of those who acknowledges your great contributions to the creation of a better world.

As Georgia continues to develop and improve, let us hope that our nations will share the fruits of our labors through peace and security for all the newly independent states. The challenges to this are real, but with men of vision such as yourself, it is my belief that this can be accomplished.

I hope our paths will cross on the ''Silk Road'' before your next birthday and I can extend to you personally my best wishes and regards. Again my sincere congratulations on your birthday, please accept my heartfelt

wishes for your continued vigor and commitment to your native land which now has the honor and privilege of your full attention. May this year be your most fulfilling and productive yet.

Sincerely,

SAM BROWNBACK,
U.S. Senator.●

SENATOR JOHN BURTON

● Mrs. BOXER. Mr. President, today I want to congratulate California State Senator John Burton as he assumes the role of President Pro Tempore of the California State Senate.

When I was first elected to the U.S. Congress in 1983, it was the seat of Congressman John Burton in which I served.

Then, as now, I never forgot his advice to me: ''Believe in yourself, follow your heart, and don't be afraid.''

That advice has never let me down.

Senator John Burton is an inspiration to many people. His life and success are triumphs of hope and determination.

It is a widely known fact that Senator Burton struggled with addiction in the past and had to step back from politics for a time to reclaim his life.

John Burton earned his way back into the political life of California much in the way that he first entered it—as a champion of people too often overlooked or undervalued.

John Burton's career is a testament to the virtues of loyalty, consistency, courage and service. For all his work and spirit have meant to those he has touched, it is no wonder his colleagues elected him to lead them in the California Senate.

Even though I can't believe I have to call him ''Mr. President,'' as a United States Senator, I couldn't be more proud!●

MONTANA TEEN DAY

● Mr. BURNS. Mr. President, today, Tuesday, February 3, 1998, has been declared Teen Day throughout the State of Montana. This celebration is an opportunity to honor and recognize Montana's outstanding teens for their accomplishments and contributions.

On this special day, events and activities across Montana are being held to acknowledge these young individuals for their achievements and contributions to their community. Teen Day is also an opportunity to congratulate teens for continuing to choose healthy lifestyles, such as not smoking, not taking drugs, and not drinking.

Montana's youth are more likely to be enrolled in school, graduate and attend college than the national trend. For our future business owners, professionals and community leaders, Teen Day 1998 is a time for all Montanans to recognize its young citizens and continue to acknowledge and encourage their scholastic, social and community pursuits.●

MEASURE READ THE FIRST TIME—S. 1601

Mr. COVERDELL. Mr. President, I understand that S. 1601, which was introduced earlier today by Senator LOTT, is at the desk. I now ask for its first reading.

The PRESIDING OFFICER. The bill will be read for the first time.

The legislative clerk read as follows:

A bill (S. 1601) to amend title 18 of the United States Code, to prohibit the use of somatic cell nuclear transfer technology for purposes of human cloning.

Mr. COVERDELL. Mr. President, I now ask for its second reading and object to my own request on behalf of the other side of the aisle.

The PRESIDING OFFICER. Objection is heard.

The bill will be read the second time on the next legislative day.

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

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

ORDERS FOR WEDNESDAY, FEBRUARY 4, 1998

Mr. COVERDELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. on Wednesday, February 4; that immediately following the prayer, the routine requests through the morning hour be granted and the Senate then proceed to morning business, not to exceed 30 minutes, with Senators permitted to speak for up to 5 minutes each, with the following exceptions: Senator STEVENS, 10 minutes; Senator WARNER, 5 minutes.

I further ask unanimous consent that at 10:30 a.m., the Senate resume S. 1575 and that there be five consecutive votes, with 4 minutes equally divided before each vote for explanation; that following the vote with respect to amendment No. 1642, the bill be immediately advanced to third reading and passage occur, all without further action or debate. I further ask that all amendments be in order, regardless of the fact that some of the amendments are in the form of a substitute.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

PROGRAM

Mr. COVERDELL. Mr. President, following those votes, at approximately 12 noon, the Senate can be expected to begin the nomination of David Satcher to be Surgeon General. It is the leader's hope that a confirmation vote could occur before the close of business on Wednesday or set by consent to occur on Thursday morning. Therefore, Senators should be on notice that up to five consecutive rollcall votes will occur beginning at approximately 10:35 a.m. on Wednesday.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:12 p.m., adjourned until Wednesday, February 4, 1998, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 3, 1998:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDANT OF THE UNITED STATES COAST GUARD, AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 44:

To be admiral

VICE ADM. JAMES M. LOY, 0000.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 3, 1998:

THE JUDICIARY

CARLOS R. MORENO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

CHRISTINE O.C. MILLER, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

EXTENSIONS OF REMARKS

RONALD REAGAN NATIONAL AIRPORT

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. SOLOMON. Mr. Speaker, if I had my way Ronald Reagan would not only have the key airport in Washington named after him, he'd have his face on Mt. Rushmore.

But for now, renaming the airport will do. His birthday comes in a few days, and this would be a fitting present. A few years ago, Mr. Speaker, we sent President Reagan another fitting present, passage of the line item veto, which he championed so vigorously during his administration. Why such honors for the former President? In all due respect to the current and previous occupants of the White House, Mr. Speaker, Ronald Reagan left a positive stamp on the political life of this country that even present and future presidents will never erase.

It was my great privilege, Mr. Speaker, to serve as one of Ronald Reagan's group of core congressional advisors, along with such outstanding leaders as former Congressman Bob Walker, and present Senate Majority Leader TRENT LOTT. And it was a singular honor to carry President Reagan's water on foreign affairs in the House, because it was his leadership that led to the collapse of the Berlin Wall and the dissolution of the Soviet Empire.

His leadership was equally effective in economic policy. Recently, a survey of leading American businessmen attributed today's strong economy precisely to Reaganomics. Those businessmen made it clear that although President Clinton is the beneficiary, he is by no means the cause, of that prosperity.

And finally, Ronald Reagan set a moral tone for this country solidly rooted in traditional American virtues. His personality, his sense of humor, his ability to distill complex issues into language everyone understood, and finally, his total lack of guile and malice disarmed his critics and made us all feel good once again about being Americans.

The political landscape was littered with the bones of critics who underestimated him until the very last moment in 1989, when he climbed aboard the helicopter carrying him away from Washington for the last time. It was not the same Washington that greeted him in 1981. Ronald Reagan changed the very vocabulary of this city. And when we finally balance the budget and dig Americans out from the mountain of debt built by Ronald Reagan's critics, it will be the greatest birthday present of all.

Mr. Speaker, let me close by saying, ''Mr. President—and for me Ronald Reagan will always be 'Mr. President'—I miss you, your country misses you, and we all wish you the happiest of birthdays with many returns.''

IN HONOR OF ROBERT J. FROST

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. SCHUMER. Mr. Speaker, I would like for my colleagues to stand with me today to pay tribute to Officer Robert J. Frost of New York for his bravery and selflessness.

He is already called the ''Christmas Angel'' by the Pareja family. He had simply made the decision to stay late at work one night, and on his usual walk home is when he noticed the strong smell of smoke. Because he followed his hunch that something was terribly wrong, he is credited with helping a family of 9 escape from their burning home. You could say it was fate that brought together Transit Officer Frost and the Pareja family. I would say, like them, that it must have been a miracle.

Gathering here today to acknowledge the heroism of Robert, reminds us to continually pay heed to the local heroes of our communities. Recognizing Robert Frost will allow us all to take stock in our actions and reflect on how we too can make a difference in our neighbor's lives. Robert did not have to run up to the burning house. He did so because he cared enough and perhaps because like all of us, he would like to believe that someone would do the same for him if he ever needed their help. Let us take this moment to thank all the Officer Frosts out there and pray that we can be fortunate enough to have an ''angel'' like him around. I wish Robert Frost and his family all the success in future endeavors.

PROMOTING DEMOCRACY AROUND THE WORLD

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. HAMILTON. Mr. Speaker, the euphoria that greeted the end of the cold war, and the authoritarian regimes around the world that drew their strength from it, is fading as we face the reality of how difficult it is to instill democratic ideals and processes in emerging nations. Some critics have argued that elections have not brought freedom to many of these countries. Some have even gone so far as to suggest that a new kind of authoritarian government might be preferable to an elected one.

I am not so pessimistic. In my judgment, what is useful at this point in the U.S. and international experience with democracy-building programs is to analyze which programs have proven useful in the long-term process of reforming institutions and citizens' demands on their governments. Instead of giving up on democracy, we should support the democratic leaders—in government and civil society—who will lay the foundation for reforms in their countries.

I would commend to my colleagues a January 26, 1998 Wall Street Journal article on this subject by Marc F. Plattner and Carl Gershman of the National Endowment for Democracy. The Endowment works creatively with non-governmental organizations in the U.S. and around the world to help build lasting democratic institutions that can protect fundamental freedoms. I am proud to be one of its strongest supporters.

The article follows:

[From the Wall Street Journal, Jan. 26, 1998]

DEMOCRACY GETS A BUM RAP

(By Marc F. Plattner and Carl Gershman)

Two recent articles—by Fareed Zakaria in Foreign Affairs and by Robert Kaplan in The Atlantic Monthly—have given voice to a growing pessimism about the global fortunes of democracy. This gloom is no more well-founded than the euphoria about democracy that prevailed just a few years ago. For serious students of democracy have always known that it is a difficult form of government to sustain: Setting up a new democracy is much easier than getting it to perform well or to endure.

Two decades ago the world had only a few dozen democracies, predominantly in Western Europe or countries populated primarily by the descendants of Western Europeans. Citizens of these countries enjoyed not only free and competitive multiparty elections but also the rule of law and the protection of individual liberties. Nearly all (India being the most notable exception) had advanced industrial economies, sizable middle classes and high literacy rates—characteristics that political scientists typically regarded as ''prerequisites'' of successful democracy. Meanwhile, what were then called the Second and Third Worlds were dominated by other kinds of regimes (Marxist-Leninist, military, single-party, etc.) that rejected multiparty elections.

REGIMES CRUMBLED

By the early 1990s this situation had changed dramatically, as Marxist-Leninist, military and single-party regimes crumbled and were mostly succeeded by regimes that at least aspired to be democratic. Today, well over 100 states can plausibly claim to have elected governments, including most countries in Latin America, many in the post-Communist world and a significant number in Asia and Africa.

Outside Africa, surprisingly few of these regimes have suffered outright reversions to authoritarianism. At the same time, it has become clear that many of them, even among those that hold unambiguously free and fair elections, fall short of Western standards in protecting individual liberties and adhering to the rule of law. As Larry Diamond, co-editor of the Journal of Democracy, puts it, many of the new regimes are ''electoral democracies'' but not ''liberal democracies.'' Mr. Zakaria puts a more pessimistic spin on a similar diagnosis in his article, entitled ''The Rise of Illiberal Democracy.''

The difference is more than semantic. Calling the emerging democracies ''illiberal'' suggests that they constitute a new threat to freedom. In fact, compared with the old regimes, they represent a major gain for freedom, a new opening that makes possible

the gradual institutionalization of democratic practices and liberties. The new pessimists criticize the simplistic view that elections are sufficient to make a country free. But they commit the same fallacy, failing to recognize that democratization is a process of transition, not an instant transformation to a new order.

The new pessimists seem inclined to rush to the judgment that elections are the primary cause of the problems besetting the new democracies, and to believe that the holding of all those elections is a product of U.S. policy. Both these propositions are false.

The problem with elections, it is said, is that they empower majorities that may favor policies motivated by ethnic or religious intolerance or by short-term economic interests. This is a danger, but what is the alternative? The critics tend to suggest some version of what might be called ''liberal nondemocracy''—an unelected government that preserves political stability, promotes economic development, observes the rule of law and generally respects the rights of its subjects.

In theory such a benevolently authoritarian government might be preferable to a corrupt and illiberal democracy. But where can we find one in the real world? The critics cite very few contemporary examples. Mr. Kaplan lavishes praise on the temporary, technocratic government of Pakistan's appointed premier Moeen Qureshi, named to the post after the army forced out his elected predecessor in 1993. Mr. Qureshi served for just three months—hardly a model for long-term stability or widespread emulation. Mr. Zakaria's prime examples are 19th-century European constitutional monarchies that restricted suffrage and Hong Kong under British rule—not exactly a practical vision as we look toward the 21st century.

Proponents of liberal nondemocracy fail to recognize that there is a reason why electoral democracy and liberalism, though sometimes at odds, usually tend to be found together. Liberalism derives from the view that individuals are by nature free and equal, and thus that they can be legitimately governed only on the basis of consent. The historical working-out of this principle inevitably ''democratized'' Europe's constitutional monarchies, just as it later undermined colonialism. Even if ''first liberalism, then democracy'' were the preferred historical sequence, today a nondemocratic government would be hard put to find a solid basis for its ligitimacy—and thus also for its stability—while it goes about the task of liberalization.

Moreover, the new pessimists overlook the close connection between elections and rights. Elections, if they are to be free and fair, require the observance of a substantial body of rights—freedom of association and expression, for example, and equal access to the media. The pessimists fear that elections will undermine rights by legitimizing illiberal regimes. But elections, if they are truly competitive, tend to arouse citizens to insist upon their rights and upon the accountability of elected officials. The process makes government more subject to public scrutiny.

The spread of democracy abroad is the result not of American policy or propaganda, but of demands by peoples worldwide. Whether this demand springs from human nature or from global communications and the unparalleled current prestige of democracy, people almost everywhere want to have a say about who their rulers are. On what basis shall we deny them? Mr. Kaplan suggests that electoral democracy is somehow responsible for the problems of places like Russia, Afghanistan and Africa today. This is plainly absurd. If democracy is the problem, why wasn't Africa flourishing during the 1970s and 1980s, when the continent had but a handful of democracies?

ELECTIONS ARE NOT ENOUGH

None of this is meant to deny the important—though hardly unfamiliar—insight that elections are not enough. Many of the new democracies have performed poorly with respect to accountability, the rule of law and the protection of individual rights. Helping electoral democracies become liberal democracies is certainly in the interests both of the U.S. and of the countries that we assist.

But we are more likely to provide such assistance if we view elections as an opportunity to work for the expansion of rights, rather than an obstacle to it. As countries lacking the usual prerequisites attempt to liberalize and improve their democracies, it would be foolish not to expect serious problems. But it would be even greater folly to believe that authoritarianism is the solution.

TRIBUTE TO WILLIAM RUSSELL KELLY, FOUNDER OF KELLY SERVICES

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. LEVIN. Mr. Speaker, I rise today to honor the memory of Mr. William Russell Kelly, founder of Russell Kelly Office Service, and founder of this modern temporary help industry. Mr. Kelly died Saturday, January 3 at his home in Ft. Lauderdale, Florida. He was 92.

In 1946, single-handedly, Russ Kelly founded a new industry in a Detroit storefront. It began as an accommodation to employers to fill in for vacationing or sick employees, and also to supplement regular staff during short-term workloads. In the early days most of the temporary employees were women secretaries, hence the name ''Kelly Girls'' soon became a trademark around the world. Society has moved far beyond this confined role for women and so has the company; today, tens of thousands of professional and technical women and men have joined others in Kelly Services.

Beginning as a fledgling company totaling $848.00 in sales in its first year, Kelly Services has grown today to a Fortune 500 and a Forbes 500 company, with annual sales approaching $4 billion. Annually, this Troy, Michigan-based company provides the services of more than 750,000 of its employees through more than 1500 company offices in 50 states and 16 countries.

Mr. Speaker, I ask my colleagues to join me in honoring the ingenuity and the memory of this entrepreneurial pioneer. Indeed, when Russ Kelly was asked how he wanted to be remembered, he said, ''Only as a pioneer.''

I extend my sincere sympathy to Russell Kelly's wife, Margaret, his son, Terence E. Adderley, who joined the company in 1958 and became its President in 1967 and who has now succeeded Mr. Kelly as Chairman of the Board of the Company, his daughter-in-law, Mary Beth and his six grandchildren, and three great-grandchildren.

A TRIBUTE TO DAVE MOORE

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. RAMSTAD. Mr. Speaker, I rise to pay tribute to a true pioneer in broadcasting and television journalism.

These are very sad days in Minnesota, as a true legend has passed from our midst. No one who has called Minnesota home for the past half century will ever forget Dave Moore of WCCO Television in Minneapolis, who died on Wednesday, January 28, 1998.

Dave Moore was much, much more than a television news anchor. His standard-setting ethics, keen wit, astute observations, lyrical prose, sheer longevity, inspiring work ethic and unique, curmudgeonly demeanor helped to define Minnesota for all of us who absolutely had to be home for the 6 and 10 p.m. news. His background in theater gave him a special talent few of today's journalists possess: the ability to touch viewers by conveying his feelings.

Mr. Speaker, Dave was a humble man, full of self-effacing humor, never one to overrate his importance in our lives. ''I am a very lucky guy . . . I have one marketable talent,'' he once said, ''reading out loud.''

For 47 wonderful years on Channel 4, WCCO–TV, Dave gave us the news. On newscasts from 1957 until 1991, he was there every day.

Late on Saturday nights, you were absolutely un-Minnesotan if you weren't home for Moore's late-night ''The Bedtime Nooz,'' a show full of cutting-edge humor that poked fun at current events and politicians.

An outsider trying to gauge Dave Moore's significance to Minnesotans needed only look at the front pages of newspapers last week. The tributes to Dave Moore have been poignant and powerful: grown people searching and yanking deep to pull up childhood memories—and producing tears mixed with laughter in our newspapers and on broadcasts across the dial.

Mr. Speaker, if you went back to just about any day—from television news' infancy in the 1950s to its slick, digitalized, distant relative here in the 1990s—you would find Moore dominating conversations, too. You would hear at lunch counters the ubiquitous query: ''Did you hear what Dave said last night on the news?''

The Star Tribune wrote that, with Moore, it was ''not a question of credibility, or expertise, or looks—certainly not looks. It's simply that Moore had a presence that inspired calm, trust and good will.'' The Pioneer Press said Dave Moore ''was a kind of Midwestern comfort food—the meatloaf and mashed potatoes of broadcast . . . the heart behind the headlines.''

Dave Moore was anything but slick, and that's why we loved him so much. He was trust personified, substance over style. His credibility was beyond reproach. But if you saw him at one of his favorite places out in public—a play, baseball game, movie—he was easily approachable. His diverse and widespread charitable efforts were inspiring. A truly fitting favorite was reading the newspaper to the blind.

This week, a Vietnam veteran called a radio station to pay his tribute to Dave Moore. This

vet said when he returned from the war, he had totally lost his sense of humor. He said he only started to laugh again when he tuned into Dave Moore.

Mr. Speaker, Dave Moore was much, much more than just your everyday anchorman. He was the man we welcomed into our homes every day and filled it with important facts, wit, perspective and the simple joys of being from Minnesota.

Dave Moore gave us great and priceless gifts. Our thoughts and prayers are with his wife Shirley and their wonderful family. Minnesota will never forget Dave. As one newspaper put it: ''Journalism won't see his like again.'' And Minnesota won't see a friend like him again, either.

TRIBUTE TO LOUISE RENNE, SAN FRANCISCO'S OUTSTANDING CITY ATTORNEY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. LANTOS. Mr. Speaker, it is truly an honor for me to pay tribute to San Francisco City Attorney Louise Renne, who was recently cited in *California Lawyer* magazine as one of the state's top attorneys for 1997. To those of us who have known her and followed her career over the course of the last three decades, Louise is so much more than an outstanding solicitor: She is a fighter for the people of San Francisco, a crusader for the progressive values of fairness and equal rights and one of the most compassionate and decent public officials that I have had the privilege of knowing.

California Lawyer writes: ''Think of a hot political issue that came up during the past year involving a city, and San Francisco City Attorney Louise Renne was probably center stage.'' For Louise, 1997 was indeed a successful year, as her participation in a $1 billion-plus lawsuit forced Bank of America to admit its culpability in knowingly mishandling millions of dollars as trustee of San Francisco's municipal bond programs.

While this is a landmark achievement for the city, it serves as only one of many in Louise's remarkable career. Her commitment to public service has spanned decades, initially as a California deputy attorney general for eleven years, during which time she worked with the Sierra Club to stop clear-cutting at Redwood National Park and with the San Francisco Fire Department to ensure the hiring of more women and minorities. As president of the California Women Lawyers during the 1970's, she fought tirelessly for increased representation of women on the judicial bench. In her twelve years as City Attorney, she and her highly regarded staff have established a record of legal accomplishment and dedicated community activism that dwarfs contemporaries and predecessors alike.

One of Louise Renne's most recent and, in many respects, most significant battles has been her fight against Big Tobacco. In June 1996, at a time when many analysts and attorneys claimed that it would be folly to demand compensation from large tobacco companies for the billions of public dollars spent on treating tobacco-related illnesses, her office filed suit against these irresponsible corporations. San Francisco was one of the first cities to stand up to Big Tobacco, but certainly not the last.

Following Louise's leadership, public officials began to speak out in overwhelming numbers, demanding that tobacco companies be held accountable for decades of deceit and outright lies. She has already scored one huge victory, negotiating a settlement with R.J. Reynolds that included $1.5 million for city anti-smoking programs focusing on children and a ban on the use of the cartoon character Joe Camel forever in the State of California. She continues to make her voice, and the voices of the overwhelming majority of San Franciscans, heard on this vital issue, fighting for legislative initiatives which promise to reimburse cities and towns, restrict tobacco advertising and keep this addictive and deadly drug away from our children.

Mr. Speaker, I am proud to have as my constituent and friend such as outstanding public servant. Congratulations to Louise Renne on being named by *California Lawyer* as one of the state's top attorneys for 1997, and congratulations to all San Franciscans for twice electing this outstanding woman as City Attorney.

TRIBUTE TO ISAAC AND VEOLA CHAMBERS, RUTHERFORD BOYD GASTON, SR., DR. BENJAMIN F. QUILLIAN, MICHAEL E. SMITH, AND LA'VERA ETHRIDGE-WILLIAMS

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Isaac and Veola Chambers, Rutherford Boyd Gaston, Sr., Dr. Benjamin F. Quillian, Michael E. Smith, and La'Vera Ethridge-Williams for being selected the 1998 Portraits of Success program Honorees by KSEE 24 and Companies that Care. In celebration of African-American History Month, these five leaders were honored for their unique contributions to the betterment of their community.

Isaac and Veola Chambers were selected for the Portraits of Success award as a husband and wife team. They have lived in Madera since 1957 and have been blessed with nine children. Veola Chambers was a farm worker and nurse's aid until 1975. She then was hired by the Madera County Welfare Department as a social service aid. In 1977, she served as a peace officer for the Madera County Probation Department until 1995. Isaac Chambers served in the U.S. Army during the Korean War and was discharged in 1956. After his discharge he worked hard in the construction industry and in the fields. In 1968, he became the foreman for the United Vintners/Canadian Winery in Madera, where he worked until retirement in 1995. The Chambers have also worked hard to give back to the community by organizing food, clothing and toy drives for the needy. They organized Fresno's popular ''Juneteenth Celebration'' and have been very active with the Second Baptist Missionary Baptist Church. Isaac and Veola Chambers have truly been model citizens over the years through their strong dedication to children, family values, hard work, volunteerism and a commitment to church and God.

Mr. Rutherford ''Bud'' Gaston is one of Fresno's most highly distinguished African-American leaders. He achieved the rank of Second Lieutenant in five years of service with the U.S. Army. After his military service, Mr. Gaston enrolled at California State University, Fresno and obtained a degree in education. He later went on to obtain a Masters Degree in Educational Administration. Mr. Gaston had a distinguished teaching career in the Fresno Unified School District from 1953 to 1986. His passion for education is reflected by his lifetime involvement with community educational advocacy groups. Mr. Gaston founded Black Educators of Fresno in 1961, and was instrumental in Fresno's Desegregation Task Force during the mid-1970's. He has served as the President of United Black Men of Fresno for ten years and also kept active on several organizational boards, including the Fresno Metropolitan Museum, Chaffee Zoo, Boys & Girls Clubs of Fresno, St. Agnes Medical Center and the Kiwanis Club of Fresno. Mr. Gaston's hard work and leadership has earned him much appreciation from major civic, church and public agencies in Fresno.

Dr. Benjamin F. Quillian, Jr. has served as the Vice President for Administration for the California State University System since 1993. This position gives him the responsibility to oversee and plan the areas of financial management, plant operations, human resources, procurement, facilities planning, campus police, environmental health and utility management for the entire California State University System. He also chairs the Athletic Corporation Board of Directors and the Campus Planning Committee. Dr. Quillian has published numerous research articles dealing with affirmative action, the juvenile justice system, the status of black men in education, and more recently investment in information technology. His work will likely have a positive impact on many people for years to come.

Michael E. Smith began his career as a firefighter in 1978 with the Monterey Fire Department. In 1981, Mr. Smith joined the San Jose Fire Department and soon moved through the ranks to become Deputy Chief. He was then selected as the Fresno Fire Department Chief in 1994. Since then, he has started several innovative programs, such as ''A Friend is Waiting.'' This program welcomes children or residents who feel threatened by strangers or a dangerous situation. Mr. Smith is married and has three children. I applaud his exceptional dedication and hard work.

La'Vera Ethridge-Williams is a dedicated community leader and highly successful business woman. Ms. Ethridge-Williams was born in Oklahoma and moved to Fresno to attend Fresno State University in 1945. In the mid-1960's, Ms. Ethridge-Williams recognized the enormous need for child care in West Fresno. Armed with this knowledge and vision, she opened her first child care facility in 1969. Today she operates fourteen child care centers in Fresno and surrounding cities. These facilities service over 1,000 children daily and employ more than 100 people. In addition to being highly successful in business, Ms. Ethridge-Williams has been very active in community work. Her hard work and commitment to help better the community has resulted in numerous awards.

Mr. Speaker, it is with great honor that I pay tribute to Isaac and Veola Chambers, Rutherford Boyd Gaston, Sr., Dr. Benjamin F. Quillian, Michael E. Smith, and La'Vera Ethridge-Williams for being recognized as the KSEE 24 and Companies that Care 1998 African-American Portraits of Success honorees. I applaud the contributions, ideas, and leadership they have exhibited in our community. I ask my colleagues to join me in wishing these fine people many more years of success.

U.S. POLICY TOWARD THE PERSIAN GULF

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. HAMILTON. Mr. Speaker, I would like to bring to my colleagues' attention my monthly newsletter on foreign affairs from November 1997 entitled *U.S. Policy Toward the Persian Gulf*.

I ask that this newsletter be printed in the CONGRESSIONAL RECORD.

The newsletter follows:

U.S. POLICY TOWARD THE PERSIAN GULF

The United States has vital national interests in the Persian Gulf: to maintain unrestricted access to Gulf energy resources at tolerable prices, to prevent any power from gaining control over them, and to ensure the security of regional friends and allies.

The crisis over UN weapons inspectors in Iraq highlights the strain in U.S. policy. The policy of ''dual containment'' of Iraq and Iran has not changed these defiant regimes, and it is not sustainable. Seven years after the Gulf War, friends and allies have little enthusiasm for open-ended UN sanctions against Iraq. The U.S. threat to sanction firms that invest in Iran's energy sector has caused rifts with Europe. Key Arab states boycotted the U.S.-supported summit in Qatar, but all Arab states will attend a December Islamic summit in Iran. U.S. policy needs review.

Iraq, a police state led by an unpredictable tyrant, still threatens regional stability. Iraq is weaker than it was six years ago, yet Saddam's grip is tighter. He is unchallenged at home. The Arab-Israeli impasse, and the suffering of Iraqis due to sanctions, enable Saddam to win Arab support. Many of Iraq's weapons of mass destruction (WMD) have been destroyed; but many have not, especially chemical and biological weapons. Thus, the work of UN inspectors is far from over. We will need highly intrusive inspections in Iraq for years to come.

Iran, with over 60 million people, confronts the U.S. and the region with a challenge of great difficulty. The 18-year break in U.S.-Iran ties means that mutual understanding is poor. U.S. policy is to contain Iran because of its opposition to the Arab-Israeli peace process, its WMD programs, and its support for terrorism. The present U.S. policy of unilateral sanctions against Iran is not backed by our European allies and is not working. Those sanctions have been counterproductive in achieving U.S. goals.

The Arab Gulf states host a large U.S. military presence, rely on us for security, and are doing little for collective self-defense. They are reluctant to support confrontation with Iraq and Iran. With the exception of Kuwait, they resent what they see as U.S. partiality toward Israel and hostility toward Arabs and Muslims—in the West Bank and Gaza, Libya, Sudan, Iraq, and Iran.

Within the United States, there is strong support for military deployments in the Gulf, which are seen as vital to defending U.S. interests. Iran, and especially Iraq, remain deeply unpopular, but there is little desire for war.

How should U.S. policy change? First, the willingness of Gulf states to stand with the U.S. will improve if we get the Arab-Israeli peace process back on track. The greater the momentum in the peace process, the stronger the support in the Gulf for overall U.S. objectives.

Second, we should state precisely U.S. objectives toward Iraq, which have always lacked specificity. U.S. policy has not been clear about whether Saddam should be removed and at what point sanctions should be lifted. Our prime objective should be to contain Iraq, because its weapons programs are a threat to peace. If Saddam threatens his neighbors, or openly pursues WMD, the U.S. should severely punish Iraq. To maintain support for UN sanctions against Iraq and to eliminate Iraq's WMD successfully, U.S. policy needs some adjustment.

We must make clear that our problem is not with Iraq's people, but with the policies of its government. To lessen the impact of sanctions on the Iraqi people, we should allow them to get much more food and medicine, so long as the UN can monitor end-use. We should support Iraq's territorial integrity, and maintain sanctions until Iraq complies with all UN resolutions. The U.S. should indicate its willingness to help a new government in Iraq that abides by UN resolutions. An Iraq that accepts international norms of behavior should be allowed to return to the family of nations.

Third, the U.S. opposes many of Iran's policies, but does not seek to oust its government. U.S. criticisms should focus on the conduct of Iran's leadership, not on Iran's people and certainly not on Islam. Our goal should be to change Iran's unacceptable policies on terrorism, the people process, and especially its quest for WMD.

The U.S. and Iran need to cool the rhetoric, end mutual demonization, explore better ties, and gradually establish a reliable and authoritative dialogue. As Iran's policies change, the U.S. should respond step-by-step—reducing sanctions, permitting nonmilitary trade, and allowing U.S. firms into Iran.

We should support the military containment of Iran. We should push for full international inspections of Iran's nuclear facilities and multilateral restrictions focused on, and limited to, WMD and related technology.

The U.S. should work to reduce differences with its allies and develop new avenues for cooperation against Iran's unacceptable behavior. Because Central Asia's energy resources are becoming increasingly important, we should work with our allies to secure access to them. In this process, we should not automatically exclude commercial relations with Iran. The U.S. needs more carrots in its policy toward Iran, and Europe needs more sticks. We cannot guarantee success if we work together, but we will surely fail if we do not.

Finally, there must be no doubt that the U.S. plans to remain in the Gulf. U.S. forces continue to be necessary, yet we need balance between the military and civilian aspects of our presence. The profile of the U.S. military in the region has been reduced appropriately since the Khobar Towers bombing last year, but we also need to strengthen political and economic ties. More attention from senior U.S. officials will help preserve the Gulf coalition and strengthen the U.S. message about reform, accountability and openness in Gulf societies.

Conclusion. Peace and security in the Gulf are vitally important to the U.S. national interest. For the immediate future, Iraq and Iran will require constant, consistent and balanced attention from U.S. policymakers. The task is enormously difficult. Success will require close and effective cooperation with friends and allies, and strong American leadership.

CONGRATULATING STUDENTS OF MIDWOOD HIGH SCHOOL

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. SCHUMER. Mr. Speaker, I would like for my colleagues to join me in congratulating the thirteen Midwood High School students who took honors at the Westinghouse Science Talent Search this year.

This school, a magnet program in Brooklyn, surpassed the traditional frontrunners to grab the first place semifinalist ranking in this prestigious contest. This indeed is a sweet victory for a school often without the resources some other more affluent schools have been able to avail for themselves. However, they still managed to come out on top. It just goes to show that hard work and perseverance are still two very important factors to becoming a success in whatever you choose.

I would also like to take this opportunity to thank Brooklyn College, Maimonides Medical Center, Downstate Medical Center and Rockefeller University. They provided mentorship to these youngsters and arranged for the use of laboratory space so students could perform extensive research their own school labs could not handle. This is wonderful to see that these institutions understand that young minds needs to be nurtured early and often to encourage the best performance.

As a father, I understand the sense of pride and joy their parents must feel as they watch their children reach such pinnacles of success in their young lives. I believe a congratulations should go to the parents of these students for the encouragement, support, nurturing and inspiration to keep on during the trying times. I wish these students the best as they follow their dream to expand the boundaries of science and understanding of our natural world.

TRIBUTE TO JOSEPH L. ALIOTO, FORMER MAYOR OF SAN FRANCISCO

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to Joseph L. Alioto, an outstanding American who served two terms as the mayor of San Francisco from 1968 to 1976 and who left his distinctive stamp on our city. Joe Alioto died last Thursday at his home in San Francisco after a struggle with prostate cancer. Mr. Speaker, Joseph Alioto left an indelible imprint on San Francisco, and he represents the best of this city.

Immigrants have contributed much to the character, the zest and the diversity of San

Francisco, and Joe Alioto was a product of that culture. The son of a Sicilian immigrant fish wholesaler, he was born in 1916 in North Beach and grew up in that area. He attended San Francisco schools—Garfield and Salesian Schools and then Sacred Heart High School. He graduated from St. Mary's College in Moraga, and then received a law degree from Catholic University of America in Washington, D.C.

As an attorney, Joe Alioto had a highly successful career, both before and after his two terms as Joe Alioto's mayor. After completing law school in our nation's capitol, he accepted a position in the Antitrust Division of the U.S. Department of Justice. In 1945 he returned to San Francisco to establish a highly successful private antitrust legal practice, one of the first such practices in the country. After retiring from politics in 1976 upon the completion of two terms as mayor, Joe Alioto returned to his antitrust practice, which for a time was our nation's largest such law practice. He established a distinguished record as a determined advocate for such clients as Walt Disney, Samuel Goldwyn and Al Davis, the owner of the Oakland Raiders football team.

His career in public service began shortly after he returned to San Francisco in 1945, after spending eight years in Washington, D.C. at law school and at the Department of Justice. In 1948 Joseph Alioto was appointed to the San Francisco School Board, and seven years later he became a member of the board of the City's Redevelopment Agency.

The decision to run for mayor of San Francisco was not a part of a calculated or long-term plan. In 1967, Joe Alioto was chairman of the mayoral campaign of Eugene McAteer, who died suddenly from a heart attack just two months before the election. After a few days of reflection, Alioto made the decision to run in McAteer's place. He waged a lightning 55-day campaign and won, overcoming the lead of his opponent in the early polls of 44 to 17.

The two terms that he served as mayor—from 1968 to 1976—were a critical time, and his administration left a positive and a lasting imprint on the City that he loved. He became mayor during a politically unstable period—hippies dominated Haight-Ashbury; demonstrations, some of which turned violent, were taking place against the Vietnam War; and racial tensions reached a fever pitch following a series of street killings known as the Zebra murders.

Mayor Alioto largely succeeded in keeping the city at peace during the turbulent period of domestic protests against the Vietnam War. He fought racial violence and intolerance, telling black militants ''come to me with your problems before you take them to the streets.'' He was a strong advocate of civil rights, and he was also a strong opponent of violence. As our current San Francisco mayor, Willie Brown, said, he was ''a champion of racial diversity long before it was fashionable.''

Mr. Speaker, the tenure of Joseph Alioto as mayor has had a permanent impact upon the physical appearance of San Francisco. He was largely responsible for the building boom that created the downtown city panorama as we now know it, including the TransAmerica Pyramid, the Embarcadero Center, the Golden Gateway, and a number of skyscrapers that still dominate the city's profile. Hunters Point renewal programs began under his leadership, and the city escaped the destructive rioting that convulsed a number of other major American cities at that time. Jerry Carroll and William Carlsen in *The San Francisco Chronicle* said his legacy as mayor was ''an explosion of downtown growth that changed the city's skyline, helped cement San Francisco as a player on the Pacific Rim and stirred up the neighborhoods in a way that has altered the city's political landscape to this day.''

He seized national attention as San Francisco's mayor. In 1968, just a few months after he was elected mayor, he was considered a leading candidate as runningmate of Democratic presidential candidate, Hubert Humphrey. Though ultimately he was not selected as the vice presidential candidate, he did make the speech nominating Senator Humphrey at the Democratic Convention.

His career suffered from a libelous story about him in *Look Magazine* in 1969. Although he eventually won a substantial libel judgment against the magazine in the courts, his political career did not recover. He easily won reelection as mayor of San Francisco in 1972, but he lost the Democratic primary for governor of California in 1974. When his second term as mayor was completed in 1976, he returned to his legal practice, which he continued until a few months before his death.

Joseph Alioto was a larger-than-life personality. Ken Garcia in *The Chronicle* said, ''On so many levels, Joe Alioto was San Francisco—often vain and parochial but unerringly charming and sophisticated, and always ready for a good fight.'' Carroll and Carlsen, also in *The Chronicle,* called him ''bold, tireless and articulate, combining a boundless self-confidence with a buoyant charm and erudition that enabled him to dominate any gathering.'' In an editorial paying well deserved tribute to the former mayor, *The Chronicle* called Alioto ''a man who embodied boundless ambition, high self-regard, operatic conduct, and the city's immigrant character'' and dubbed him ''a San Francisco story, a local boy who made good, charging through life in high style.''

He was larger than life. As *The Chronicle* observed editorially, ''He gave speeches in Italian. He wrote poetry that he spouted in North Beach coffeehouses.'' Carroll and Carlsen added that, ''in addition to everything else, Alioto was found of quoting Dante and St. Thomas Aquinas to illustrate his points.''

His last press conference as mayor in 1976 gives some of the flavor of the man. He spent more of the time at this final press conference savaging the media; nevertheless, the next day, *The Chronicle* called him a ''colorful and zestful man, who roared into office literally bursting with energy and imagination'' and further said he was ''one of the most energetic, entertaining and stylish of mayors.''

Mayor Willie Brown observed that ''Joe's two great loves were his family and the city of San Francisco.'' Mr. Speaker, I invite my colleagues to join me in extending condolences to Joseph Alioto's family—his wife Kathleen Sullivan Alioto, and his children Lawrence M., Joseph M., John, Michael, Angela Mia, Thomas, Patrick, and Domenica. He will be missed, Mr. Speaker. He was a great mayor, a dedicated public servant, and a great San Franciscan.

ANDERSON HIGH SCHOOL INDIANS BASKETBALL TEAM

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. Mc. McINTOSH. Mr. Speaker, I want to take this opportunity to recognize the boys' varsity basketball team of Anderson High School. These distinguished and courageous young men traveled to Washington D.C. and won an exciting game against Dematha High school in the Washington Classic right here in our nation's Capitol.

The determination shown by the team is a tribute to the rich tradition of Hoosier basketball. The Indians demonstrated a level of achievement which can only be attained when individuals dedicate themselves to a team effort. Their awesome victory was indeed a remarkable performance.

The game also had special significance for the two coaches. Both men have undergone successful liver transplants and the tournament raised awareness for this important procedure. The evening was a true testimony to the fact that anything is possible with a positive mental attitude.

Let me join everyone involved with the team's trip and winning season—the fans, parents, teachers and students in saying that we are all very proud of you! Congratulations.

CLIMATE CHANGE AND THE KYOTO PROTOCOL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. HAMILTON. Mr. Speaker, I would like to bring to my colleagues' attention my monthly newsletter on foreign affairs from December 1997 entitled Climate Change and the Kyoto Protocol.

I ask that this newsletter be printed in the CONGRESSIONAL RECORD.

The newsletter follows:

CLIMATE CHANGE AND THE KYOTO PROTOCOL

The United States and 150 other countries met in Japan this month and agreed to reduce global greenhouse gas emissions. Scientists believe that these emissions, primarily carbon dioxide, trap heat and cause warming of the Earth's atmosphere. This new treaty, called the Kyoto Protocol to the 1992 Climate Control Treaty, launches a lengthy political debate over science, sovereignty, economics, the environment and America's leadership role in the world. Many are skeptical about scientific evidence of global warming or the need for action. Strong Presidential leadership will be necessary if Congress and the American people are to support measures to curb greenhouse gas emissions.

Global Warming. There is broad scientific consensus that the presence of greenhouse gases—produced by the burning of wood and hydrocarbons such as oil, coal, and gas—is increasing in the atmosphere, and that the Earth's temperature has warmed by about 1 degree Fahrenheit over the past century.

There is no clear consensus about the link between global warming and greenhouse gas emissions, or the effect of global warming on

human life. There is also no consensus about the cost or effectiveness of measures to reduce emissions. The uncertainty has led to an intense debate over the correct policy to reduce or limit greenhouse gases.

The Protocol. The Kyoto Protocol requires 38 industrialized nations to cut emissions from six different greenhouse gases by about five percent below 1990 levels, and to do so in the next 14 years. Reductions would vary between six to eight percent for the U.S., Japan and the European Union. Developing countries—including major greenhouse gas producers such as China and India—were asked to set voluntary targets to reduce emissions. The Protocol will enter into force after its ratification by 55 states, and will be binding only on those states that have ratified it.

The Protocol also permits ''trading'' of emissions rights. A country or company could meet its targets by cutting emissions, purchasing emissions rights from a country or company below its cap, or both. The purpose of this provision is to encourage cost-effective emissions reductions. The Protocol calls for a follow-up meeting next year to reexamine emissions trading, and to decide on ''appropriate and effective'' ways to deal with treaty non-compliance.

Economic Concerns. Opponents argue that global warming is not a problem, and, if it is a problem, others are causing it and doing anything about it will cost too much. Opponents frame the issue in terms of economic security and national sovereignty. They complain developing countries get a free ride.

Developing countries argue that they are not the chief source of emissions, and that they cannot reduce fossil fuel use without harming economic growth. The industrialized world is overwhelmingly responsible for the accumulation of greenhouse gas emissions thus far, but the contribution of developing countries is expected to rise over the next decade.

U.S. business and labor groups strongly oppose allowing developing countries to reduce emissions at a slower pace than industrial countries. This discrepancy, they argue, will encourage companies to move operations to developing countries with lower energy prices—and take thousands of U.S. jobs with them.

A Balanced Approach. Climate change is a complex and serious problem. The Protocol offers a serious solution, but policymakers must take time to digest fully its implications. President Clinton must convince Congress and the American people that it does not promote global environmental interests at the expense of American jobs and economic growth.

First, the President should not submit the Protocol for Senate ratification until developing countries agree to meaningful emissions reductions. A global problem demands a global solution, and developing countries must be involved. They cannot be expected to accept identical targets and burdens, and they have a right to energy-efficient growth. But they are becoming major polluters, and need to play their part to reduce emissions.

Second, the Administration should emphasize tax incentives, not tax increases. Market-based approaches to reduce emissions work better than command and control techniques. The President should advocate tax cuts and incentives for research and development to encourage cleaner and more efficient technologies. Industry, not government, should take the lead to improve fuel efficiency.

Third, the Administration must begin to build public support for eliminating wasteful energy use. Even though a majority of Americans in polls say the U.S. should take steps to cut greenhouse gas emissions ''regardless of what other countries do,'' the question of global warming is still largely undefined in the public mind. The President will need to persuade voters that there are not only costs but opportunities in a cleaner, more efficient economy.

Finally, the Kyoto Protocol is historic and important—but it is only a first step. In the United States, the debate over global warming has really just begun. This must be seen as an initial and partial agreement, which will begin many years of international negotiations. With sustained and committed leadership, this treaty can evolve into a significant international agreement that commits the nations of the world to action to safeguard the future of the planet.

Conclusion. Reducing emissions will protect against unpleasant environmental surprises. The pressing question is how much should we sacrifice now to buy insurance against unknown future threats. To do nothing would be irresponsible, but to sacrifice our economic vitality would be a high price to pay, and the benefits are uncertain.

The political question on global warming is tough. All politicians understand that the American people are not ready for a 25 cents per gallon gasoline tax. The Congress will not agree to large economic sacrifices until Members are convinced of the seriousness of this problem. There is no reason to rush or panic, but gradual steps now to reduce reliance on fossil fuels could prevent disruptive climate change later—change that could severely damage the economies of the world. If we do not get this right, our grandchildren will not—and should not—forgive us.

HONORING AFRICAN AMERICAN PIONEER AWARDEES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. KILDEE. Mr. Speaker, as we celebrate Black History Month, it is with great pleasure that I rise to day to recognize the achievements of seven African American individuals whose contributions to society have enriched all our lives. On February 1, 1998, The Forum Magazine will host the 8th Annual African American Pioneer Awards at the Riverfront Hotel in downtown Flint. The honorees are as follows:

Dr. J. Merrill Spencer fought in 1964 to bury his mother in previously all-White, Flint Memorial Park Cemetery. His sense of justice prevailed and his action led to the demise of racially motivated cemetery practices in the State of Michigan. Dr. Spencer is a graduate of Morehouse College and was awarded a Doctor of Mortuary Science by the National Conference of Examiners of Morticians and Embalmers.

Minnie Madison Martin is being posthumously honored for a life that can only be described as inspirational. Ms. Martin began a career at General Motors as a cafeteria worker, became an assembly line employee, and was finally promoted to a supervisory position at A.C. Spark Plug. She took a leave of absence from GM to start her own business, Martin Leasing. From humble beginnings, Ms. Martin turned her company into a multimillion dollar corporation.

Glenora Roland has been a vital part of the Flint community for more than half a century. She was the proprietor of Flint's first African American entertainment agency, played a key role in the creation of the Flint Neighborhood Improvement Preservation Project, and was Executive Director of the Flint Neighborhood Coalition. Her commitment to our community and her wisdom over the years is very much appreciated.

Samuel R. Dismond, Jr., M.D. is the first African American to serve as Chief of Staff at Flint's Hurley Medical Center. A graduate of Howard University Medical School, Dr. Dismond is a Charter Fellow of the American Academy of Family Physicians. In 1997, the Academy of Family Practice paid tribute to Dr. Dismond by naming him Michigan's Family Physician of the Year.

Captain Mickey Traylor's career has literally led him to new heights for 25 years. He began his distinguished career in the United States Armed Forces, and had since piloted for Southwest and Lufthansa Airlines. Captain Taylor has shared his love of flying with young people through the creation of Friends of Aviation, an organization which provides flight opportunities and learning experiences for underprivileged children from all walks of life.

Tracy M. Byrd is a true pioneer in the field of boxing. She is currently the International Female Boxing Association's Lightweight Champion, defending her title around the world. With an undefeated record in boxing and her service as a Flint police officer, Tracy has made us all very proud.

Rose Byrd is nationally recognized as the first woman professional boxing trainer. This accomplishment alone is admirable, but Mrs. Byrd is also the mother of eight wonderful children. Her compassion and nurturing extend beyond her family to the boxers in her charge. Mrs. Byrd is shy about receiving praise for what she sees as ''just doing her job'' but she is most deserving of this honor.

Mr. Speaker, African Americans have a magnificent and rich history; a history which is inextricably woven into the economic, social, and political fabric of this Nation. In 1926, the late Dr. Carter G. Woodson understood that black Americans were not receiving proper recognition in history for their contributions. His idea of setting aside one week each year to commemorate the achievements of African Americans led to the observance of Black History Month in 1976.

In this spirit, I urge my colleagues in the House of Representatives to join me in commemorating Black History Month. It is indeed a great honor for me to highlight and pay tribute to the notable accomplishments of these seven individuals who have contributed so much to this great Nation. I thank The Forum Magazine for initiating the African American Pioneer Awards to document, honor, and celebrate African Americans in Flint and in the State of Michigan. Best wishes for a truly successful event.

ARLINGTON NATIONAL CEMETERY INTEGRITY ACT

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. KLECZKA. Mr. Speaker, today I am introducing legislation that will restore the integrity of the final resting place for many of our

veterans, Arlington National Cemetery. These men and women who so proudly served our nation, and their families, deserve to be the only Americans interred in this place of high honor.

In recent months, it came to be known that 69 non-veterans have been granted waivers by the Secretary of the Army to be buried in Arlington in the last six years. In addition, we heard allegations that campaign donations may have influenced the waiver process. Fortunately, an investigation by the General Accounting Office found that no wrongdoing occurred. However, the outcome of this investigation brought to light the need for tightened standards to ensure the integrity of Arlington National Cemetery.

Today I am introducing legislation, Arlington National Cemetery Integrity Act, which will put into law the current regulations allowing veterans, certain of their family members, and a few distinguished government officials with active duty military service to be interred at the cemetery. My legislation will end the practice of granting waivers and legally clarify once and for all who may be buried at Arlington.

Currently, the Code of Federal Regulations outlines who can and cannot be interred at Arlington National Cemetery. The code allows the following to have their remains kept at Arlington: any active duty member of the Armed Forces; any retired member of the Armed Forces; any former member of the Armed Forces separated for physical disability prior to October 1, 1949; any former Member of the Armed Forces whose last active duty military service terminated honorably and who has been awarded the Medal of Honor, Distinguished Service Cross, Distinguished Service Medal, Silver Star, or Purple Heart; qualified elective officers, Supreme Court Justices, and certain other government officials, all of whom served in the Armed Forces and were terminated honorably from their last period of active duty as a member of the Armed Forces; any former prisoner of war who served honorably in the active Armed Forces, whose last period of active military service terminated honorably, and who died on or after November 30, 1993; the spouse, surviving spouse, minor child and unmarried adult child of the persons listed above; the surviving spouse, minor child, or unmarried adult child of any person already buried in Arlington; and finally, the parents of a minor child or unmarried adult child whose remains, based on the eligibility of a parent, are already buried in Arlington National Cemetery.

The only addition to the code that my legislation allows for is for the U.S. Commander in Chief, the President of the United States, to be buried at Arlington National Cemetery. This provision allows for both present and former presidents to be buried there.

The granting of waivers to unqualified individuals not only takes up precious, limited space at Arlington, but also threatens to diminish the integrity of the veterans who are interred there.

Burial at Arlington is the last honor that we can bestow upon our veterans. We must preserve this tribute to our soldiers, who gave their lives for our nation. The Arlington National Cemetery Integrity Act will preserve this honor and final resting place for our veterans for years and years to come.

THE PASSING OF CHARLES SCHWEP

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. GILMAN. Mr. Speaker, I wish to call to the attention of my colleagues the passing of an outstanding American and dedicated environmentalist, Charles Schwep of West Nyack, NY.

I would like to take this opportunity to reflect on the remarkable life of Charles Schwep, who worked tirelessly to protect our community and our environment.

Charles always made it clear that he considered protection of our environment to be our highest national priority. As a member of my Citizen's Advisory Committee on the Environment, he never hesitated to make us aware of his views in light of his experience and expertise in this field.

Charles Schwep, a professional film maker, fought to preserve the environment in Rockland County by fighting the proposal for the Palisades Center Mall since 1985. As the Rockland Environmental Management Council's Citizen watchdog on the building of the Pyramid Mall in West Nyack, the largest proposed mall in the country, Charles continued his fight against the pollution and environmental desecration of his community.

As a sufferer of emphysema, Charles was concerned with the fact that the new malls would increase air pollution from cars and trucks. His main concern was with what kind of environment we were leaving behind for our children.

As a personal friend of Charles Schwep, I know that a man so passionate about his convictions will be greatly missed. Mr. Speaker, I extend my deepest condolences to the family and friends of Charles Schwep.

LETTER FROM GREAT-UNCLE SAM McMANIS

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. McINTOSH. Mr. Speaker, On October 23, 1997, my wife Ruthie and I were blessed with God's greatest gift—our daughter Ellie Jenkins McIntosh.

Words can not express the joy and happiness our little Ellie has brought to our lives. Since her birth our friends and family have sent us so many wonderful letters. Letters that touched our hearts. Letters that we will save for Ellie to read one day.

One letter, from Ruthie's Uncle Sam McManis especially warmed and touched our hearts. I know Sam as a quiet father who loves his family and with his wonderful wife Kathy have raised two wonderful children. But Sam also tells me that when he was growing up he was a handful for his parents. Perhaps that has given him a special perspective as a parent.

As new parents ourselves, Ruthie and I found his advice on raising and loving Ellie made sense, so we decided to share Sam's letter with my colleagues and the American people.

November 16, 1997

My dear Ruthie, David and Eli, Congratulations on your new arrival!! Welcome to the family, Eli! Having heard your cry, I love you already!

What a treat to have such a nice, long conversation with you, Ruthie, just a few days after having a pleasant evening with you, David. You two are pretty cool. I wish we could spend more time together. During our conversation, Ruthie, you asked for my advice on child rearing. Here are some of my thoughts on the subject, most of which I learned by watching closely and trying to remember what she did while the premier nurturer, your wonderful Aunt Kathy, has worked her magic on our children. She always seems to know the right thing to say and do at the moment.

My first piece of advice is to talk to Kathy and your mom a lot, because they are both experts on the subject of raising great kids, and they each have tangible results to prove it.

Enjoy your children while they are growing up. They grow up too fast, regardless of how slow the moment is passing while they are driving you crazy. As my mother is fond of saying, ''This, too, shall pass.'' Avery and Parke grew up too quickly and my memories of their childhood are already fading, which makes me sad. Those were special times for all four of us.

Love your children unconditionally. Help them understand that there is nothing they can do that is so horrible that you will stop loving them and that you love them so much that you would die for them, just like Jesus loved us so much he died for us on the cross.

Patience with your children will make being parents (and being your kids) more enjoyable.

When Eli is crying and refuses to stop and you are at the point that you feel like you are going to explode, put her in the crib, walk out of the room, close the door and get away from her until you calm down. It won't hurt her to spend some time alone in her crib screaming while you go get a grip or get someone else to take over for a while. I had an experience with Avery at four weeks old when she wouldn't stop crying. While I didn't do anything to harm her, the feelings that welled up inside of me were pretty scary.

Do Eli and yourselves a huge favor and have at least one more child, maybe three or four years later, like you and Rob or Avery and Parke.

Keep Eli's baby book and photo album up to date. At least have these for Eli's little brother or sister, even if there is nothing in them but a few recipes!

You and David need to ask yourselves now what traits you want your children to have as adults, then spend the next 18 years helping them to develop these traits. Make your day to day experiences with your children reinforce these traits. Here are some examples:

If you want to be first in your child's life, make your child first in your life. There is a lot of truth in the song ''Cat's in the Cradle''. Be interested in Eli's life and listen as she tells you about her experiences. Help her tell you what is going on with her by asking her questions.

If you want your children to be honest with you, be honest with them. You don't have to tell her *all* of the truth, but be sure that what you do tell her is the truth. However, children don't have that option, they have to tell you *all* of the truth, because you are the parents! The longer you can keep them believing this, the better off you will be.

Show your children how to be forgiving by forgiving them when they make mistakes and ask for their forgiveness when you make mistakes. It is pretty humbling to ask a four

year old for forgiveness, and joyful to receive because they give it so freely.

If you want your children to be able to get along with others, put them where they can learn some social skills early in their lives. Avery and Parke were both in day care for a few hours each day by the time each of them had turned two. We feel like this is one reason they are both so comfortable around other people.

If you want Eli to be an independent thinker, let her learn how to make her own decisions.

If you want Eli to be respectful of her and demand that she be respectful of you. I remember one Sunday when my dad was out of town and my mother was left sitting out in the car for longer than she should have when we got home from church because the three of us boys all made a mad dash to the house for dinner. It was pretty funny, and also pretty impressive, when we all looked out the front window and saw her still sitting out in the car, waiting for one of her ''gentlemen'' to open the car door for her and help her out of the car. She didn't have to say a word to teach us that lesson.

If you want Eli to be an assertive adult, don't crush her spirit when she is a belligerent child. Deal with the problem behavior without destroying the child. When you do have to reprimand her, attack the behavior and not the child. When Eli does something stupid, and she will on a regular basis, don't say, ''Eli, you're pretty stupid to do that!!'' Rather, say, ''Eli, I just don't understand how such a bright kid can do something so dumb!''

If you want your children to have inner strength, give them some inner muscle. Take them to church and Sunday School. Talk to them about Christian faith and values. Teach them, by your examples, that they should stand up for the things that are right.

If you want your child to be good at managing money when she grows up, start teaching her early by giving her an allowance that she can spend any way she wants to, even if you think she is throwing the money away. Over time, she will learn how to make good financial decisions. Better to make bad financial decisions while spending dimes than dollars.

Impress upon your children that they never get a second chance to make a first impression.

Kathy's first rule in the classroom is ''Be Considerate'' and it pretty much covers all of the behavioral situations that arise. It's a pretty good rule in the home, too.

Children don't come with an instruction manual. You spent 18+ years getting the education you needed to cope in life and pursue a career. View child rearing as another 18 year continuing education project. There are many good books on child development, how to raise a brighter child, how to deal with a strong willed child and how to parent children more effectively.

While we are talking about education, we feel it is important to spend whatever it takes to get your children the best education possible from Pre-Kindergarten on up. The second largest line item in our family budget for 14 years, right after our house note, was St. Andrew's School tuition. It has cost us a bundle getting Avery and Parke through St. Andrew's, and it has been worth every penny.

If you suspect that something is going on in another room that you might not approve of, you might want to use my mother's method of dealing with it. She would stomp her way up the stairs, making sure we had plenty of time to quit doing what we were doing, before she came in the room. She seldom caught us doing bad stuff as a result.

If you do catch your children doing stuff, try to catch them doing stuff right so you can praise them for it. Kids would rather get positive strokes from you than negative ones, but they will take bad strokes over no strokes at all, and may act up intentionally just to get some attention from you if they feel like you are ignoring them.

Get to know your children's friends and their parents by getting involved at school, church and other activities such as Scouting, especially as they grow older.

My children have taught me a great deal about love, acceptance, humility, joy, forgiveness and enjoying simple pleasures. I also have come to view Kathy very differently since we have shared the task of raising our children together, Not only is she my wife of almost twenty eight years (Dang, that's a long time!) that I have grown to love deeply for the special person she is, but she is also the mother of my children.

Kathy and I used to joke about all of the dangling conversations we had that got interrupted in mid-sentence by a child's crisis. We seem to have more time to talk now without interruption, and could finish those conversations, but now I can't remember what they were about.

We are all really excited about Eli's arrival. We look forward to holding her and getting acquainted with her. We may just have to make a trip to Muncie or Washington over Spring Break next March, if that is convenient for you. Having Eli at the family reunion in 2001 is going to add a new dimension of excitement to our group!! It is going to be fun sharing in your baby stories and watching your family grow. You will both be such good parents! Kathy and I hope your parenting experience will be as joyful as ours has been.

I love you all,

SAM.

TRIBUTE TO THE NEWARK COMMUNITY SCHOOL OF THE ARTS

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. PAYNE. Mr. Speaker, a special event will take place on February 13 in my district. It is the celebration of the 30th anniversary of the Newark Community School of the Arts. Whenever I think of visionaries, the Newark Community School of the Arts and its founders come to mind. Today's Newark, New Jersey, the renaissance city, was very different thirty years ago. Newark in 1968 was feeling the scars of the 1967 acts of civil disobedience and the death of Dr. Martin Luther King, Jr. who had visited the city days before his assassination on April 4, 1968. Amongst all the turmoil and disappointments, the Newark Community School of the Arts was born. Its founders, Stella Lass and Saunders Davis, exhibited their faith and vision in a great city and its people, especially its children.

They took a beautiful brownstone building that had been neglected for some time at the outskirts of downtown Newark and renovated it, in terms of its physical appearance and what it meant to the community. The building became a renovations anchor for the area. It became a hub of activity on Saturdays when children from all over the city would come to learn about the arts. It was not unusual to see children leave their sometimes substandard homes and take a bus to spend a few hours learning to play the violin and interacting with others, who shared similar and different backgrounds, on a new peer-to-peer basis. This building on Lincoln Park became a safe haven for spirits, ideas and culture. I am happy to report that it still serves that purpose. I'm sure you can imagine the trials and tribulations that had to be faced to take this vision—this ''far-fetched idea''—from the drawing board through to completion and beyond. What may have seemed as a herculean task was actually a labor of love for many individuals and corporations.

Four individuals are being honored on February 13. The co-founders, the late Stella Lass and Mr. Saunders Davis; Mr. Louis Prezeau, President, City National Bank; and Ms. Cynthia Moore, Northeast Regional Manager, Corporate Affairs, Anheuser-Busch Corp. are being recognized for their roles in helping to shape the lives of a city and its children. I am fortunate to have worked with each of these fine individuals. Each is a leader in their own industries and communities. Today, when Newark is experiencing such a renaissance, especially with the recent opening of the magnificent New Jersey Performing Arts Center, the visions of people like those being honored are true testament to how faith and hard work for people and communities can be manifested.

Mr. Speaker, I am sure my colleagues will want to join me as I extend my best wishes and thanks to the Newark Community School of the Arts on its 30th anniversary celebration and its honorees.

TRIBUTE TO THE LATE CAPT. JOSE CALUGAS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. FILNER. Mr. Speaker and colleagues, I rise today to pay tribute to Captain Jose Calugas, who passed away on January 18, 1998. Captain Calugas was the only Filipino World War II veteran to receive the Congressional Medal of Honor.

Jose Calugas was a true hero! On January 16, 1942, he was a mess sergeant who voluntarily ran 1,000 yards across a shell-swept area to take command of a gun position where all the cannoneers had been killed or wounded. Organizing a volunteer squad of 16 men, he placed the gun back in commission and fired effectively against the enemy although this position was under constant and heavy fire.

Born December 29, 1904 in the Philippines, he entered military service in the Philippine Scouts in 1930. Captured by the enemy forces after the fall of Bataan in 1942, Calugas survived the infamous Bataan Death March and more than two years as a prisoner of war. He remained in the United States Army after the war, and retired with the rank of Captain in 1957. He received his Bachelors Degree in Business Administration at the University of Puget Sound and worked for Boeing Aircraft in Seattle until his retirement in 1972.

Upon receiving the Medal of Honor, Calugas, a naturalized United States citizen, said:

When the situation confronted me, I did not have any hesitation to fight and give my

life for the cause of freedom and my country. I feel great being an American. I am proud to be such and I humbly say thank you.

Besides the Congressional Medal of Honor, Calugas was awarded many additional military decorations, including the Asiatic Pacific Campaign Medal, the Distinguished Unit Citation with 1st and 2nd Oak Leaf Cluster, the Philippine Liberation Ribbon, the World War II Victory Medal, and an Ex-Prisoner of War Medal.

He also received many civilian awards, including the Honorary Citizen Award of Tacoma, Washington, the Key to the City of Tacoma, and the Medal of Honor Permanent Car License Plate Recipient, presented by then Governor of Washington, Dixy Lee Ray.

He is survived by his wife, four children, 11 grandchildren and 5 great-grandchildren.

It is an honor to acknowledge the life and bravery of Captain Jose Calugas and his courageous action under fire to preserve the freedoms we all hold dear.

TRIBUTE TO THE LATE HONORABLE EDNA J. KELLY

SPEECH OF

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. GILMAN. Mr. Speaker, last month marked the passing of an extraordinary woman, former member of Congress, Edna J. Kelly.

Edna Kelly was the first woman elected to the Congress from Brooklyn, serving as a member of the House of Representatives from 1949 until 1968. During a political career that reflected her drive and dedication, Edna Kelly worked tirelessly to strengthen U.S. foreign policy and improve the economic status of the American family.

Strongly opposed to the spread of communism, Congresswoman Kelly served on the Committee on Foreign Affairs and was recognized as an expert on the Soviet bloc. She headed fact-finding missions all over the world in order to better inform the Congress and America of the potential threat of international communism and the importance of NATO.

Edna Kelly was also a great humanitarian. Her efforts included sponsoring the legislation that made the Peace Corps possible, and adding an amendment to the Mutual Security act that helped to resettle more than a million and a half eastern European and Russian people displaced by World War II.

Edna Kelly was committed to raising the standard of living of American families. She advocated tax deductions for low-income single parents and helped to bring the economic problems of women into the national consensus. She introduced the bill that established the concept of ''equal pay for equal work.''

Edna Kelly served as a role model to so many. Her legacy extends beyond her pioneering role as the first female elected to Congress from her district. Legislation she helped to pass is still of benefit to the American people today.

Mr. Speaker, I extend my deepest condolences to the family and friends of Edna Kelly and urge my colleagues to join in memorializing a great woman legislator.

TRIBUTE TO CHARLES A. GREENE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. KILDEE. Mr. Speaker, I rise today before my colleagues in the U.S. house of Representatives to pay tribute to an outstanding citizen, Mr. Charles A. Greene. Mr. Greene will be honored by family and friends on Monday, February 2, 1998 in my hometown of Flint, MI.

A native of Alabama, Charles moved to Michigan at an early age and attended Detroit Public Schools. He moved to Flint to attend high school, living with his uncle and aunt Leo and Irene Greene. After graduation from Flint Junior College, Charles served his country in the United States Army. He then attended Texas Southern University and Wayne State Mortuary School earning a degree in Mortuary Science. Upon receiving his funeral director's license from the State of Michigan, Charles was named vice-president of the Greene Home for Funerals and eventually became President.

In addition to his many professional achievements, Charles has been active in a number of civic organizations, including the Big Brothers of Flint, the Boy Scouts of America-Tall Pine Council, the United Negro College Fund, and the Police Activities League. His professional affiliations include the Downtown Development Authority, both the Michigan and National Funeral Directors Associations, and the Black Funeral Directors and Mortician's Association. Charles was a member of the Bishop Airport Authority and was a 1974 Charter Commission City of Flint member.

Charles has always impressed me with his dedication to the youth of our community. On countless occasions he has served as a mentor to young people. His encouragement and support influenced many to succeed in school and go to college. I know that Charles was very honored to receive an Honorary Doctorate of Humanities from Selma University. His commitment to education and public service serves as outstanding examples of the positive influence one person can have in the lives of many. For more than 30 years, Charles has been a faithful member of Foss Avenue Missionary Baptist Church. I know that the congregation joins us in honoring him on this special occasion.

I know that Charles would want to point out that the love and support of his family have contributed greatly to his success. He is very proud of his children Chawn and Woodrow, his granddaughter Phaelon Elise, his sister's Sara, Jacquetta, Juanita, his brother Robert, and his Aunt Irene.

Mr. Speaker, it is indeed a privilege for me to rise today before my colleagues in the House of Representatives to honor Mr. Charles A. Greene. Without a doubt, our community is a much better place because of his dedication and leadership.

SENIOR CITIZENS NEED QUALITY HOME HEALTH CARE SERVICES

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. SMITH of New Jersey. Mr. Speaker, on our very first day back in session, I joined with my colleague, Rep. JIM SAXTON, in introducing legislation to block the implementation of the Health Care Finance Administration's (HCFA's) new Medicare reimbursement program for home health care.

This new Medicare reimbursement program, known as the ''Interim Payment System'' (IPS), is based on an incomplete and inequitable funding formula which directly jeopardizes home health care agencies and the elderly they serve in my state.

The value of home health care is obvious. All of us intuitively know that enabling our seniors to receive quality, skilled nursing care in their own homes is preferable to other, more costly, sometimes isolated, settings. Senior citizens receive the peace of mind from familiar settings and their loved ones close at hand. And the cost savings to Medicare from proper use of home health care are considerable.

The legislation we have introduced (HR 3108) corrects several flaws contained in the IPS formula and assures fair and reasonable Medicare reimbursement for quality home health care. If left unchanged, the IPS will cut Medicare reimbursement for home health care in New Jersey by $25 million in fiscal year 1998 alone. Several agencies in New Jersey could lose $2 million or more in anticipated reimbursement for homebound Medicare patients.

One of the most unfair aspects of the IPS is that it seeks to treat efficient and inefficient home health agencies alike, despite the fact that average utilization rates in New Jersey's agencies—43 visits per beneficiary served in 1996—are far lower than the national average of 74 visits that year.

Because the IPS reimbursement rates for each home health care agency are linked to earlier utilization rates and costs, agencies that were efficient and honest all along still find themselves struggling to squeeze another 12 to 15 percent reduction in aggregate reimbursement rates from already lean operations—a very tall order indeed. Meanwhile, agencies in other parts of the country with abnormally high home health costs and utilization rates are permitted to use base year utilization rates that were badly inflated in the first place. Thus, they will continue to receive high reimbursement rates because they had inflated costs in the past. The IPS, therefore, effectively punishes efficient operations and does not comprehensively address the problem in areas with inordinately high home health utilization statistics.

For example, home health agencies serving senior citizens in NJ will only receive enough funding to provide as few as 30 to 35 visits per patient. Meanwhile, agencies in other parts of the country—such as Tennessee and Louisiana—may continue providing their patients with almost triple that number of visits at twice the cost per visit. Disparities of this magnitude are inherently unreasonable and unfair, and must be corrected.

Mr. Speaker, it is a simple fact of life that the home health care industry is very time and labor intensive. There are ways to restructure an agency's operations to make care-giving more efficient, but at a certain point, one cannot go any further without impacting the quality of care the patient receives.

In Ocean County, New Jersey—which is home to the greatest concentration of senior citizens in New Jersey—home health care agencies may only receive enough resources to provide as few as 30 visits per patient. The situation in Mercer, Burlington, and Monmouth counties is much the same: all will see an arbitrary capping of reimbursement for home care visits no matter the patient's condition. If New Jersey patients require, on average, more visits per patient than Medicare will reimburse, the quality of the care they receive could be jeopardized and an agency that is forced to continue providing uncompensated care will eventually risk bankruptcy.

The IPS is troubling for another reason: as initially implemented, the IPS gives providers a perverse incentive to avoid treating critically ill, chronic, or more expensive patients. Unlike a fully implemented prospective payment system (PPS), the Interim Payment System (IPS) makes no attempt to distinguish between agencies that are simply inefficient and agencies that are treating a disproportionately sicker patient population.

Our bill mitigates the damage set in motion by the IPS and will restore at least 60% of the reimbursement cuts announced January 1, 1998. To preserve the quality of medically necessary care for our seniors, our legislation mandates two changes to the IPS.

First, our bill will allow home health care agencies to use calendar year 1994—rather than fiscal year 1994—cost data as the base year upon which visits and reimbursement rates are derived. This distinction may seem technical but it is extremely important for states like New Jersey which do not run on the same fiscal year as the federal government. The practical result of the IPS fiscal year requirement is that it forces NJ home health agencies to use earlier base year data (1993) when complying with the IPS. The older the data, the greater the gap between the IPS settings and the actual needs in 1998. Older data also glosses over the growing trend to move patients out of acute care settings and into home health care programs. The IPS program should be based on the most recent, practical, data.

The second provision contained in our bill will protect home health agencies from a hidden cut in the Medicare home health reimbursement. Under the guise of ''freezing'' certain costs and prohibiting adjustments for inflation, the IPS actually goes beyond merely capping or ''freezing'' home health cost limits—it reduces total per-patient payments, too. If left unchanged, this ''so-called'' freeze provision will not only cut the anticipated inflation costs, but go below current per-patient reimbursements as well. To address this, HR 3108 requires HCFA to factor in medical inflation in IPS calculations.

Mr. Speaker, when HCFA first announced its changes to the Medicare coverage of home health care I sent a letter signed by the entire NJ Congressional Delegation to Nancy-Ann Min DeParle, the Director of HFCA, outlining three major problems with the IPS and asking that the agency not implement its proposal until the formula was corrected. While one of our concerns has been addressed, the remaining inequities have not. I urge my colleagues to act swiftly on this legislation and move to protect homebound Medicare patients who are now at risk.

THE INTERNATIONAL MONETARY FUND

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. HAMILTON. Mr. Speaker, I would like to bring to my colleagues' attention my monthly newsletter on foreign affairs from January 1998 entitled The International Monetary Fund.

I ask that this newsletter be printed in the CONGRESSIONAL RECORD.

The newsletter follows:

THE INTERNATIONAL MONETARY FUND

The chaos of the Great Depression, which led to the Second World War convinced American leaders that economic crises were key sources of international conflict. Presidents Roosevelt and Truman took the lead in creating postwar institutions to help stabilize economies, improve living standards, and promote peace. One of the most important of these is the International Monetary Fund (IMF). Though not perfect, the IMF is vital to U.S. interests today.

The IMF's purpose is to promote a stable international financial environment, a prerequisite for expanding trade and economic growth. The IMF gives financial advice to member countries. When countries have trouble balancing their books, the IMF provides loans in exchange for policy reforms. The typical IMF prescription calls for spending cuts, higher interest rates, and market-oriented reforms.

IMF loans come primarily from the pooled contributions of the Fund's 182 member countries. Each country's contribution, or ''quota,'' is linked to the size of its economy, and quota shares equal IMF voting shares. Because important IMF decisions require an 85% majority vote, the U.S. voting share of 18% gives us a veto over decisions we oppose.

Contributions to the IMF have never cost U.S. taxpayers a cent. When the IMF uses the funds we provide, it gives us an interest-earning claim in return. U.S. contributions must be authorized by Congress, but they have no impact on the federal budget, and they do not require any spending.

The most recent U.S. quota contribution to the IMF, valued at $11.9 billion, occurred in 1992. Last year, IMF members agreed to another quota increase. The U.S. share would be about $14.5 billion. Two dozen IMF members, including the U.S., have also agreed to make additional funds available in an extraordinary crisis. The proposed $3.5 billion U.S. contribution to this emergency credit line would require a budgetary outlay only if these funds were used and not paid back. The President will ask Congress to approve both IMF funding requests later this year.

U.S. interests. The IMF serves U.S. interests in many ways. First, it promotes stability and prosperity by helping countries work through economic difficulties. Second, the IMF helps sustain an international environment conducive to trade expansion and economic growth, which reduces poverty and creates profitable markets for U.S. exports and investment. Third, the IMF's loan conditions usually require countries to adopt free-market reforms, which make them better trade and investment partners. Fourth, the IMF distributes the burden of stabilizing the international economy and responding to crises—a task that might otherwise fall to the U.S. alone.

For reasons of our own security and prosperity, it is not in the U.S. interest for the economies of our trading partners to collapse. The IMF uniquely possesses the policy expertise and resources to help avert economic collapse and keep the international financial system running smoothly. If the IMF didn't exist, we'd have to create it.

Criticism and changing roles. The IMF has long been a target of criticism. One leading criticism is that the reform conditions often attached to IMF loans—sharp budget cuts, for example—cause a lot of economic pain and do nothing to improve environmental, labor, or human rights conditions. The IMF could be more sensitive to the economic and social consequences of its reform prescriptions, but it is usually a country's economic ''disease,'' not the IMF ''cure,'' that causes most of the pain. Countries receiving IMF support have a tough enough time implementing required financial reforms. Asking them to achieve additional objectives during a crisis could make the crisis unmanageable. Furthermore, economic stability and growth will, over time, tend to improve environmental, labor, and human rights conditions.

A second criticism holds that the IMF shouldn't bail out those who make bad decisions. An expectation that the IMF will step in during an emergency will make investors and governments more careless, increasing the risk of future crises. IMF and U.S. officials agree that new strategies are needed to ensure that investors and creditors bear more risk for bad judgments.

A third and related criticism holds that we are better off doing nothing—letting markets clear. Market forces are beneficial, but they can swing to extremes. Too much is at risk to let markets alone resolve problems of financial instability. We recognized long ago that institutions such as the Federal Reserve System, the Securities and Exchange Commission, and the Federal Deposit Insurance Corporation protect the economy from the excesses of the market. Failing to mount an international bailout could inflict great economic pain on a lot of innocent citizens. A crisis in a major U.S. export market could cost many U.S. jobs.

A fourth criticism is that the IMF sometimes helps developing countries—such as those now in crisis in Asia—that compete aggressively with U.S. exports and labor. Yet withholding emergency support would only aggravate a country's crisis, further reducing the value of its currency. That would hurt U.S. exports and intensify the threat to U.S. workers posed by imports.

Finally, critics blame the IMF for failing to predict or prevent financial crises. The IMF says its effectiveness is hampered by countries that conceal bad economic data. To address this problem, the U.S. and other key IMF members are pressing for tough new disclosure standards.

U.S. policy. The U.S. can do several things to strengthen the IMF. First, Congress should approve the President's funding requests for the IMF, because its resources have been depleted by the Asian crises. Second, the U.S. must take the lead in strengthening the international financial system and creating an architecture to prevent and better manage financial crises. We need to ensure that investors and creditors pay a price for their mistakes, consistent with our broader interest in preventing economic catastrophes. IMF member countries must also be required to provide more accurate, detailed, and timely economic data. Third, the

IMF needs to give social and economic considerations greater weight in lending decisions. Finally, the IMF's largely secretive mode of operating needs to be more accountable, transparent, and open to public scrutiny.

Conclusion. The United States took the lead in creating the IMF. It has served U.S. interests for a half century. It is not perfect, and it can be improved. Yet its contribution to international financial stability, economic growth, and world peace is immense. It deserves U.S. support.

MINORITY SCHOLARSHIP PROGRAM

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. CLAY. Mr. Speaker, I would like to take this opportunity to share information about an important scholarship program for minority students that has been established by the Army Research Laboratory.

The Science and Technology Academic Recognition System (STARS) fellowship provides tuition and expenses for the senior year of undergraduate study, and two years of graduate study. This program targets undergraduates who attend historically black colleges and universities and other minority servicing institutions, but recipients may pursue graduate studies at any accredited university. Fellowship recipients are employed by the Army Research Laboratory during the Summer and other school breaks throughout the academic year. The awards can total up to $100,000 over the course of three years. In 1997, the Army Research Laboratory committed $300,000 to three STARS fellowship recipients.

While STARS funds only undergraduate and Master's degrees, the Army Research Laboratory has other fellowships which can help students complete doctoral studies. Upon completion of the STARS program, graduates are free to stay on with the Army Research Laboratory or they can pursue work in other parts of the federal government.

In order to become eligible for the STARS program students must have a 3.0 grade point average, be rising seniors, hold U.S. citizenship and have an interest in pursuing graduate study in science, engineering or mathematics. Interested students should write to Director, U.S. Army Research Laboratory, ATTN: AMSRL–SP, 2800 Powder Mill Road, Adelphi, Maryland, 20783.

RONALD REAGAN NATIONAL AIRPORT

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. PACKARD. Mr. Speaker, Ronald Reagan's legacy is the end of the Cold War and the greatest economic expansion in United States history. He ended the outrageous income tax rate of 70% and simplified the tax system with the 1986 Tax Act. He nominated the best Federal Reserve Chairman in history, Alan Greenspan and forced the Soviet Union to make massive nuclear reductions through his ''peace through strength'' plan.

Ronald Reagan presided over eight years of peace and prosperity. He was a great governor, presiding over my home state of California, and a great President. He exalted the rights and dignity of the individual and preached that government must be the servant, not the master of its citizens. Ronald Reagan is a great American and he deserves to be recognized.

Earlier this week, the House Transportation and Infrastructure Committee passed a resolution to rename Washington National Airport the Ronald Reagan National Airport in order to honor Reagan prior to his 86th birthday. I was shocked to learn that this legislation did not pass unanimously, but by a lopsided vote of 39–28. Democrats are actually openly opposing this bill to honor one of our nation's greatest leaders.

Mr. Speaker, this resolution recognizes the one man who likely made the greatest impact of any human being on our lives. This bill should not be made into a political agenda item by the Democrats. When Ronald Reagan took the oath of office, the United States economy was in the midst of its worst recession since World War II. Big government ruled at home and abroad and the U.S. government had income tax rates as high as 70%. President Ronald Reagan changed the direction of the country and I applaud my colleague, BOB BARR, for introducing and fighting for this measure.

A PIONEER FOR MIAMI-DADE COUNTY EDUCATION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Ms. ROS-LEHTINEN. Ms. Speaker, It gives me great pleasure to rise to recognize the outstanding accomplishments of Mr. Pat Tornillo, who has played a major leadership role in Miami-Dade's public school system for almost four decades.

As chief negotiator for Dade County's teachers since 1963, Mr. Tornillo is widely credited for raising the salaries of Miami's teachers to the among the highest level in the nation. Pat has also won numerous benefits and professional initiatives that have given our area's teachers a wide variety of opportunities for growth and professionalism. He is recognized nationally for his progressive and innovative work in the professionalization of teaching and educational reform in South Florida.

Pat came to Miami in 1956 from the Newark, New Jersey school system. As a new teacher in the Miami-Dade County school system, he soon became active in the Dade County Classroom Teachers Association (which later became the United Teachers of Dade). He presently serves as Executive Director of the United Teachers of Dade, President of the Florida Education Association/United and Vice President of the American Federation of Teachers.

He has been a pioneer in blazing a trail for quality education in the Southeast. He helped build our local school system into one of the largest and most culturally diverse public school systems in the nation. He has won many awards for this record including the Martin Luther King Jr. Memorial Brotherhood Award, the Outstanding Leadership Award from the United Way, and the NAACP Distinguished Award.

As a former Dade County educator, I am happy to join with his many friends and colleagues who will pay tribute to him at a major event in his honor on February 7th. This event, ''''A Gathering os Eagles, honoring Pat L. Tornillo, for his Uncommon Commitment to Public Education'', is a fitting commemoration of the record of one of Florida's leading educators.

IN TRIBUTE TO THE LIFE AND ACHIEVEMENTS OF JAMES ROBERTS OF ANDREWS, TX

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. COMBEST. Mr. Speaker, I rise today to pay tribute to the life and achievements of James Roberts of Andrews, Texas.

James Roberts was a very important reason that the county and community of Andrews lived up to its self-proclaimed truism, ''A Community of Quality.'' James embodied every bit of that quality as the local boy who grew up to take an active, important part in his community. After graduation from Andrews High School, he completed his education after serving this country in the U.S. Army in World War II and bravely surviving a year's time in a German prisoner-of-war camp. He returned home to Andrews and married Marie Holman on April 18, 1946. He had attended Texas Tech in Lubbock, and in 1950, earned his college degree from Baylor University.

James became the owner and editor of the Andrews County News. His writing spoke with the strong, common sense voice and views of the vast West Texas and Eastern New Mexico region through several newspapers under the Roberts Publishing banner. The family paper, founded by his parents during the Great Depression, carried James' own ''Drifting Sands'' column of homespun humor and down-to-earth basics of daily life and politics, James Roberts' own course in life was anything but drifting. James was an important and thoughtful local leader, one of the community's strongest boosters.

As the president of the Andrews Industrial Foundation, he attracted Fortune 500 businesses to Andrews, to diversify an economy once dependent on financial fluctuations in the domestic oil industry. James Roberts was also a leader among newspaper editors and publishers throughout the state, serving as president of the Texas Press Association and the West Texas Press Association. With strong community ties, a member of the First Baptist Church, two terms as president of the Andrews Chamber of Commerce, and the 12-year presidency of the Permian Basin Railroad Company, it is no surprise that James had earned early recognition as Andrews' Outstanding Citizen.

Just a few days before Christmas, James Roberts passed from this life—a life of community service for the betterment of his neighbors. Mr. Speaker, I believe that Andrews,

Texas will always be that community of quality, with credit due to the quality of its people—people like James Roberts.

COMMEMORATING GENERAL LUCIUS D. CLAY

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. GINGRICH. Mr. Speaker, today Congressman Barr and I introduced a House Resolution to commemorate and honor fellow Georgian General Lucius D. Clay, the United States Military Governor of Germany and Commander of the US Forces in Europe following the end of World War II.

Born in Marietta, Georgia in 1897, Clay's Southern heritage influenced his ideology and policy throughout his life and military career. General Clay's impressive military career began in the 1930's as a military engineer. He soon established himself a highly competent, willful and vigorous man with a exceptional understanding of the purpose of government. General Clay's impressive role in US Military affairs in Europe and more specifically in Germany are marked not only by his military prowess but also by his humanitarian efforts to protect all men and women regardless of their military allegiance and ideology.

The Russian motivated Berlin Blockade, which halted all freight, passenger, water and food supply traffic to Berlin, began June 24, 1948. On June 26, 1948, the United States, under General Clay's leadership, began the Berlin Airlift that provided the German people with the necessary supplies for day-to-day existence. The Airlift continued for 328 days until May 12, 1949 when the Russians ended the blockade.

We are very pleased to honor the prominent role General Lucius Clay played in implementing the Berlin Airlift and in shaping post-WWII Europe. Issuing a postage stamp would be a first step in appropriately recognizing General Clay's role in history.

RECOGNIZE AND LAUD PROGRESSIVE ALTERNATIVE BUDGET FOR BERKELEY

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. DELLUMS. Mr. Speaker, I rise today to call attention to, and to praise the passage of the Progressive Alternative Budget 1997–1998 for the City of Berkeley. This landmark budget was passed by the City Council on June 24, 1997.

This budget, initiated by the Honorable Vice-Mayor, Maudelle Shirek, established the seemingly impossible goal of forging a budget which would meet the needs of two apparently divergent, distinct communities within Berkeley. Although Berkeley's population of approximately 112,000 places it in the category of a small city, it has two polar economic groups with attendant issues, a common characteristic of large urban areas. To quote Vice-Mayor Shirek: ''The City of Berkeley is divided into two distinct societies; one consisting of those well above the safety net; the other made up of those just above, within or below that same safety net.''

The Vice-Mayor's 1997–98 budget achieved the target of meeting the basic needs of the entire city by maintaining the excellent police and fire services, as well as meeting the special requirements of the citizens with the lowest income and the greatest needs. The Vice-Mayor, working with four other Councilmembers, Margaret Breland, Linda Maio, Dona Spring and Kriss Worthington, set three priorities in allocating the $200 million discretionary funds available; increased employment opportunities for the poor and homeless, access to health care for at-risk individuals, and more affordable housing.

Within these three priorities, the Vice-Mayor proposed that the budget be appropriated in the following manner; city parks and waterfront, clean, safe streets, and the library (39.92%); public safety (22.84%); a healthy city and the disabled community (7.17%), the needy and soon-to-be-needy (5.35%); economic development (4.22%); children and seniors (3.19%); South and West Berkeley, two traditionally underserved sections of the city (0.32%); and arts and culture (0.29%).

In presenting this premier budget, Vice-Mayor Shirek expressed her appreciation for City Manager James Keene and his staff for the data that formed the basis of her budget, and was especially proud to note that this budget included the traditional annual 4% surplus as well as an AA rating enjoyed by only 17 other cities in California.

It is appropriate at this time for me to thank all those involved in this undertaking for their energy and hard work. I am proud that the Berkeley community has united to focus its attention on issues which are critical to the health, safety, and well-being of its citizens.

VOTE ON THE AMERICAN LAND SOVEREIGNTY PROTECTION ACT

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. PASCRELL. Mr. Speaker, on October 8, 1998, I inadvertently cast a vote in favor of H.R. 901, The American Land Sovereignty Protection Act. I intended to vote against the bill, but mistakenly voted for it. As you well know, debate on the bill and amendments to the bill occurred in the evening of October 7, but all of the votes were delayed until the next afternoon. The votes were then taken in rapid succession without debate or review.

As my record clearly indicates, I voted in support of each of the four amendments that would have significantly weakened this misguided legislation. Unfortunately when it came time to vote for final passage, I mistakenly thought we were voting on another amendment. Had I recognized that the vote was on final passage, I would have certainly voted ''no.''

I would like for my record to reflect that this vote was cast in error, and that should it come up for a vote again, I fully intend to vote against H.R. 901.

1972: SENATE PASSES EARLY BUY-INTO MEDICARE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. STARK. Mr. Speaker, Members of Congress will soon be introducing a bill to provide affordable health insurance for people in the age 62–65 bracket and for displaced workers over age 55. The bill will let Americans buy-into Medicare at full cost—that is, without any cost to the existing Medicare system.

Five Senators have already voted for this proposal: Senators ROTH, STEVENS, THURMOND, BYRD, and INOUYE all voted for it in 1972, when the Senate version of H.R. 1 included a proposal from the Senate Finance Committee to let spouses of Medicare eligible individuals and early Social Security retirees buy into Medicare.

Senator Dole also voted for the proposal.

The Senate floor statements by Republican Senator Gurney of Florida and Democratic Senator Cranston of California are still an eloquent testimony to why this year's proposal makes great sense. I would like to include this legislative history in the RECORD at this point. The numbers cited in speeches have to be updated, of course, but the reasons why we should give people the option of spending their own money to buy into Medicare are still accurate:

SOCIAL SECURITY AND WELFARE REFORM—SUMMARY OF THE PRINCIPAL PROVISIONS OF H.R. 1 AS DETERMINED BY THE COMMITTEE ON FINANCE, COMMITTEE ON FINANCE, UNITED STATES SENATE, RUSSELL B. LONG, CHAIRMAN, JUNE 13, 1972

MEDICARE COVERAGE FOR SPOUSES AND SOCIAL SECURITY BENEFICIARIES UNDER AGE 65

Present Law

Under present law, persons aged 65 and over who are insured or are deemed to be insured for cash benefits under the social security or railroad retirement programs are entitled to hospital insurance (part A). Essentially all persons aged 65 and over are eligible to enroll for medicare insurance (part B) without regard to insured status. The House bill includes a provision that would permit persons aged 65 and over who are not insured or deemed insured for cash benefits to enroll in part A, at a premium rate equal to the full cost of their hospital insurance protection ($31 a month through June 1973).

Problem

Many additional social security cash beneficiaries find it difficult to obtain adequate private health insurance at a rate which they can afford. This is particularly true if they are of an advanced age, say, age 60–64. Frequently, these older beneficiaries—retired workers, widows, mothers, dependents, parents for example—have been dependent upon their own group coverage or that of a related worker who is now deceased for health insurance protection. It is a difficult task for such older persons to find comparable protection when they no longer are connected to the labor force.

Finance Committee Amendment

The provision makes Medicare protection available at cost to spouses aged 60–64 of Medicare beneficiaries and to other persons age 60–64 (such as a beneficiary who elects early retirement at age 62) entitled to benefits under the Social Security Act.

SOCIAL SECURITY AMENDMENTS OF 1972—AMENDMENT

AMENDMENT NO. 989

(Ordered to be printed and referred to the Committee on Finance.)

Mr. GURNEY. Mr. President, I am today introducing an amendment to H.R. 1 that would apply to that part of the bill dealing with medicare.

My amendment is directed toward the 3 million or so people between 60 and 65 whose husbands or wives receive medicare benefits but who are not eligible for it themselves. By and large these people live on limited retirement incomes and, as retirees, are more vulnerable to economic hardship resulting from serious illness. The most reasonable solution would be to bring them under the umbrella of medicare, while adding as little as possible to the cost of that program.

This amendment would do just that. It provides that one spouse must be over 65 and already enrolled in the medicare program for the other spouse, who must be at least 60, to enroll in the program and receive equivalent benefits at cost.

The cost of these benefits to the newly eligible spouse should be reasonable enough to attract enrollees yet comprehensive enough to provide the necessary medical coverage. For an estimated $30 to $35 a month, spouses will get the same hospital insurance and insurance to cover physician's charges that anyone else enrolled in medicare gets.

To discourage people from waiting until they are sick to enroll, this amendment provides for a 10-percent increase in premiums for each year they delay. Thus, the potential enrollee has an incentive to sign up when he or she is 60. Such a proviso will put the program on a sounder financial basis.

In summary, this proposal will provide the spouse of a retiree on medicare with adequate medical insurance at reasonable rates during a 5-year period when getting a policy from a private company would be either impossible or prohibitively expensive. Once the person reached age 65, regular medicare would take over, dropping the $30 to $35 a month charge to an estimated $5.80 per month.

Since the financial burden of this proposal would be underwritten by the subscribers and since its implementation would utilize the administrative services of a program already in existence—medicare—this seems to be the most efficient and most economical way to reduce some of the trails and tribulations faced by our senior citizens. They have worked hard for their retirement and they deserve a chance to live it in peace and contentment. This amendment would help give them that chance without depriving them of their dignity or overburdening the already hard-pressed American taxpayer.

EXTENSION OF MEDICARE COVERAGE TO EARLY RETIREES AND THEIR DEPENDENTS

Mr. CRANSTON. Mr. President, I submit for printing today for myself and the Senator from Florida (Mr. GURNEY) an amendment to H.R. 1, which would enable certain individuals who have not yet reached age 65—those who are entitled to old-age, wife's, husband's, widow's, widower's, or parent's Social Security benefits—to ''buy-into'' Parts A and B of Medicare by the payment of equal-to-cost-premiums.

The need for this legislation stems from the fact that medicare eligibility does not begin until age 65, yet many older persons lose their group health coverage when they retire before the age of 65. They are then forced to enroll in high-cost individual health policies—usually not even available to them—or to forego any coverage whatsoever, gambling that they will stay healthy at least until they reach age 65 when they become eligible for medicare. This is an intolerable situation, Mr. President, and I believe that we can effectively counteract it through the enactment of the measure we propose today.

Senator GURNEY submitted on March 3 an amendment (No. 989) to H.R. 1. The amendment provides that if one spouse is over 65 and enrolled in medicare, the other spouse, if at least 60 years old, may enroll in the program and receive equivalent benefits at cost. As Senator GURNEY stated when he introduced this measure:

''Since the financial burden of this proposal would be underwritten by the subscribers, and since its implementation would utilize the administrative services of a program already in existence—Medicare—this seems to be the most efficient and most economical way to reduce some of the trials and tribulations faced by our senior citizens.''

I believe that Senator GURNEY has submitted an excellent amendment, and I have requested to be added as a cosponsor.

In discussing the benefits afforded by amendment No. 989, which the Finance Committee has already tentatively adopted in its markup of H.R. 1 in executive session, Senator GURNEY and I agreed that, at still no cost to the American taxpayer, these benefits could be made available to an even broader range of older Americans—those already on the social security rolls. It is these individuals that the amendment we are submitting today would cover. They include in addition to the social security spouse covered by the Gurney amendment: First, social security old age beneficiaries 62 years old and over; second, a wife or widow, regardless of her age, if she is caring for a child under 18 or disabled and the child received payments based on the worker's record; third, a wife 62 or older or widow 60 or older; fourth, a dependent husband 62 or over, or a dependent widower 60 or over; or a disabled widower who has attained age 60; or fifth, dependent parents of a deceased worker.

The ''buy-in'' procedure we propose today is similar to that allowing States to buy into medicare on behalf of their retired public employees 65 years old or older—a provision contained in section 202 of H.R. 1 as passed by the House. And H.R. 1 as passed by the House also extends medicare coverage to recipients of social security disability benefits. The Senate Finance Committee has tentatively agreed to this extension of coverage which I have long advocated. In light of this expansion of the medicare program, I believe it is only fitting that we concern ourselves, too, with the health care needs of the individuals who would be covered by this amendment.

Our amendment would allow these individuals, at an estimated cost of approximately $30 per month in the first year of operation—and perhaps as law as $22 per month thereafter—to enroll in part A of medicare—Hospital Insurance Benefits—anytime they are or become eligible during a 90-day period following receipt of notice of eligiblity from the Social Security Commissioner.

Because the enrollment period is limited to a specific number of days—a reasonable period of 90 days after the recipient receives notice of eligibility—the opportunity for adverse selection of coverage is very much reduced, thereby promising to keep premium charges to the absolute minimum.

Our amendment would allow these same elegible individuals to enroll in part B of medicare—Medical Insurance Benefits—within the same 90 day period. The premium for part B coverage would be 200 percent of the regular part B premium—one-half of which the Government presently underwrites for medicare beneficiaries. If a provision is enacted in H.R. 1 to eliminate completely or place a limitation upon, as the Finance Committee proposes, the part B premium cost to beneficiaries—it is presently $5.60 per month—I expect that the cost to those covered by this amendment would be appropriately adjusted.

Individuals may opt out of either part A or part B at anytime, but automatically cease to be eligible for part B if they drop or lose eligibility for part A. All of these beneficiaries of course, would be eligible for the regular medicare program when they reached the age of 65.

Mr. President, on March 3 and 4, as ranking majority member of Senator EAGLETON's Subcommittee on Aging of the Labor and Public Welfare Committee, I was privileged to preside at hearings in California on legislation affecting our Nation's more than 20 million older Americans. I discussed with many of the witnesses present the legislation that Senator GURNEY and I propose today, and all testified to the importance of and vital need for such a measure.

Adequate health care coverage is a matter of the greatest concern to Americans reaching retirement age. This amendment addresses that concern and provides a mechanism for a substantial number of particularly hard-pressed older Americans to take full advantage of the benefits under the medicare program.

IN MEMORY OF MR. WALTER RHULEN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to honor the life of Walter Rhulen of Sullivan County NY, who has passed away after decades of dedication to his business, his community and family.

Walter Rhulen was a man of many exceptional qualities. His business sense helped him build an insurance empire, worth more than a billion dollars, out of his family company. With his dedication to Sullivan County he personally helped to make for it a better place. Walter Rhulen spent his life giving his spirit, ideas and his financial support Sullivan County, changing it forever.

Walter Rhulen's work touched the lives of thousands of his neighbors. He was committed to the Sullivan County region and to its people. Even after his business's great success he kept its headquarters in his home town, showing his dedication to the home he loved.

Mr. Rhulen helped to bring better health care to his neighbors by campaigning for a new hospital. With his leadership and financial support he helped to open the new Community General Hospital. This modern facility provided better health care for the entire region.

Mr. Rhulen also helped to create and fund a scholarship fund for Sullivan Community College students.

Walter Rhulen has provided the residents of my Congressional district with an invaluable service. His love for our region was remarkable and estimable. With the death or Walter Rhulen our community lost much more than a resident. We lost a role model and a great man. His dedication was exemplary and will not be forgotten or underappreciated.

Walter Rhulen was of tremendous assistance to me as a member of my Congressional Economic Advisory Committee. There he demonstrated his concern of regional affairs, and was always eager to share his vast wealth of experience with us.

Mr. Speaker, I extend my deepest condolences to his widow, Judith Schmid Rhulen and his children, Suzanne Laughlin and Harry, Erik and Anthony Rhulen for their loss on such a tragic occasion.

HONORING RICK TUTTLE

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. BERMAN. Mr. Speaker, my colleague Mr. WAXMAN and I want to bring to your attention, our close personal friend, Los Angeles City Controller Rick Tuttle (L.A.'s elected financial officer), will receive the L.A. City's ''Employee of the Year'' Award on December 10, 1997. We would like to take this opportunity to recognize, at a national level, what the people of Los Angeles have known for decades and we, individually, have known for all of our professional lives: Rick Tuttle is an extraordinary individual who has made a major mark by contributing his time and talents to elevate the quality of life of Los Angeles.

The ''Employee of the Year'' award will be presented to Rick by the All City Employees Benefits Service Association (ACEBSA) for his outstanding achievements in a city career that spans 12 years. In announcing the selection, ACEBSA President, Jay R. Sloan said,

Mr. Tuttle heads one of the City's most important and largest departments. His record as an outstanding leader speaks for itself. His career sparkles with achievement.

Few people have been as dedicated, and have contributed so much time, energy and passion, as Rick has to the City of Los Angeles. He has made an enormous mark not only on the City but on the larger society as well. It would be impossible to list all of Rick's honors, but we would like to mention a few.

Among the awards Rick has received are the Equal Justice in Government Award from the NAACP Legal Defense and Education Fund; the Distinguished Public Service Award presented by the Pacific Southwest Region of the Anti-Defamation League; Lifetime Membership Award from the Los Angeles Business Council; the Distinguished Leadership Award for 1996 presented by the Association of Government Accountants. He has served as Director of the Los Angeles West Chamber of Commerce, a Director of the UCLA Religious Conference at UCLA and has been an active leader of the California Democratic Party for 30 years.

As our immediate successor as statewide President of the California Federation of Young Democrats, as a friend and ally for over 30 years, Rick has an impressive commitment to community improvement. His awards and achievements have come over three decades of professional excellence: as a Dean of Students at UCLA, as an elected trustee of the Los Angeles Community colleges and as L.A. city's Controller since 1985.

We, of course, have a personal involvement with the entire Tuttle family. His wife, Muff Singer, served as campaign coordinator and the first Administrative Assistant to Howard Berman. Muff left government employment to pursue a career as a successful writer of children's books and to devote herself to raising a family. Rick and Muff's daughter, Sarah, has been raised with a respect for community involvement and is already a pride to her community.

From his time of his courageous civil rights involvement in the early 1960's (from Wesleyan University he went south to register voters and to fight for civil rights) to his courageous and fierce guardianship of L.A. city's budget as City Controller, Rick has been an exemplar of the best of public service.

Each of us have known Rick, and his wife, Muff, personally and professionally for more than thirty years. He is a close personal friend, trusted advisor, and a model of what an elected official ought to be. Our admiration of him is indescribable.

INTERNATIONAL TREATY ON GLOBAL CLIMATE CHANGE

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. KNOLLENBERG. Mr. Speaker, I rise today to ask that the following statement be included in the CONGRESSIONAL RECORD. The attached resolution was adopted by the Board of Commissioners of Oakland County, Michigan, regarding the recently passed international treaty on global climate change.

I have already voiced my very strong concerns with this treaty, which will require legally binding cutbacks in greenhouse gas emissions. By exempting all developing nations, the treaty will create a two-tiered environmental obligation, forcing the entire burden to reduce greenhouse emissions on industrialized nations while turning the developing world into a pollution ''enterprise zone.'' This will have a devastating impact on American jobs. Oakland County agrees, and offers this resolution to express its grave concerns with the impact cutbacks will have on jobs and economic growth.

Mr. Speaker, please accept this statement in the CONGRESSIONAL RECORD. Oakland County is sending us a powerful message about how these drastic cutbacks will affect our nation's local communities. As the current administration plans to implement the bureaucratic regulations needed to bring the U.S. in compliance with the recently adopted treaty, Congress must acknowledge this warning.

The following is a representative copy containing all amendments to:

Miscellaneous Resolution #97227.

By: Commissioner Shelley Taub, District #12; Commissioner Donn L. Wolf, District #19.

In re: United Nations Climate Change Treaty Opposition.

To the Oakland County Board of Commissioners.

Chairperson, Ladies and Gentlemen:

Whereas the Michigan Association of Counties, the National Association of Counties and SEMCOG have recommended support for the following concepts in the main body of the resolution; and

Whereas the United Nations Framework Convention on Climate Change was adopted in May, 1992 at the Earth Summit held in Rio de Janeiro and calls upon industrialized nations to aim towards voluntarily limiting their greenhouse gas emissions to 1990 levels by the year 2000; and

Whereas ongoing international negotiations are underway aimed at finalizing a Climate Treaty by the end of 1997 that is expected to require legally-binding cutbacks in energy usage and emission targets that will be applicable to developed nations only; and

Whereas a growing body of economic studies indicate that any U.S. effort to significantly limit greenhouse gas emissions in a short time frame will slow economic growth, cost hundreds of thousands of jobs in Oakland County and throughout the United States, and discourage investments in more energy-efficient technologies or facilities; and

Whereas mandatory constraints on fossil fuel use would raise the monthly cost to consumers for electricity, heating and cooling bills. Projections also indicate that the residents of Oakland County could experience a gasoline price increase of up to $0.50 per gallon. This would be particularly detrimental to those on fixed incomes, living in rural areas or dependent on private vehicles to transport their families to work, school and stores; and

Whereas ill-advised policies on climate control change could significantly limit personal mobility, seriously disrupt the growing economy of Oakland County and would negatively impact those businesses located in Oakland County that could no longer compete effectively against their foreign counterparts as a result of the higher cost of fuel; and

Whereas the exemption for developing countries is inconsistent with the need for global action on climate change, is environmentally flawed and imposes trade disadvantages. The Climate Treaty will inflict serious harm to Oakland County's economy with the loss of manufacturing jobs, as the incentive to move industry abroad to exempt, high-growth countries such as Mexico, China and Brazil is heightened; and

Whereas the Oakland County Board of Commissioners holds that the United States should not agree to any international global climate proposals that are not justified by sound scientific and economic policies.

NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners strongly supports MAC, NACo and SEMCOG, and urges that the United States not be signatory to any protocol to, or other agreement regarding, the United Nations Framework Convention on Climate Change of 1992, at negations in Kyoto in December 1997, or thereafter, which would:

(A) mandate new commitments to limit or reduce greenhouse gas emissions for the United States, unless the protocol or other agreement also mandates new specific scheduled commitments to limit or reduce greenhouse gas emissions for developing countries within the same compliance period, or

(B) result in job loss or serious harm to the economy of Oakland County, the State of Michigan and the United States; and

BE IT FURTHER RESOLVED that any protocol to, or other agreement regarding, the United Nations Framework Convention on Climate Change of 1992, signed by the United States at negotiations in Kyoto in December 1997, or thereafter, should:

(1) be voluntary as much as possible;

(2) include all nations, developed and developing, under comparable criteria and within the same compliance period;

(3) assist developing nations in growing economically while increasing energy efficiency; and

(4) promote technology approaches that can reduce adverse impacts on consumers and the economy.

BE IT FURTHER RESOLVED that the members of the United States Senate are strongly urged not to consent to any protocol or agreement regarding the Global Climate Change, unless said protocol or agreement is:

(i.) accompanied by an analysis of the detailed explanation of any legislation or regulatory actions that would be required to implement the protocol or agreement; and

(ii.) accompanied by an analysis of the detailed financial costs and other impacts on the economy of the United States that would be incurred by implementation of the protocol or agreement.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the President of the United States, the Vice President of the United States, Senator Spencer Abraham, Senator Carl Levin, Oakland County Legislators, the Governor of the State of Michigan, and to Oakland County's Legislative Agents.

Chairperson, we move the adoption of the foregoing resolution.

SHELLEY TAUB,
District #12.

DONN L. WOLF,
District #19.

Vote on resolution, as amended:

AYES: Huntoon, Johnson, Law, McCulloch, McPherson, Moffin, Obrecht, Palmer, Powers, Schmid, Taub, Wolf, Amos, Dingeldey, Douglas, Garfield. (16)

NAYS: Holbert, Jacobs, Jensen, Kingzett, Coleman. (5)

A sufficient majority having voted therefor, the resolution, as amended, was adopted.

RECOGNIZING MS. THELMA SIAS

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. BARRETT of Wisconsin. Mr. Speaker, today I would like to recognize Ms. Thelma Sias, of Milwaukee, Wisconsin, for her outstanding contributions to the community and her life long dedication to serving others.

Ms. Sias is the 1998 recipient of the ''Drum Major Award'' presented at the annual Martin Luther King, Jr. Breakfast in Milwaukee. This highly distinguished award is presented every year to an individual who has dedicated his or her life to public service and promoting positive change within the African-American community.

Throughout her years in Milwaukee, Ms. Sias has worked to affect positive change. As the Director for Community Programs at Wisconsin Gas Company, she has set out every day with one goal—to make a difference. She has served on countless boards and committees in Milwaukee where she has worked to revitalize neighborhoods, to provide food for the hungry, to advance women's issues, to improve education opportunities, and to make our neighborhoods safe for children. Ms. Sias is a passionate youth mentor and role model for Athletes for Youth, New Concepts Self Development Center, YMCA Black Achievers Program, and Dr. Martin Luther King, Jr. elementary schools.

Although Thelma is not one to seek praise, her work has not gone unnoticed. She has received a steady stream of accolades including the 1993 Honored Woman Award presented by the Women's Fund, the 1993 Future Milwaukee Community Service Award, the 1991 Milwaukee Times/TV 6 Black Excellence Award, the 1990 YWCA Outstanding Woman of Achievement Award and the 1989 Black Achiever of the Year in Business and Industry Award.

Now, in 1998, Thelma is receiving an award named after the Rev. Martin Luther King, Jr., a man she calls her ''role model.'' How appropriate it is that someone who modeled her own life after the life of a man who made sacrifice after sacrifice for the benefit of others has become a role model to those who witness her work.

We, in Milwaukee, are lucky. Ms. Sias left Mississippi and adopted Milwaukee as her home and, in time, adopted each of us and shared with us her great love for her fellow man. Her contribution has been remarkable. Her recognition is deserved. I congratulate her on her accomplishment and I know that she will continue to devote her time and energy to making Milwaukee a better place.

TRIBUTE TO MISSOURI STATE SENATOR HAROLD L. CASKEY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. SKELTON. Mr. Speaker, it is a pleasure for me to rise to congratulate a friend and political colleague from Missouri, State Senator Harold L. Caskey, who was recognized recently for his outstanding work in behalf of people who are blind.

Harold was named 1997 State Official of the Year by the General Council of Industries for the Blind. It is a recognition he richly deserves in light of his work in enacting the State Use Law for the State of Missouri. In addition, his leadership and commitment to the Lighthouse for the Blind will open the door for blind people to receive training, and enable them to lead meaningful and independent lives.

My friend, Harold Caskey, is visually impaired, but there is no selfish motivation to his work to improve access to the blind. He stands out as a model civic leader, with a successful career in law and government. His blindness, however, has given him a unique vision and insight most people lack, and he is using that vision to pave the way for inclusion.

Mr. Speaker, I know my colleagues will join me in congratulating Harold Caskey, and join the General Council of Industries for the Blind in commending his good work.

A QUESTION OF HONOR

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. TALENT. Mr. Speaker, I commend the remarks of William Bennett to my colleagues. His recent speech at the United States Naval Academy is an excellent discussion of what is important in our society.

DOES HONOR HAVE A FUTURE

(By William Bennett)

It is a privilege to address you this evening.

As way of background—not by way of boasting, but simply wondering out loud—I should tell you that lately I have received invitations from all of the military academies looking for guidance and help on ethical issues. I will confess that it is a bit strange to me that a well-known former government employee and sometime philosopher like myself should be asked to address this assemblage on matters of ethics and honor, right and wrong, on the question, ''Does Honor Have a Future?''. But as Sir Thomas More said, ''Ladies and gentlemen, I give you the times.''

And what do we make of these times? These are good times and bad times. We all know that there have been troubling, and even terrible, incidents here at the United States Naval Academy, and at other academies as well. While we should be bothered by these incidents, we should also be troubled by the superficial, flawed analyses these events have sometimes received. Most of these bottom on the limp excuse that the Academy simply reflects more general changes in society. It goes something like this: ''There are these problems everywhere—so why not here? The Academy is just a reflection of the larger society.'' To which I would respond: no, it is not. Whether we are talking about Annapolis, West Point or Colorado Springs, you are supposed to be different—and in some important ways, you are supposed to be better. It was a wise man who said that when a man enters military life, he enters a higher form of civilization.

Former assistant secretary of the Army Sara Lister, who called the Marines ''extremists,'' did not sufficiently grasp this point. But thank goodness many other Americans still do.

So yes, the military is—and ought to be—different in some important ways from the world outside its walls. It operates with a different code of conduct; a different set of activities; a different way of life. I have no doubt that most of you—perhaps all of you—will leave this academy changed in many important regards. Perhaps you can see the changes in your own life occurring even now.

Last year, I visited the United States Air Force Academy and spoke with one of the cadets, the son of a friend of my wife and me. He told me about the grueling schedule: drills, training, study, sports, lack of sleep, the constant pressure to perform, officers yelling at him to do better and to be better. I asked him two questions: When you are home on vacation, do your friends understand what it is you are going through? He told me no. I then asked him: do you like it here? And he said, ''Mr. Bennett, I love it.'' And you could tell that he did—as I know many of you love the regimen here, even as you struggle to master it. And in mastering it, it is inevitable that you will draw back from some of the softness of contemporary civilian life.

I want to draw to your attention an extraordinary 1995 article in the Wall Street Journal, written by Thomas E. Ricks, about the transformation that took place in Marine recruits after eleven weeks of boot camp at Parris Island.

A Marine talked about his re-entry into society: ''It was horrible—the train [ride home] was filled with smoke, people were drinking and their kids were running around aimlessly.'' Another private said this: ''It was crowded. Trash everywhere. People were drinking, getting into fights. No politeness whatsoever.'' But he went on to say, ''I didn't let it get to me. I just said, 'This is the way civilian life is.''' According to one Sgt. Major, ''It is a fact of life that there isn't a lot of teaching in society about the importance of honor, courage, commitment. It's difficult to go back into a society of 'what's in it for me?'''

You know that this is, unfortunately, pretty accurate. There are plenty of people in

the rest of society, who live outside these walls, who do not identify with what you stand for; some who do not agree with it; and even some who scoff at honor codes and mission statements, feeling themselves superior to such things.

Here at Annapolis you learn obedience to orders, the responsibility of command, respect for authority. Here at Annapolis, you have dedicated yourself to high purpose and to noble cause. But in the twilight of this twentieth century, concepts like honor, nobility and manliness not only do not elicit approbation; they often illicit ridicule, scorn, mockery.

It brings to mind C.S. Lewis's book, *The Abolition of Man*. There, Lewis writes that ''We make men without chests and expect of them virtue and enterprise. We laugh at honor and are shocked to find traitors in our midst.''

America is the greatest nation in the history of the world—the richest, most powerful, most envied, most consequential. And yet America is the same nation that leads the industrialized world in rates of murder; violent crime; juvenile violent crime; imprisonment; divorce; abortion; sexually-transmitted diseases; single-parent households; teen suicide; cocaine consumption; per capita consumption of all drugs; and pornography production and consumption.

America is a place of heroes, honor, achievement and respect. But it is as well a place where far too often heroism is confused with celebrity; honor with fame; true achievement with popularity; individual respect with political correctness. From inside here you look out at a culture that celebrates self-gratification; the crossing of all moral boundaries; and now even the breaking of all social taboos. And on top of it all, too often the sound you hear is whining—the whining of America, what can only be heard as the enormous ingratitude of modern man toward our unprecedented prosperity and good fortune.

Despite our wonders and greatness, we are a society that has experienced so much social regression, so much decadence, in so short a period of time, that in many parts of America we have become the kind of place to which civilized countries used to send missionaries.

Of course this does not change your duty in general, or your duty to this country in particular. It doesn't mean you may not defend this nation, or be willing to give your life for it. Because the ideals of this nation are still the greatest ever struck off by the mind of man. And because we are a free society—with all of its attendant virtue and vice—we expect you to defend the whole nation. Your job, as you know—like it or not—is to defend the worst, as well as the best, of us.

So there is a difference, isn't there, between life here and outside. But let me be very candid and ask a question. There is doubt in Boulder, Birmingham, Boston and Buffalo. Is there also doubt about honor here in Bancroft Hall? Are the Midshipmen of the United States Naval Academy, and your colleagues, ever seized by mission doubt? Does doubt about honor gain any purchase here? Are you sure, in your bones and in your heart, as well as in your head, why honor is worthy of your allegiance?

I ask the question because I am told that among even the military's best and the brightest young men and women—that is, even among some of you here—there is confusion of purpose, attenuation of belief. What is it all about? What matters most? What is life for? What endures? These are the kinds of question young people within and outside the military have always asked. They are worthy of your attention, and ours. And they deserve, from your teachers and others, an answer.

Let me very briefly try to begin to answer these questions by using two contemporary reference points which celebrated major anniversaries in the summer of 1994. The first was the 25th year reunion of Woodstock. Woodstock, you may recall, was a rock festival held in New York in 1969. It was attended by 300,000 young people in the first 24 hours, and it was marked by rowdiness, drinking, drug use, and even death.

The other 1994 reference point was the 50th anniversary of Operation Overload, the Normandy invasion under the command of General Dwight David Eisenhower. This was, as you know, the largest amphibious landing in history. It was attended by about 170,000 young people in the first 24 hours. Let me say a few words about each. Back in the summer of '69, Woodstock was called the ''defining event of a generation;'' it was undoubtedly the high point of the counterculture movement in America. ''If it feels good, do it'' was a kind of unofficial banner under which the participants walked. But it is worth noting, I think, that most of those whose attended the 25th year reunion were not even at the original Woodstock rock festival. The reason, one can fairly surmise, is that for many of those who attended in August 1969, the memories were not good ones, not ones they wished to rekindle. Woodstock was not a place to which they wanted to go again. Many people grew up and grew beyond what Woodstock stood for; in adulthood, they consider it to have been childish, utopian, irrelevant, irresponsible, or worse. It was a chapter of their lives many would just as soon close, a memory they hoped would grow dim with the passage of time. And the deaths and sickness there were pointless, mindless, and avoidable. It was a season of drug overdoses and self-inflicted death.

Now compare the Woodstock reunion with the anniversary of D-Day, which took place on another coast, in the same year. What they were celebrating was something far different. Poignancy and dignity surrounded that event, precisely because the stakes involved were so high; the heroism so manifest; the examples so inspiring. Many listened to President Roosevelt's prayer, broadcast on D-Day, as he recognized the horror that awaited the young men who had embarked on ''the Great Crusade.''

''Almighty God: Our sons, pride of our Nation, this day have set upon a mighty endeavor . . . They will need Thy blessings. Their road will be long and hard. For the enemy is strong. He may hurl back our forces . . . They will be sore tired, by night and by day . . . The darkness will be rent by noise and flame. Men's souls will be shaken with the violence of war.''

As at Woodstock, there were deaths there. But they were different, in numbers and in cause. According to military author Paul Fussell, in one 10 minute period on Omaha Beach, a single rifle company of 205 men lost 197, including every officer and sergeant. But they were not pointless or avoidable deaths. The price was very high—but that for which they died was sacred. We remember. And their comrades-in-arms remember. And so those who could, came back.

My point is a simple one: Ephemeral things are the flies of summer. They drift away with the breeze of time. They are as wind and ashes. An event like Woodstock cannot hold the affections of the heart, or command respect, or win allegiance, or make men proud, or make their parents proud. It may be remembered by the media, but it leaves no lasting impression on the souls of men. It is forgotten. It was meant to be forgotten. People do not pilgrimage there, for it can give them nothing of worth.

Plato reminds us that what is real is what endures. Trenton, Midway and Tarawa; those on the Bonhomme Richard and the crews of ''Taffey Three'' in Leyte Gulf; the Marines and brave naval offices at ''Frozen Chosin''—these things endure.

In the Funeral Oration, Pericles said, ''For it is only the love of honor that never grows old; and honor it is, not gain as some would have it, that rejoices the heart of age and helplessness.''

Honor never grows old, and honor rejoices the heart of age. It does so because honor is, finally, about defending those noble and worthy things that deserve to be defended, even if it comes at a high cost. In our time, that may mean social disapproval, public scorn, hardship, persecution, or as always even death itself. The questions remain: What is worth defending? What is worth dying for? What is worth living for?

So let me end where I began. Does honor have a future? Like all things human, it is always open to question. As free citizens, we can always fail to live up to those ''better angels of our nature.'' A lady reportedly asked Benjamin Franklin after the conclusion of the Constitutional Convention: ''What kind of government have you given us, Dr. Franklin?'' The good doctor replied, ''A Republic—if you can keep it.''

And so honor has a future—if we can keep it, and if you can keep it. We keep it only if we continue to esteem it, uphold it, value those who display it—and refuse to laugh at it.

Earlier in these remarks I suggested a gulf—sometimes even a chasm—between your life here and the rest of America. But there are bridges across the chasm, too—bridges made by hands and words and ideas that reach across generations, across the centuries, from military to civilian, from civilian to military. I am thinking of a small group of men, not soldiers, not naval officers. They were civilians—only civilians. but it was not by accident or luck that our Founders pledged to one another ''our lives, our fortunes and our sacred honor.'' They meant it. In this act of national baptism, we are all bound together.

It is your task, members of the brigade—it has been given to you, especially—to show the way as you and your forbearers, alive and dead, have showed the way before. We outside know you will do it again. And the children will learn by your example what honor means.

Thank you.

TRIBUTE TO OSCAR LOYA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. FARR. Mr. Speaker, I rise today to honor a beloved and remembered man. Oscar Loya the superintendent of Alisal Union School District and community hero died on January 26th, 1998.

Oscar helped foster strong involvement in his home, the Salinas Valley, by being ''an inspirational leader and a person who operated from the heart'' (Roxanne Regules, principal of Caesar Chavez School). Last year Loya received a recognition of his accomplishments by President Clinton for bringing PeaceBuilders, a violence reduction program, to Salinas schools.

Immigrating to the United States at age 7, Mr. Loya, always concerned for others, gave many years of service toward improving the quality of education for migrant children. ''He

was very caring about what happen with his students and what direction they were headed'' (Stephanie Lopez, a former student and first grade teacher).

In return, the community was there for Loya. When it was discovered that he needed a bone marrow transplant, hundreds flocked to have their bone marrow tested during six drives in his honor. Although no matching donor was found, Loya helped to raise awareness of the need for bone marrow donors.

In the Salinas Valley a true champion is lost. My thoughts remain with his family.

HONORING THE 5TH ANNUAL ''CALIFORNIA DUCK DAYS''

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. FAZIO of California. Mr. Speaker, I rise today to pay special tribute to an event in my district that has become one of the premier wildlife festivals in the United States. In the short span of five years, ''California Duck Days'' has grown from a small, community-based event to a large, regional festival offering a wide range of activities including field trips, workshops, lectures, family and youth activities, and, for the first time ever, a large Exposition Hall which includes educational displays, vendor booths, and demonstrations about wetlands and wildlife.

This year, ''Duck Days'' is co-hosted by the California Waterfowl Association, and it coincides with the Sacramento Valley's peak migration period for hundreds of thousands of waterfowl moving south on the Pacific Flyway. ''Duck Days'' showcases the wonders and diversity of our region's wetlands and it serves both to increase public awareness and to promote education about the importance of wetlands and wildlife.

Last fall, the community, and many of this year's ''Duck Days'' participants, braved the cold and rain to successfully dedicate the opening of the Yolo Bypass Wildlife Area. We were joined that day by President Clinton who noted that ''there is no challenge facing this country that we cannot meet, if we will just do what you have done here.'' The 3700 acre wetlands area that constitutes the Yolo Bypass Wildlife Area is the largest wetlands area in the western United States and ''California Duck Days'' is a continuation and expansion of the many partnerships that created the Yolo Bypass Wildlife Area. The president's message, which stressed the power of collaboration, continues to be highlighted by the growing successes of the ''Duck Days'' celebrations.

With over 60 participating organizations, ''Duck Days'' is proof that individuals and organizations can work together to give thousands of people, young and old, the opportunity to experience these wild places, learn about them, and share their experiences with others. I commend the successful model of the Yolo Basin Foundation to my colleagues and extend the congratulations of the House of Representatives to the organizers and participants of 1998's ''California Duck Days'' festival.

HONORING TILLIE ROTHSTEIN

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the lifetime achievements and the memory of a remarkable visionary, activist, and friend, Tillie Rothstein. Tillie was a determined and tireless trailblazer whose contributions to Broward County, and to me personally, have left a permanent impression and a rich legacy.

Tillie is a New York native who made her home and her political career in South Florida. She and her husband retired to Sunrise, Florida in 1977, but Tillie wasted no time launching into the local political arena. She served as a congressional aide and worked in public relations at Broward Federal Savings & Loan. However, she is perhaps best known for her leadership as president of the West Broward Democratic Club which now flourishes as an influential presence, due in large part to her hard work and courageous pioneering. She was unshakably loyal, and her support was one of the most sought after endorsements among those with political aspirations. Always confident and tenacious, Tillie campaigned for her candidates and the causes she championed for over twenty years, thus earning recognition as a stalwart figure in the Broward County community. I am grateful for this opportunity to applaud Tillie for her outstanding efforts and thank her for her innumerable contributions to the community. She will be missed.

TRIBUTE TO ODESSA E. TEVIS

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. BILIRAKIS. Mr. Speaker, I once heard beauty described as ''unity in variety.'' In considering our American people, that definition could easily be expanded to describe the beauty of America—a nation of people gathered from a diversity of backgrounds united in their belief in the freedom of all human beings and their deep love for the country that protects those freedoms.

Mr. Speaker, I rise today to introduce you to an exemplary American, and a good friend, Odessa E. Tevis. Odessa is being honored on Sunday, February 1, 1998 by the Tarpon Springs Historical Society and by the community, for her 25 years of volunteerism in this area.

Born in St. Louis, Missouri on November 27, 1908, Odessa, like so many children during wartime and a troubled economy, moved several times during her childhood. Having moved from Missouri to Chicago to Iowa then back to Chicago, Odessa graduated from High School and then junior college. On the last day of 1931, she married her high school sweetheart, Harry Tevis. Harry worked for the Illinois Bell Telephone Company, and for the next eighteen years, every promotion meant yet another move to another city in Illinois.

There was one interruption—WWII—and Harry had orders to go overseas. But, before he left, he helped Odessa find a job at the Atlas Educational Film Company in Oak Park, Il where she worked on scripts and even did a little acting when needed.

Having made several trips to this area over the years, when Harry retired in 1973, they decided the Florida Suncoast was where they wanted to live. The two cars and camper were barely unpacked when Odessa began making the community her own. Within a year her beloved Harry had passed away and Odessa filled those open hours by helping others. If someone needed a ride to the doctor or the hospital, or needed medication; or a friend to stay through an extended illness or watch a child—Odessa was there. Even today, at 89 years of age, her days are divided between at least two projects such as volunteering at an eye care clinic and a local museum. When asked why she does so much, she chuckles and matter-of-factly replies, ''might as well''!

Her 25 years of involvement in many organizations, including the Women's Club of Tarpon Springs, the New Port Richey Garden Club, the Tarpon Springs Garden Club, the Friends of the Library, the Republican Women's Club of Tarpon Springs, and the Tarpon Springs Historical Society, to name a few, has endeared her to the community. Her involvement in projects for the last quarter century has resulted in countless improvements in the community and benefited many, many residents indeed.

Because of her energy and her example, Odessa has the ability to gather people from diverse backgrounds and unify them by a common goal . . . and has therefore made a beautiful difference in our community. Mr. Speaker, I am very proud to join my community members and the Tarpon Springs Historical Society in honoring our own Odessa E. Tevis as an exemplary American volunteer.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. KIND. Mr. Speaker, as we return for the beginning of the 1998 legislative session I want to renew my call for action this year on campaign finance reform. Last year, I submitted a daily statement for the official RECORD calling on you to allow a vote on campaign finance reform. Unfortunately, we were not allowed an opportunity to vote on this important issue. I hope that 1998 will be the year we finally respond to the demands of the public, who overwhelmingly want us to fix the current campaign funding system.

In the U.S. Senate, Senator LOTT has promised a vote on this issue before March 5. I applaud his commitment to allowing a vote. I hope that the leadership in the House will also commit to a date certain. Until then, I will continue my practice of submitting a daily statement to remind the congressional leadership and the public that we have not passed campaign finance reform.

Mr. Speaker, the problem is clear, there is too much money involved in the election campaigns. The influence of money has created the appearance of special interest influence in the democratic process. The voters no longer believe they have a voice in the system. We will not be able to turn around public opinion,

and therefore restore the public's confidence in our democracy, until we pass a meaningful campaign finance reform bill.

I urge you to schedule a vote on campaign finance reform on the floor of the House of Representatives. We must act soon. The people of western Wisconsin have told me to continue the fight until you agree to allow a vote. The people will not take ''no'' for an answer.

HONORING STEPHEN LEBEL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to a man who has dedicated himself to improving the quality of life in my hometown of Flint, Michigan. On January 23, 1998, Mr. Stephen LeBel will be the guest of honor as family and friends gather to celebrate his lifelong career in public service.

Stephen LeBel has never once hesitated to reach out and help someone in need. In 1970, after graduating from Michigan State University, he found work in the Flint area as an Employment Counselor for the Michigan Employment Security Commission. While with the MESC, Stephen proved to be a valuable resource to Flint residents in the areas of placement services and vocational counseling and training. This led to a two-year stint as a Vocational Rehabilitation Counselor for the Michigan Department of Education. In 1975, Stephen began his career with Insight Recovery Center, a nonprofit substance abuse treatment agency. After a short break, Stephen returned to Insight in 1977 as Director of Alcoholism Services. His achievements were recognized when he was named President and Chief Executive Officer in 1980, a position he holds to this day.

Since its inception in 1965, Insight Recovery Center has expanded its scope to include drug abuse and mental health services. This is due in large part to the exceptional leadership of Stephen LeBel. Over the years, Insight has established itself as Michigan's first independent facility to win accreditation by the Joint Commission on the Accreditation of Hospitals Organization. It has consistently been in the forefront of addiction treatment services.

In addition to his work with Insight, Stephen's influence extends throughout the state as well as the nation. He is a co-founder of the Michigan Campaign for Substance Abuse and Mental Health Reform. He has been affiliated with such groups as the Michigan Health and Hospital Association, National Association of Addiction Treatment Providers, and the National Council on Alcoholism and Drug Dependence of Michigan. In the Flint community, Stephen has been associated with the Urban League of Flint and United Way. For all his efforts, he has been recognized by both houses of the Michigan Legislature. His expertise and guidance are much sought after by his colleagues.

Mr. Speaker, many people, not only in the city of Flint, have been granted a new lease on life because of the dedication of Stephen LeBel. As it is our duty to preserve and protect the quality and dignity of life for our constituents, let us remember that our task is made easier by people like Stephen. I ask my colleagues in the 105th Congress to join me in acknowledging the accomplishments of Stephen LeBel. We owe him a debt of gratitude.

KNIGHTS 100TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to the Wilkes-Barre Council No. 302 of the Knights of Columbus on the occasion of its 100th Anniversary. I am pleased to have been asked to participate in this momentous event.

The Knights of Columbus have been active in the Wyoming Valley in my District in Pennsylvania since the organization's founding in 1898. The Organization has served the community in all aspects of religious and civic concerns. In January of that year, a call was sent out to prominent Catholics in the area. The notice read:

To promote sociability and patriotism among Catholic gentlemen of this city, it is proposed to form a Council of the Order of the Knights of Columbus, to be affiliated with the American Catholic organization of that name already existing.

The call was swiftly answered. Preliminary arrangements began for organization. Meetings were held every few days until the first official Council was formed and officers elected. A prominent newspaperman, Thomas P. Ryder was elected to head the council as Grand Knight.

The years to follow were filled with community activity and charitable undertakings. Council 302 had the unique distinction of having organized a complete military unit for active duty in World War I. In addition to the charity and community service activities, the members became involved in fraternal and social activities throughout the years. The Council formed many clubs which are still active to this day.

Mr. Speaker, I am extremely proud to join with the community in extending sincere congratulations on the occasion of the Council 302's 100th anniversary. I am also pleased to have had the opportunity to bring this important event to the attention of my colleagues and send my best wishes for a most successful anniversary celebration.

COOKING THE NUMBER TO SELL A SALES TAX?

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. STARK. Mr. Speaker, we must have the facts to debate the relative merits of alternative tax systems. I commend the following New York Times article to my colleagues and urge them to take a hard look at the math before endorsing the concept of a national sales tax to replace the current income tax.

[From the New York Times, Jan. 23 1998]

THE 23 PERCENT SOLUTION?

(By Robert S. McIntyre, Director, Citizens for Tax Justice)

WASHINGTON.—Suppose a bunch of rich people want to promote a national sales tax to replace the Federal income tax. How do they try to persuade the public to support such a plan? Simple: play with the arithmetic.

Earlier this month, the well-financed group Americans for Fair Taxation, based in Texas, kicked off a sales-tax campaign with a full-page advertisement in several large newspapers. It called for replacing all the main Federal taxes—personal and corporate income taxes, payroll taxes and the estate tax—with a 23 percent national retail sales tax.

According to the group, such a plan would raise exactly as much money as current laws do, while cutting taxes for just about everyone. The group's plan has been implicitly endorsed by Representative Bill Archer, a Republican from Texas, the chairman of the tax-writing House Ways and Means Committee and a longtime sales-tax fan and income-tax hater.

I was curious about how the group did its arithmetic, so I checked about its Web site—www.fairtax.org—and sent a note to the E-mail address to get further information about the group's calculations.

According to the group's figures, at 1995 levels a new sales tax would have to raise $1.36 trillion to replace all Federal income taxes, payroll taxes and estate and gift taxes. Under its plan, the group says, taxable spending would be $4.6 trillion (after accounting for rebates to partly protect lower-income families). So, $1.36 trillion divided by $4.6 trillion would be the required sales tax rate. Fine, except that $1.36 trillion divided by $4.6 trillion is not 23 percent. It's about 30 percent.

It turns out that the group's purported 23 percent tax rate is misleading and hypothetical. It came up with that number by dividing the sales tax by the cost of a purchase plus the tax. So if the tax on a $100 purchase is $30, the group prefers to call it a 23 percent ''tax inclusive rate'' ($30 divided by $130). Ever hear of computing a sales tax like that?

The fact that the group's sales tax, even by its own figures, entails a 30 percent tax rate is only the beginning of the math problems. The group's backup materials also assert that almost a third of its projected sales-tax revenue is supposed to come from taxes the Government will pay to itself. Build a road, pay yourself a tax. Buy some planes for the Air Force, pay yourself some more. And so on.

Unfortunately, that shell game won't work. Without these phantom governmental tax payments, the sales tax rate would have to jump to 42 percent to break even.

A bit more digging reveals that a quarter of the remaining sales taxes are supposed to be paid on things like church services, free care at veterans hospitals and a variety of hard-to-tax financial services like free checking accounts. If we discount the taxes on these items, the sales tax rate would have to climb to an astronomical 56 percent to break even.

Apparently, the millions of dollars that American for Fair Taxes says it has spent on focus groups and polling have taught it an important lesson: giving people the real facts about a national sales tax is politically disastrous for its proponents. So the group is trying the only other available route: cooking the numbers.

IN HONOR OF THE 40TH ANNIVERSARY CELEBRATION OF THE CITY OF PICO RIVERA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. TORRES. Mr. Speaker, I am proud to rise in honor of the 40th anniversary of the City of Pico Rivera. On Thursday, January 29, 1998, residents from the City of Pico Rivera came together at a ''City Birthday Party'' celebration in honor of this milestone and to inaugurate Pico Rivera's yearlong 40th anniversary festivities.

Following a grass roots movement for incorporation, the neighboring communities of Pico and Rivera decided to join together as an incorporated city. On January 7, 1958, an election was held to select the name of the 61st city incorporated in the County of Los Angeles and to create a City Council-City Manager form of government. On January 29, 1958, the Secretary of State received and filed the election results of the residents of this newly formed city and by resolution of the Los Angeles County Board of Supervisors the City of Pico Rivera was born.

During the past four decades, the residents of Pico Rivera have grown together as a strong family oriented community. The City's residents are highly motivated, faithful, and unselfishly willing to share their talents and time to build a brighter future for their community. The City provides a variety of programs and services to its residents, who take full ownership in its success. Over the years, citizens of Pico Rivera have remained steadfast and strong in their belief in civic duty. With many proactive youth, senior, veteran and civic groups, Pico Rivera is proud of its over 60,000 friendly citizens.

The City of Pico Rivera has made substantial and significant contributions to the progress and development of Southern California. Located in the center of the City is the former site of the once thriving Ford Auto plant. Now, in that same location is one of our nation's critical links in our national defense, the Northrop-Grumman B–2 Division. Truly the City of Pico Rivera has a long and rich history of local, regional, and national significance.

The birthday celebration was a kick off for the City of Pico Rivera's yearlong family oriented festivities. Entertainment was provided by children and youth groups in the community. The Ladies Vocal Ensemble from El Rancho High School performed ''Las Mañanitas,'' a Mexican birthday folk song as the community joined in the chorus of ''Happy Birthday.'' Other performances were provided by the nationally acclaimed North Park Middle School Marching Band, a participant in the 1997 Tournament of Roses Parade, South Ranchito Elementary and El Rancho High School Folklorico Dancers, and the Pico Rivera Football for Youth Donnas. The Colors were presented by my fellow veterans of the Veterans of Foreign Wars Post 7734, led by Commander Joe Perez.

In February, banners emblazoned with the colorful 40th Anniversary logo will be installed on street lights along major city thoroughfares. In March, the City's annual ''Youthfest'' will tie in its art celebration with the City's 40th birthday. A city-wide tree planting program will be kicked off in April, tying in the anniversary celebration with ''Earth Day.'' Discussions are underway for planning a parade and family festival in May. The July 4th fireworks display will carry the anniversary theme as will the ''Concert in the Park'' summer series in July and August. Junior and business golf tournaments for charity have been proposed as well as a Hispanic cultural event in October. The 40th Anniversary will conclude with the New Year's Gala entitled ''The Next Best 40 Years.''

Planning the events is the mayor's Select Anniversary Steering Committee chaired by Ms. Terri Bodadilla. Others on the committee who have dedicated their talents and time are Armando Abrego, Stephen Chavez, Charmaine Garcia, Bea Palomarez, and Gregory Salicido.

Mr. Speaker, I ask my colleagues to join me in honoring Mayor Bea Proo, Mayor Pro Tem Garth Gardner, Council members Pete Ramirez, Carlos Garcia, and Helen O'Hara, the City staff, community leaders and residents on the occasion of the City of Pico Rivera's 40th Anniversary and send our best wishes for its continued success and prosperity.

THE GREAT LAKES-ST. LAWRENCE SEAWAY SYSTEM

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. OBERSTAR. Mr. Speaker, today, I am introducing legislation to improve the competitiveness of the Great Lakes-St. Lawrence Seaway system and restore its vitality.

The Great Lakes-St. Lawrence Seaway system is a vital transportation corridor for the United States. The Seaway connects the Great Lakes with the Atlantic Ocean and makes it possible to ship manufactured products from our industrial Midwest directly to overseas markets. Benefits of efficient operations of this transportation route are not limited to the Great Lakes region but extend throughout the United States. Congress recognized the broader impacts and, accordingly, designated the Great Lakes as America's fourth sea coast in 1970.

The Great Lakes region, and international markets, recognized the system's potential, as evidenced by the sharp rise in vessel and cargo traffic through the Seaway immediately after its opening in 1959. Unfortunately, that potential was never fulfilled. The upward trend in cargo traffic peaked around 1977–79. It has since declined in part as a result of a nationwide economic recession that hit the manufacturing sector particularly hard, and in part due to capacity constraints imposed by the Seaway.

Locks on the Seaway and the Great Lakes were built as long ago as 1895. New locks constructed for the Seaway between the mid- and late-1950s as authorized by Congress in 1954 were built to the same size as those completed in 1932. Locks and connecting channels were limited to 27 feet of draft. Because vessel size has grown over time, Seaway facilities were too small on its opening day to service the commercial fleet then in existence. Today, they are capable of accommodating only about 30% of the world's commercial fleet. An undersized Seaway that denies large, specialized, and efficient vessels access to the system will prevent U.S. products, especially those from the Great Lakes region, from competing effectively in the global economy.

In addition to declining traffic, inadequate investment in Seaway infrastructure caused the mix of cargoes shipped through the system to be transformed from one that was diverse to one composed largely of low volume commodities. Although the trend of cargo tonnage through the system turned up once again in 1993, current cargo mix consists of essentially steel coming to the Great Lakes region from abroad, grains going overseas, and iron ore moving from one port to another within the region. Since the late 1980s, industrial manufacturing in the United States has recovered through investment in technology and corporate restructuring. Industrial production is flourishing once more in the Great Lakes region; Midwest economies are booming. Yet, only a small volume of high value finished goods move through the system. The Great Lakes region, therefore, is unable to fully participate in this resurgence of economic strength due to limitations in the Seaway's capacity.

For the past year I have been working closely with interested parties in the Great Lakes maritime transportation community and the infrastructure investment finance sector throughout the United States and Canada to develop a proposal to allow the Seaway to reach its full potential, to guarantee the future viability of the Seaway, and to continue the economic development of the Great Lakes region.

The bill I am introducing today, the Binational Great Lakes-Seaway Enhancement Act of 1998, developed in concert with the Honorable Joe Comuzzi, a dear friend of mine and a member of the Canadian Parliament whose district (Riding) is adjacent to mine, would establish the foundation, create the conditions, and provide the resources to permit the system to achieve its full potential. The bill would authorize the creation of a binational authority to operate and maintain the Seaway. It would also provide for the establishment of a nonfederal credit facility to offer financial and other assistance to the Seaway and Great Lakes maritime communities for transportation-related capital investments.

Specifically, the legislation would establish a binational governmental St. Lawrence Seaway Corporation by combining the existing, separate U.S. and Canadian agencies which operate each country's Seaway facilities. It would require the Corporation's top management to run the Seaway in a business-like manner. It would transfer Seaway employees and the operating authority of Seaway assets to the Corporation. It would provide labor protection for current U.S. Seaway employees, whether or not they transfer to the Corporation. It would offer incentives for employment and pay based on job performance. It would set forth a process for the Corporation to become financially self sufficient. At the same time, it would provide the United States with ample oversight authority over the Corporation.

Through merger of the two national Seaway agencies into a single binational authority, we could eliminate duplication and streamline operations. Improved efficiency would reduce government's cost of operating the Seaway. At the same time, a unified Seaway agency

would reduce regulatory burden and help cut the sailing time of ships through the system. This latter efficiency improvement would positively affect the bottom line of Seaway users. All of these efficiencies would make the system a more competitive and viable transportation route for international commerce.

The Great Lakes and the Seaway should be considered as an integrated system in maritime transportation. Improvements to the Seaway infrastructure alone would not be sufficient to deal with the efficiency and competitiveness problems facing the Great Lakes-Seaway system. On the contrary, improvements to the Seaway for example, could stress the capacity of ports on the Great Lakes. A comprehensive approach is necessary to address the system's investment needs.

My legislation, therefore, would provide for the establishment of a Great Lakes Development Bank. It would outline in broad terms the structure of Bank membership. To insure no taxpayer liability, this legislation would prohibit the United States and the St. Lawrence Seaway Corporation from becoming members of the Bank. It would specify eligible projects for financial and other assistance from the Bank. It would define the forms of such assistance. It would require recipients of Bank assistance, states or provinces in which such recipients are located, contractors for projects financed with Bank assistance, and localities in which such contractors are located to become Bank members to broaden the Bank's membership base. It would establish an initial capitalization level for the Bank, and would provide as U.S. contributions $100 million in direct loan and up to $500 million in loan commitments that could be drawn upon to meet the Bank's credit obligations. It would set interest on U.S. loans to the Bank at rates equal to the current average yield on outstanding Treasury debts of similar maturity plus administrative costs to preclude taxpayer subsidy to the Bank. It would allow the United States to call loans to the Bank if the Bank is not complying with the objectives of this legislation and would provide specific limitations on United States' liability to protect our interests.

Mr. Speaker, my legislation is intended to make the Great Lakes-Seaway system a more efficient, competitive, and viable transportation route. Such a system will enable our manufacturers to bring their goods to the world market at reduced cost, making their products more competitive in the global economy. This is a sensible bill; it is a good-government bill. We should all support it. I will be sending out a Dear Colleague letter seeking co-sponsors for the bill. I hope members will offer their support and join me in moving this legislation forward. This proposal should be enacted this year.

THE MIDDLE CLASS TAX RELIEF ACT OF 1998 AND THE TAXPAYER CHOICE ACT OF 1998

HON. JOHN R. THUNE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. THUNE. Mr. Speaker, in 1994, the American public spoke loudly and clearly about their dissatisfaction with the direction Washington was headed. Their voice came in the form of an historic change of control in both the House and Senate from the Democratic, to the Republic Party. It was that election that brought the President to proclaim in his State of the Union in 1995 that the era of big government was over. But for how long?

It seems clear here in 1998 that he would like to bring that era back. In his State of the Union address, the President outlined his policy goals. Now that his budget is out, we know his ideas translate into some $150 billion in new Washington spending. Most of us can agree with his goals. They include important priorities like caring for and educating our children, to providing health care for an aging population. These are important issues. On that we all agree.

However, the differences are clear in trying to determine how best to achieve those goals—particularly in the context of a potential revenue surplus. The President's programs mark an incredibly expansive reach by the federal government into the lives of Americans. At the same time, he seems remarkably inconsistent as he refers to reserving a potential surplus for Social Security, while on the other hand talking about increasing the size and reach of government by $150 billion in new Washington spending and bigger government. While I agree Congress must begin to restore the Social Security Trust Fund, the juxtaposition of saving and spending sends mixed signals to me and to the American public.

I believe there is a responsible public policy approach to dealing with any potential surplus. Accordingly, I am cosponsoring Congressman MARK NEUMANN'S H.R. 2191, the National Debt Repayment Act, which is consistent with a number of important policy objectives. The Neumann legislation would apportion any potential surplus in three ways. First, it would allocate two thirds of any surplus to paying off debt and restoring the various federal trust funds—including Social Security, transportation and environmental trust funds. The final third would go toward reducing taxes on hard working Americans.

H.R. 2191 further puts into place a systematic plan to completely retire our $5.5 trillion debt over the next 30 years. The plan establishes that spending be 1 percent less than the government collects in revenue every year and applying that 1 percent surplus to paying down debt. Assuming moderate economic growth rates, we can be completely debt free by 2026. In addition to winning the war on drugs, that would be the most important thing we could do for our children and grandchildren. Paying down the debt also would free up the nearly $250 billion Congress appropriates every year just to pay interest on our $5.5 trillion debt.

Moreover, the National Debt Repayment Act would allow us to actually give something back to the taxpayers of this country. After all, it is their money.

The plan certainly seems reasonable. If the President is able to build $150 billion in new Washington spending into his budget, it would necessarily follow that Congress and the President could give that money back to the taxpayers. The best solution to helping working families deal with tough issues like child care is to let them keep more of what they earn, and allow them to choose how to address this important need. The President's proposal tends toward employing Uncle Sam as your children's nanny. His plan would have Washington determine which children and which child care providers receive Washington's assistance. Who would you rather have raising your kids, the federal government or the American family? The answer seems easy to me.

If you give some inside the Beltway long enough, they try to create a risk free society. They would have the government guarantee child care, education, health care, jobs, income, retirement, and big screen televisions. But the cost will be high. There will be a corresponding decrease in freedom and more and more taxes to pay for all that so-called security.

There is a better way, and that is to say to the people of this country: We trust your judgement. We believe you are capable of caring for your children and making good decisions about their future. We believe that as a matter of principle, America is infinitely better off when families are making decisions rather than bureaucrats. In the same way we believe that America is infinitely better off when parents are teaching values rather than bureaucrats.

The president was clear in his State of the Union address how he feels about tax relief. He wants relief targeted. I find that troubling. Why? Because targeted tax relief creates winners and losers. Every tax break he mentioned is targeted. However, we should strive toward a more perfect union by looking for ways to allow all Americans—irrespective of marital status, age, or heritage—to participate in the benefits of the greater freedom that comes with lower taxes. We should strive to make all taxpayers equal under the law.

Furthermore, we should take a consistent approach to making the tax code simpler. Too many relief proposals further complicate the tax code. Such efforts do not take us down the road toward making government less intrusive and more user friendly.

For these reasons, I am proud my friend from Washington, Congresswoman JENNIFER DUNN, has joined me in introducing two pieces of tax relief legislation that I believe will serve as alternatives to the new Washington spending in the President's budget. At the same time, these bills are consistent with the dual goals of distributing tax relief in a broad and even fashion, while not adding to an inordinately complicated tax code.

Both Democrats and Republicans in Congress that sincerely want to lower the tax burden on working families should be 100 percent behind these two bills. The bills do not target behavior and do not contain gimmickry or loopholes. The bills represent plain and simple common sense. The first bill addresses the issue of bracket creep by allowing working Americans to make more money before they fall into the higher tax bracket. It lowers taxes by raising the income threshold at which the 28 percent tax bracket would apply. Simply put, more income of working Americans would be subject to the 15 percent tax bracket rather than the much higher 28 percent bracket.

This legislation would help Americans who are achieving success and, as a consequence, have graduated from the 15 percent tax bracket to the higher 28 percent tax bracket. Due to bracket creep, 28 cents of each additional dollar they earn now goes to the federal government. Talk about a disincentive to improving your lot in life. Under our legislation, many of these hard working people

will have an incentive to continue to be hard working people. How? They would be liberated from the higher tax rate on each additional dollar they earn. The real beauty is the legislation gives no preference based on status, marital or otherwise. Presently, the higher 28 percent tax rate begins to apply to a single person making more than $25,350. Our legislation would raise that threshold to $35,000. For heads of household, the 28 percent rate starts at $33,950. We would raise that to $52,600. For married couples, the 28 percent rate starts at $42,350. We would raise it to $70,000.

According to the Tax Foundation, over 29,000,000 filers would see their taxes lowered under this proposal, with the average savings of approximately $1,200 per filer. Over 10 million filers would move out of the 28 percent bracket to the 15 bracket. Again, this initiative represents an infinitely better approach to assisting families with their child care needs than the discriminatory Washington-knows-best approach embodied in the President's plan. A $1,200 tax cut could pay for sixteen weeks of child care, four car payments, up to three months of housing bills, or fourteen weeks of grocery bills. That is real help for working families.

The Taxpayer Choice Act would raise the personal exemption from $2,700 to $3,400. Again, this simple change would reduce taxable income by $700 and allow them the freedom to choose how best to use the benefit of their tax reduction. This legislation would deliver broad based relief to taxpayers in the lower and middle income ranges.

This change is straightforward and easy to calculate. For someone in the 15 percent tax bracket, the benefit would result in an estimated savings of $100, or for a family of four, $400. That reduction gives taxpayers a choice of spending on what is the approximate equivalent of five weeks of child care, a car payment, housing payment, or five weeks of grocery bills. That's real relief and those are real life choices. For someone in the 28 percent tax bracket, that's $200 per individual, or $800 per family of four. That return could be used for ten weeks of child care, almost ten weeks of grocery bills, three car payments of a couple of housing payments. As is true today, the deduction would phase out for wage earners whose incomes exceed $124,500.

Let me reiterate an important point. We agree with the president that working families in America need relief. However, the President has mistakenly interpreted that need as a request for more Washington spending. We, on the other hand, know that what working families are really asking for is not more federal government, but relief from more federal government.

American families, we have heard you. We agree with you that your family should not have to sacrifice one more dime of your hard earned money to build new government bureaucracies that will further undermine your ability to care for yourself and your family. We will stand with you. The bills we have introduced today make it abundantly clear that no surplus government revenues should go to more government in Washington. Rather, they should go into your pocket. That's common sense government.

The legislation I introduced today should also fit nicely with what I believe ought to be a reality before the turn of the century, and that is a new tax code that is simple and fair. Americans waste too much time and money filling out tax returns. It is a dream for lobbyists, lawyers, and tax preparers. It is a nightmare for the American taxpayer. Ultimately, the only way to get real reform is to kill the beast and start over. Every time Congress starts chipping around the edges like we did last summer, we make the code more complicated. We now have some 480 different forms, 6,000 pages, and 34 and one half pounds. It is time to say, ''Enough already.''

Reform will not be easy. There is tremendous internal resistance to changing the status quo. But it must be done. Some certified public accountants from South Dakota were in my office last week and they agreed. That profession probably is in the best position to benefit from the complexity of the code, and they agree that the current code is an abomination.

The two bills I have introduced today are consistent with a simpler, fairer approach to the tax code. At the same time, I hope these bills would begin the discussion about replacing the code with a view of taxation that invites all Americans to participate in the benefits of a growing economy that will spur investment and create jobs by limiting taxes and minimizing the burden of tax compliance.

These are our goals, and I look forward to working with this Congress to making them become a reality. To that end, I ask for your support of this legislation.

TRIBUTE TO THE 1997 DELPHOS ST. JOHN'S HIGH SCHOOL FOOTBALL TEAM ON WINNING THE OHIO DIVISION VI FOOTBALL CHAMPIONSHIP

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. GILLMOR. Mr. Speaker, it is my distinct honor and pleasure to rise today to pay special tribute to an outstanding group of student-athletes from Ohio's Fifth Congressional District. This past fall, the Delphos St. John's High School football team completed a truly memorable season by winning the Ohio High School Athletic Association Division VI State Championship.

The 1997 Delphos St. John's High School football team demonstrated that, with a great deal of hard work, dedication to the task at hand, and with a strong sense of commitment, you can realize your dreams and make them come true.

The Delphos St. John's football team achieved more this past year than any other football team in the school's history by winning its first ever State Football Championship. The Blue Jays football team capped off a perfect 14–0 season by defeating second-ranked Norwalk St. Paul 42–28 in the Division VI state championship game.

Under the guidance of Head Coach Vic Whiting, the Blue Jays realized a life-long dream, through a great deal of hard-fought success. Their willingness to sacrifice for each other, to find the extra energy needed to produce a champion is a true testament to the unwavering loyalty that each player has for the team. The unselfish attitude of the Delphos St. John's Blue Jays is certainly a good example of what can be accomplished when people work together for a common goal.

Mr. Speaker, I would like to congratulate Coach Vic Whiting and the 1997 Division VI State Champions, the Delphos St. John's High School Blue Jays. I would urge all of my colleagues to join me in paying special tribute to an outstanding team.

TRIBUTE TO JUDGE WALTER JONES

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Judge Walter Jones of the Sixth Congressional District of South Carolina. Judge Jones has been the Columbia Magistrate since 1976. It is on the occasion of his retirement that we pay tribute to his 22 years of tireless involvement in the community surrounding the Capitol city of South Carolina.

Judge Jones is a champion of community involvement. His community service includes membership on the Financial Board of Sickle Cell Anemia, the Board of Judicial Standards, the United Way Board and Board of Directors of the Boys Clubs of Greater Columbia. He is also Treasurer of a Pop Warner Football League and past President of Logan and Withers Elementary School P.T.A. Through his involvement with these various organizations, Judge Jones has emerged as a role model for the community at large. Judge Jones can be heard sharing these words of wisdom with young and old alike: ''You can be anything that you want to be.''

Judge Jones is currently an active member of Bethlehem Baptist Church. He is a member of Bethleham's Board of Trustees and has served for several years as it's Chairman. His favorite Bible scripture is John 3:16 ''For God so loved the world that he gave his only begotten son. That whosoever believeth in him should not perish, but have everlasting life.''

Judge Jones was born in Eufaula, Alabama. He has attended several institutions of higher learning which include: Texas Central State College, University of Maryland, the National Judicial College, University of Nevada, and American Academy of Judicial Education.

After serving twenty years in the United States Army he retired and settled in Columbia, South Carolina. He is married to Janet Ann Sims, Jones. They are the parents of Walter, Jr., Maurice, Jeannie, and Donna and they have two grandchildren, Christopher and Joseph Gilbert.

Mr. Speaker, I commend Judge Jones for his community involvement and support throughout the years, and I ask you to join with me in extending best wishes to him for a fulfilling retirement.

WELCOMING SENEGAL TO LOUISIANA

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. BAKER. Mr. Speaker, I am honored to have the opportunity to extend a warm welcome to Paul Ndong, Mayor of Joal-Fadiouth,

Senegal, West Africa, and his delegation as they visit their sister city, Baker, Louisiana.

Sharing similar traits such as their French heritage, seaside ports and a love for life, Louisiana and Senegal have several things in common. So, it is only natural that the town of Joal-Fadiouth and the town of Baker should select each other to be sister cities. As a result of a visit from Baker Mayor Bobby Simpson to Senegal last year, the mayor of Joal-Fadiouth, Mayor Paul Ndong, will visit Baker, Louisiana, this week and complete the ceremonial bridge that will formally unite these two cities. I am excited about this newly forged friendship and look forward to the promising partnership which stands to grow.

As these two cities continue to cultivate their friendships, I am confident that residents of both Baker and Joal-Fadiouth will gain a deeper appreciation and understanding of each other's culture and identities. Through education, scientific, economic development and cultural exchanges, the citizens of both of these cities have the tremendous opportunity to learn more about another country through exciting and interactive means. These real, hands-on experiences will bridge the geographical gap between Baker and Joal-Fadiouth and bring a land which was at once both foreign and distant, closer to home.

So, as Mayor Paul Ndong travels through Baker, I wish him the warmest welcome and hope that he enjoys and learns much from his stay. And in the tradition of our shared French heritage, I would like to say soyez les bienvenus à la Louisiana—faites comme chez vous.

TRIBUTE TO CHARLES WOODSON ON WINNING THE 1997 HEISMAN TROPHY AWARD

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. GILLMOR. Mr. Speaker, it is with a great deal of pleasure that I rise today to pay special tribute to an outstanding gentleman from Ohio's Fifth Congressional District, Mr. Charles Woodson. Charles is the recipient of the 1997 Heisman Trophy, given each year by the Downtown Athletic Club to college football's most outstanding player.

Charles Woodson, who led the University of Michigan Wolverine Football Team to a perfect 12–0 record this past year, and the school's first National Football Championship in almost 50 years, is the first and only defensive football player ever to win the Heisman Trophy.

Charles Woodson, whose hometown is Fremont, Ohio in Sandusky County, broke quite a few Buckeye hearts when he chose to play football at Michigan instead of The Ohio State University. In fact, in arguably one of his finest performances of the year, Charles nearly single-handedly defeated the Buckeyes in Michigan's 20–14 victory.

Charles Woodson's success, both on and off the field, is a demonstration to all of us that hard work, determination, and commitment to excellence can truly have an impact on our lives. He is a prime example that good deeds are rewarded.

Not only by becoming the first and only defensive football player to win the Heisman trophy, but with his positive attitude and strong work ethic, Charles Woodson is helping to redefine how college football players are judged.

Mr. Speaker, Charles Woodson is a truly gifted athlete, a team player, and a good person. I would urge my colleagues to join me today in recognizing the 1997 Heisman Trophy winner, from Fremont, Ohio, Mr. Charles Woodson.

IN HONOR OF THE DEDICATION CEREMONY OF ''THE MONTEBELLO SENIOR CITIZEN CENTER ALEX ESQUIVEL COMPLEX''

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. TORRES. Mr. Speaker, I rise to recognize the dedication of the City of Montebello's Senior Citizen Center Alex Esquivel Complex. The Complex has been named after Mr. Alex Esquivel in recognition of his tireless and heartfelt dedication to the City of Montebello and its residents.

Today, the City of Montebello will host a special dedication ceremony in tribute to Alex for his over 30 years of caring service to the residents of Montebello, as an employee and resident of Montebello. To many in Montebello, Alex is known for doing the impossible in his relentless effort to assist those in need of shelter, food, counsel, or simply friendship.

Throughout his years with the City of Montebello, Alex has founded and sponsored countless programs for youth and seniors. Among the programs he has sponsored or founded in Montebello include: the Summer Youth Employment Program; Montebello Ponytail Softball Association; Azteca Head Start Preschool Program; Montebello Co-Ed Softball League; Association of Foster Parents; Girls Basketball League; Montebello Baseball Association; Boy Scouts of America; Girl Scouts of America; Careers for Older Americans; American Red Cross; American Legion Post #272; Lions Club; Rotary Club; Optimist Club; Soroptimist Club; Kiwanis Club; Ensenada Sister City Association; Senior Citizens Affairs Committee; juvenile diversion programs; family counseling; individual and group counseling; nutrition programs; and domestic violence programs.

For his years of exemplary service in the community he has received the City of Montebello's Career Contribution Award, he has served as the Grand Marshall of the Montebello Royale Parade, named the American Legion Man of the Year and the Montebello Boy Scouts of America Good Scout of the Year, and he has received the Lifetime Achievement Award from the Alumni Association of the University of Mexico City.

On Friday, January 30, 1998, Alex Esquivel celebrated his 71st birthday. He resides in Montebello with his wife Rachel. The have four sons, Alex Jr., Ted, Robert, David and 10 grandchildren. He is a veteran of the Korean Conflict, former middle weight boxing champion, and the first American of Mexican descent drafted by the National Football League, having played for the Baltimore Colts.

Mr. Speaker, I ask my colleagues to join me in saluting Mr. Alex Esquivel, one of our nation's true heroes, for his lifetime of service to our country, his community and his neighbors as the City of Montebello dedicates the Montebello Senior Citizen Center Alex Esquivel Complex.

TRIBUTE TO THE SENECA COUNTRY PORT PRODUCERS ASSOCIATION ON THE OCCASION OF ITS 50TH ANNIVERSARY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. GILLMOR. Mr. Speaker, it is with a great deal of pleasure that I rise today to pay special tribute to an outstanding community organization from Ohio's Fifth Congressional District. On Sunday, February 1, 1998, the Seneca County Pork Producers Association will be celebrating its 50th Anniversary.

During all of its 50 year history, the Seneca County Pork Producers has demonstrated the highest commitment to the profession of farming, the agriculture industry, and to the community and residents of the Seneca County area.

As a resident of Old Fort, Ohio, in Seneca County, I have come to know the various members and leaders of the Seneca County Pork Producers. Those individuals are my friends, neighbors, and colleagues. They are always willing to lend a hand to folks who are in need, and give selflessly to the entire community.

It is an outstanding achievement that, after 50 years of dedication, the Seneca County Pork Producers continue to look into the future with a tremendous amount of enthusiasm to what is sure to be another half century of success. By keeping pace with the improvements and overall changes in their profession, the Pork Producers have maintained the highest sense of responsibility to its members, and to the surrounding area.

Mr. Speaker, I urge my colleagues to join me in paying tribute to 50 years of achievement of the Seneca County Pork Producers, and in wishing them much success in the coming years.

TRIBUTE TO BRIGGS V. ELLIOTT PLAINTIFFS, CLARENDON COUNTY, SOUTH CAROLINA

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. CLYBURN. Mr. Speaker, I ask you to join me during Black History month to honor a group of genuine American heroes. I rise to pay tribute to the original plaintiffs of *Briggs* v. *Elliott*. The heroism of these 20 individuals has changed both our country's past and future in a positive way.

While many have studied the landmark case of *Brown* v. *Board of Education of Topeka*, few have heard the story of the individuals who questioned the status quo in a small South Carolina county. Beginning in 1947 with a community's desire to provide bus transportation for African American children who were

then walking to school, these individuals and their supporters embarked on a journey that would change the texts of history books forever.

In 1949, 107 Clarendon County citizens signed a petition to the local school board that pushed beyond the transportation issue and asked for equal education for African American children. After both denials and refusals to act from the local school board, twenty of those courageous signers went on to become plaintiffs in *Briggs* v. *Elliott* in 1950. These petitioners risked their well being, many lost jobs and some were forced to move away from their families because they dared to take a stand against the ''separate but equal'' doctrine in the south.

The South Carolina District Court ruled against the petitioners by denying their plea for desegregation of the schools in 1951. After a second negative hearing in 1952, *Briggs* v. *Elliott* found its way from Clarendon County, South Carolina to the United States Supreme Court. Upon being placed on the Supreme Court's calendar, *Briggs* v. *Elliott* was not alone. There were four other desegregation cases from Kansas, Virginia, Delaware and the District of Columbia. The Court ended 1952 with a split decision on the five cases that became known as *Brown* v. *Board of Education of Topeka*.

Late in 1953, the Supreme Court convened to hear final reargument in *Brown* v. *Board of Education of Topeka*. By early 1954, the Court had written a final opinion. On May 17 at 12:52 p.m., Chief Justice Warren announced that the court had reversed the ''separate but equal'' doctrine by ruling unanimously that segregated schools were unconstitutional. The opinion reads in part, ''We conclude that in the field of public education the doctrine of 'separate but equal' has no place.'' Warren went on to say, ''Therefore, we hold that the plaintiffs . . . deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.''

Although the early political was surrounding *Briggs* v. *Elliott* were lost, these 20 plaintiffs were the foundation on which the case of *Brown* v. *Board of Education of Topeka* was based to eventually win the battle of public, desegregated education in our nation.

Mr. Speaker, I ask you and my colleagues to join with me and pay tribute to the 20 plaintiffs in *Briggs* v. *Elliott* who are indeed American heroes.

Harry Briggs, Anne Gibson, Mose Oliver, Bennie Parson, Edward Ragin, William Ragin, Luchrisher Richardson, Lee Richardson, James H. Bennett, and Mary Oliver.

Willie M. Stukes, G. H. Henry, Robert Georgia, Rebecca Richburg, Gabrial Tyndal, Susan Lawson, Frederick Oliver, Onetha Bennett, Hazel Ragin, and Henry Scott.

SAFE FOOD ACTION PLAN ACT

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Ms. STABENOW. Mr. Speaker, today I introduced the Safe Food Action Plan Act, a bill that will set a national priority for food safety by focusing on prevention and rapid response. The Safe Food Action Plan has been built upon the four pillars of research, consumer education, technology transfer programs, and a federal Rapid Response Team.

I am proud of our Nation's reputation for providing its citizens with the safest food supply in the world. The high standard set by our country is the product of the combined efforts of our agricultural community, researchers and scientists, processors, consumer educators, the business community, state and local governments, and federal regulators. The Safe Food Action Plan recognizes that it is only through this kind of teamwork, from farm to table, that we can continue to guarantee families the food they feed their children is safe.

I am pleased to introduce a bill that represents not only the direction I think this country needs, to guarantee the safety of its food, but the plan the experts believe should be pursued. While drafting the Safe Food Action Plan, I enlisted the help of the food safety community and created the Food Safety Advisory Committee. Membership of the Advisory Committee included scientists and researchers, educators, producers, processors, public health officials, and technology companies. I am especially grateful to the National Food Safety and Toxicology Center at Michigan State University, and its director, Dr. Robert Hollingworth, for hosting the Advisory Committee meetings.

One change identified by the Advisory Committee as being critical for food safety, is the ability for the Secretary of Agriculture to promote multi-disciplinary and integrated research. The science of food safety is a complex pursuit and research institutions need to work together to solve life-threatening problems. The Safe Food Action Plan encourages this type of integrated research at USDA.

The Safe Food Action Plan redirects existing resources at the Department of Agriculture to focus on initiatives that focus on food safety. I was surprised to discover that food safety is not already listed as a priority for such programs as the Fund for Rural America, nor is it listed as a priority for research and consumer education programs funded through Research, Education, and Extension. The Safe Food Action Plan closes the gaps and makes food safety an important component of these programs.

Technology is an important weapon in the war against pathogens. The Safe Food Action Plan amends the Cooperative Research and Development program at USDA (CRADA) to include food safety technology as a priority. In the CRADA program, USDA conducts high risk research that might not be undertaken by private industry but which is needed for the public good. Once the technology is developed, the USDA enters into partnerships with business to bring the ground-breaking research to the market. A wonderful example of cutting-edge food safety technology is the rapid E. coli test developed by the Neogen company, located in my district in Lansing, Michigan. By highlighting food safety as a priority, the Safe Food Action Plan guarantees that the latest and best technology will be available for our nation in defense of public health.

While most of the Safe Food Action Plan focuses on prevention, we all understand that food emergencies may still happen and the government must be prepared. The Safe Food Action Plan creates a federal Rapid Response Team that will be ready to strike when public health is in danger. Rather than adding a layer of bureaucracy, the Safe Food Action Plan focuses existing resources within the federal government toward the combined efforts of the Rapid Response Team. Using the Federal Emergency Management Agency as a model, the Safe Food Action Plan instructs the Secretary of Agriculture to integrate his emergency response plan with the efforts of other agencies in developing the Food Safety Rapid Response Team.

Finally, Mr. Speaker, I would like to take this opportunity to make a technical clarification. After submitting a very similar bill last week, I discovered that the name of my bill was almost identical to one introduced last year by my colleague, VIC FAZIO. Out of courtesy to my colleague and to avoid confusion regarding our bills I am reintroducing my bill with its official short title today. In future debates and deliberations, please refer to my bill by its new title, the Safe Food Action Plan.

TRIBUTE TO THE 1997 LIBERTY CENTER FOOTBALL TEAM ON WINNING THE OHIO DIVISION V FOOTBALL CHAMPIONSHIP

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. GILLMOR. Mr. Speaker, it is my distinct honor and pleasure to rise today to pay special tribute to an outstanding group of student-athletes from Ohio's Fifth Congressional District. This past fall, the Liberty Center High School football team completed a truly memorable season by winning the Ohio High School Athletic Association Division V State Championship.

The 1997 Liberty Center High School football team demonstrated that, with a great deal of hard work, with dedication to the task at hand, and with a strong sense of commitment, you can realize your dreams and make them come true.

The Liberty Center football team achieved more this past year than any other football team in the school's history by winning its first ever State Football Championship. The Tiger Football Team capped off a perfect 14–0 season by easily defeating Amanda Clearcreek in the Division V state championship game held in Massillon, Ohio. The 49-8 victory is the culmination of an effort that started four years ago, when, unfortunately, Liberty Center lost in the title game.

Under the guidance and leadership of Head Coach Rex Lingruen, the Tigers realized a lifelong dream, through a great deal of hard-fought success. As a result of the team's unwavering loyalty for each other, the dedication and commitment to Coach Lingruen, and the enthusiasm they have for the game of football, the 1997 season ended in victory. The unselfish attitude of the Liberty Center Tigers is certainly a good example of what can be accomplished when people work together for a common goal.

Mr. Speaker, I would like to congratulate Coach Rex Lingruen and the 1997 Division V State Football Champions, the Liberty Center High School Tigers. I would urge all of my colleagues to join me in paying special tribute to an outstanding team.

TRIBUTE TO MACK WILLIE RHODES

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a pillar in our community, Mr. Mack Willie Rhodes of Sumter, South Carolina.

Mr. Rhodes has offered tireless assistance to his community for many years. He spends valuable time visiting the sick and continually offers assistance to his neighbors, friends, and family.

Mr. Rhodes became a member of Melina Presbyterian Church in 1915 and is now their oldest member. He currently serves as an Elder in his church and was a Sunday School Superintendent for many years. He also taught Sunday school at the Goodwill Presbyterian Church. Aside from his church membership, he has been a member of Masonic Lodge Golden Gate No. 73 since 1948.

Mr. Rhodes was born in Sardinia, South Carolina, on February 25, 1898, to Robert and Adranna Olivia Williams Rhodes. Mr. Rhodes is the second oldest of 15 children. Family, good values, and good living are Mr. Rhodes' most cherished possessions. At an early age he married Annie Elizabeth Rhodes (deceased). They had 14 children—Calvin Oliver Rhodes, John Tillman Rhodes, Adranna Oliver Cooper, Susanna H. Hannibal, Annie Elizabeth Muldrow, Hattie Jane Burgess, Mack Willie Rhodes, Sam J. Rhodes, Daisy B. Sims, Willie Rhodes, Albert Rhodes, Viola Rhodes Montgomery, MacArthur Rhodes, and Paul Rhodes. Mr. Rhodes later married Ms. Carrie Smith Rhodes (deceased), who brought two children to his union—Maggie and Johnny Smith. He proudly carries the title of great great-grandfather and is affectionately addressed as ''Papa'' by his eight surviving children, 36 surviving grandchildren, 39 surviving great-grandchildren and 10 surviving great great-grandchildren. Mr. Rhodes' favorite past time is reading the Bible. His favorite Bible scripture is the 23rd Chapter of Psalms. Mr. Rhodes lives by a motto, ''Treat others as you would have them to treat you.''

On Saturday, February 14, 1998, family and friends will gather in celebration of Mr. Rhodes 100th birthday. Please join me in wishing Mr. Mack Willie Rhodes a prosperous and happy birthday. Mr. Rhodes is truly a living example of the American spirit that our country's flag represents.

TRIBUTE TO THE 1997 DEFIANCE HIGH SCHOOL FOOTBALL TEAM ON WINNING THE OHIO DIVISION II FOOTBALL CHAMPIONSHIP

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. GILLMOR. Mr. Speaker, it is my distinct honor and pleasure to rise today to pay special tribute to an outstanding group of student-athletes from Ohio's Fifth Congressional District. This past fall, the Defiance High School Football Team completed a truly memorable season by winning the Ohio High School Athletic Association Division II State Championship.

The 1997 Defiance High School Bulldog Football Team demonstrated that, with a great deal of hard work, dedication to the task at hand and to each other, and a strong sense of commitment, you can realize your dreams and make them come true.

The Defiance Football Team achieved more this past year than any other football team in the school's history by winning its first ever State Football Championship. The Bulldog Football Team capped off a perfect 14–0 season by defeating Uniontown Lake in the Division II state championship game held in Massillon, Ohio.

Under the guidance of Head Coach Jerry Buti, the Bulldogs realized a life-long dream through a great deal of hard-fought success. Their willingness to sacrifice for each other, to dig deep within themselves to find the extra energy needed to produce a champion is a true testament to the unwavering loyalty that each player has for the team. The unselfish attitude of the Defiance Bulldogs is certainly a good example of what can be accomplished when people work together for a common goal.

Mr. Speaker, I would like to congratulate Coach Jerry Buti and the 1997 Division II State Champions, the Defiance High School Bulldogs. I would urge all of my colleagues to join me in paying special tribute to an outstanding team.

Tuesday, February 3, 1998

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S281–S330

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 1576–1582 and S. Con. Res. 71. **Pages S317–18**

Ronald Reagan Washington National Airport: Senate began consideration of S. 1575, to rename the Washington National Airport located in the District of Columbia and Virginia as the ''Ronald Reagan Washington National Airport'', taking action on amendments proposed thereto, as follows:

Pages S306–16

Pending:

Reid Amendment No. 1640, to redesignate the J. Edgar Hoover FBI Building in Washington, District of Columbia, as the ''Federal Bureau of Investigation Building''. **Pages S307–11**

Dodd Amendment No. 1641, to establish a Federal Facilities Redesignation Advisory Group to consider and make recommendations for the renaming of existing Federal facilities. **Pages S311–13**

Daschle Amendment No. 1642, to require the approval by the Metropolitan Washington Airports Authority of the renaming of Washington National Airport as the Ronald Reagan National Airport.

Pages S313–15

Robb Amendment No. 1643, to provide an orderly process for the renaming of existing Federal facilities. **Pages S315–16**

Senate will resume consideration of the bill on Wednesday, February 4, 1998, with votes to occur thereon.

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting a report deferrals of budgetary resources; which was referred jointly, pursuant to the order of January 30, 1975, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Finance, and to the Committee on Foreign Relations. (PM–89). **Page S316**

Transmitting the report of an agreement concerning fisheries off the coasts of the United States; which was referred jointly, pursuant to 16 U.S.C. 1823, to the Committee on Commerce, Science, and Transportation, and to the Committee on Foreign Relations. (PM–90). **Pages S316–17**

Transmitting the annual report of the Railroad Retirement Board for fiscal year 1996; referred to the Committee on Labor and Human Resources. (PM–91). **Page S317**

Nominations Confirmed: Senate confirmed the following nominations: By unanimous vote of 96 yeas (Vote No. EX. 2), Carlos R. Moreno, of California, to be United States District Judge for the Central District of California. **Pages S292, S330**

By unanimous vote of 96 yeas (Vote No. EX. 3), Christine O. C. Miller, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years. (Reappointment) **Pages S292, S330**

Nominations Received: Senate received the following nominations:

1 Coast Guard nomination in the rank of admiral. **Page S330**

Messages From the President: **Pages S316–17**

Messages From the House: **Page S317**

Communications: **Page S317**

Petitions: **Page S317**

Statements on Introduced Bills: **Pages S318–25**

Additional Cosponsors: **Pages S325–26**

Amendments Submitted: **Pages S326–28**

Authority for Committees: **Page S328**

Additional Statements: **Pages S328–30**

Record Votes: Two record votes were taken today. (Total–3) **Page S297**

Adjournment: Senate convened at 12 noon, and adjourned at 7:12 p.m., until 10 a.m., on Wednesday, February 4, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S330.)

Committee Meetings

(Committees not listed did not meet)

AUTHORIZATIONS—DEFENSE

Committee on Armed Services: Committee held hearings on proposed legislation authorizing funds for fiscal year 1999 for the Department of Defense and the future years defense program, receiving testimony from William S. Cohen, Secretary of Defense; William J. Lynn III, Under Secretary of Defense (Comptroller); and Gen. Henry H. Shelton, USA, Chairman, Joint Chiefs of Staff.

Hearings continue on Thursday, February 5.

1999 BUDGET

Committee on the Budget: Committee held hearings to examine the President's proposed budget for fiscal year 1999, receiving testimony from Robert E. Rubin, Secretary of the Treasury; and Jack Lew, Deputy Director, Office of Management and Budget.

Hearings continue tomorrow.

PUBLIC LAND MANAGEMENT

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management concluded hearings on S. 1253, to provide Federal land management agencies the authority and capability to manage Federal lands effectively in accordance with the principles of multiple use and sustained yield, after receiving testimony from William H. Meadows, Wilderness Society, Washington, D.C.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded hearings on the nominations of Donald J. Barry, of Wisconsin, to be Assistant Secretary of the Interior for Fish and Wildlife, and Sallyanne Harper, of Virginia, to be Chief Financial Officer, Environmental Protection Agency, after the nominees testified and answered questions in their own behalf.

ANTI-PERSONNEL LANDMINE BANS

Committee on Foreign Relations: Committee held hearings to examine the military implications of certain initiatives to prevent the United States from making use of anti-personnel landmines, receiving testimony from Gen. Carl E. Mundy, USMC (Ret.), former Commandant; Gen. Frederick J. Kroesen, USA (Ret.), former Commander-in-Chief, Europe; and Gen. Raymond G. Davis, USMC (Ret.), former Assistant Commandant.

Hearings were recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 15 public bills, H.R. 3137—3151; and 5 resolutions, H.J. Res. 107–108, H. Con. Res. 207, and H. Res. 346–347, were introduced. **Page H240**

Reports Filed: Reports were filed today as follows:

Filed on January 29, H.R. 2625, to redesignate Washington National Airport as ''Ronald Reagan Washington National Airport'', amended (H. Rept. 105–408);

Filed on January 30, H.R. 2846, to prohibit spending Federal education funds on national testing without explicit and specific legislation, amended (H. Rept. 105–409);

H.R. 429, to amend the Immigration and Nationality Act to provide for special immigrant status for NATO civilian employees in the same manner as for employees of international organizations (H. Rept. 105–410);

H. Res. 344, providing for consideration of H.R. 2625, to redesignate Washington National Airport as ''Ronald Reagan Washington National Airport'' (H. Rept. 105–411); and

H. Res. 345, providing for consideration of H.J. Res. 107, expressing the sense of the Congress that the award of attorneys' fees, costs, and sanctions of $285,864.78 ordered by United States District Judge Royce C. Lamberth on December 18, 1997, should not be paid with taxpayer funds (H. Rept. 105–412). **Pages H239–40**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Miller of Florida to act as Speaker pro tempore for today. **Page H103**

Recess: The House recessed at 1:14 p.m. and reconvened at 2:00 p.m. Page H108

Resignation from the House of Representatives: Read a letter from Representative Ronald V. Dellums wherein he resigns from the House of Representatives effective February 6, 1998. Page H109

Presidential Messages: Read the following messages from the President:

Budget of the U.S. Government: Message wherein he transmitted his 1999 Budget of the United States Government—referred to the Committee on Appropriations and ordered printed (H. Doc. 105–177); Pages H111–14

Deferrals of Budgetary Resources: Message wherein he transmits his report concerning eight deferrals totaling $4.8 billion—referred to the Committee on Appropriations and ordered printed (H. Doc. 105–205); Page H195

United States and Latvia Fisheries Agreement: Message wherein he transmits the agreement between the United States and the Republic of Latvia concerning fisheries off the coasts of the United States—referred to the Committee on Resources and ordered printed (H. Doc. 105–206); and Page H222

Railroad Retirement Board: Message wherein he transmits the Annual Report of the Railroad Retirement Board for fiscal year 1996—referred to the Committees on Transportation and Infrastructure and Ways and Means. Page H222

Suspensions: The House agreed to suspend the rules and pass the following measures:

Patriotic and National Observances, Ceremonies, and Organizations: H.R. 1085, amended, to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, ''Patriotic and National Observances, Ceremonies, and Organizations''; and Pages H114–90

FAA Research, Engineering and Development: Agreed to the Senate Amendments to H.R. 1271, to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000—clearing the measure for the President. Pages H191–94

Coastwise Trade Certificate of Documentation: The House passed S. 1349, to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *PRINCE NOVA*—clearing the measure for the President. Page H194

Amendments: Amendments ordered printed pursuant to the rule appear on pages H241–42.

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: Met at 12:30 p.m. and adjourned at 8:00 p.m.

Committee Meetings

TOBACCO SETTLEMENT—IMPACT ON PRODUCERS

Committee on Agriculture: Subcommittee on Risk Management and Speciality Crops held a hearing on proposed tobacco settlement's impact on producers. Testimony was heard from public witnesses.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor-Health and Human Services and Education continued appropriation hearings. Testimony was heard from public witnesses.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative held a hearing on Financial Managers Council and the Library of Congress. Testimony was heard from Richard Brown, Deputy Assistant Comptroller General, Operations, GAO; and the following officials of the Library of Congress: John Webster, Director, Financial Services; James H. Billington, Librarian; Donald L. Scott, Deputy Librarian; Winston Tabb, Associate Librarian, Library Services; Marybeth Peters, Register of Copyrights; Daniel P. Mulhollan, Director, Congressional Research Service; and Frank Kurt Cylke, Director, National Library Service for the Blind and Physically Handicapped.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation began appropriation hearings. Testimony was heard from Members of Congress and public witnesses.

EAST ASIA ECONOMIC CONDITIONS

Committee on Banking and Financial Services: Concluded hearings on East Asia Economic Conditions. Testimony was heard from Representatives Visclosky, Stearns, Crapo, Paul and Sanders; and public witnesses.

ADMINISTRATION'S BUDGET SUBMISSION

Committee on the Budget: Held a hearing on the Administration's FY 1999 Budget Submission. Testimony was heard from Franklin D. Raines, Director, OMB.

HUMAN RIGHTS PRACTICES

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on Country Reports on Human Rights Practices for 1997. Testimony was heard from John Shattuck, Assistant Secretary, Bureau of Democracy, Human Rights and Labor, Department of State; Wei Jingsheng, Democracy Advocate and former political prisoner; and public witnesses.

RONALD REAGAN NATIONAL AIRPORT

Committee on Rules: Granted, by a vote of 9 to 3, a modified open rule providing 1 hour of debate on H.R. 2625, Ronald Reagan National Airport. The rule provides for a 2 hour time limit on the amendment process. The rule also makes in order the Committee on Transportation and Infrastructure amendment in the nature of a substitute as an original bill for the purpose of amendment, which shall be considered as read.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the Congressional Record. The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rules provide for one motion to recommit, with or without instructions. Testimony was heard from Chairman Shuster; and Representatives Davis of Virginia, Morella, Oberstar, Norton and Moran of Virginia.

COSTS PAYABLE—TASK FORCE ON NATIONAL HEALTH CARE REFORM

Committee on Rules: The Committee granted, by voice vote, an open rule providing 1 hour of debate on H.J. Res. 107, expressing the sense of the Congress that the award of attorneys' fees, costs, and sanctions of $285,864.78 ordered by United States District Judge Royce C. Lamberth on December 18, 1997, should not be paid with taxpayer funds. The rule provides that the joint resolution will be considered as read. The rule permits the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Representative Hayworth.

CHILD SUPPORT PERFORMANCE AND INCENTIVE ACT

Committee on Ways and Means: Subcommittee on Human Resources approved for full Committee action H.R. 3130, Child Support Performance and Incentive Act of 1998.

IRS TAXPAYER ADVOCATE—ANNUAL REPORT TO CONGRESS

Committee on Ways and Means: Subcommittee on Oversight held a hearing on the Annual Report to Congress of the Internal Revenue Service Taxpayer Advocate. Testimony was heard from the following officials of the IRS, Department of the Treasury: Charles O. Rossotti, Commissioner; Lee Monks, Taxpayer Advocate; and the following District Taxpayer Advocates: Fran Romano, Connecticut-Rhode Island District; Louis Romito, Associate District Taxpayer Advocate, Pennsylvania District; Janey Tabor, Ohio District; Sandra Ling, Pacific-Northwest District; and Elayne M. Goldstein, Midwest District.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 4, 1998

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services, to hold hearings on the nomination of Gen. Joseph W. Ralston, USAF, for reappointment as Vice Chairman of the Joint Chiefs of Staff, 10 a.m., SR–222.

Committee on the Budget, to continue hearings on the President's proposed budget for fiscal year 1999, 10 a.m., SD–608.

Committee on Energy and Natural Resources, to hold hearings on the nominations of Donald J. Barry, of Wisconsin, to be Assistant Secretary of the Interior for Fish and Wildlife, and Margaret Hornbeck Greene, of Kentucky, to be a Member of the Board of Directors of the United States Enrichment Corporation, 9:30 a.m., SD–366.

Committee on Finance, to hold hearings to examine trade and economic implications of the Asian financial crisis, 9:30 a.m., SD–215.

Committee on the Judiciary, to hold hearings on pending judicial nominations, 2 p.m., SD–226.

Committee on Labor and Human Resources, business meeting, on proposed legislation to revise the Rehabilitation Act, 9:30 a.m., SD–430.

Select Committee on Intelligence, to hold hearings on classified disclosures to Congress, 10 a.m., SH–216.

House

Committee on Agriculture, Subcommittee on General Farm Commodities, hearing on the Asian financial crisis: and to its relationship to U.S. agriculture, 2 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Inspector General, 1 p.m., 2362A, Rayburn.

Subcommittee on Interior, oversight on National Parks Service, Forest Service and Fish and Wildlife Service and

the Bureau of Land Management, 10 a.m., B–308 Rayburn.

Subcommittee on Legislative, hearing on Joint Economic Committee and Architect of the Capitol, 9 a.m., and the Joint Committee on Taxation, Capitol Police and the GAO, 1 p.m., H–144 Capitol.

Subcommittee on Labor-Health and Human Services and Education, on public witnesses, 10 a.m., and 2 p.m., 2358 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Housing and Community Opportunity, to mark up H.R. 219, Homeowners' Insurance Availability Act of 1997, 10:30 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Finance and Hazardous Materials, hearing on the Status of the Superfund Program, 10:30 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, to mark up the following bills: H.R. 2864, to require the Secretary of Labor to establish a program under which employers may consult with State officials respecting compliance with occupational safety and health requirements; H.R. 2877, to amend the Occupational Safety and Health Act of 1970; and H.R. 3096, to correct a provision relating to termination of benefits for convicted persons, 1:30 p.m., 2175 Rayburn.

Committee on Government Reform and Oversight, hearing on Patient Access to Alternative Treatments: Beyond the FDA, 10 a.m., 2154 Rayburn.

Subcommittee on Government Management, Information, and Technology, and the Subcommittee on Technology of the Committee on Science, joint hearing on Federal Aviation Administration at Risk: Year 2000 Impacts on the Air Traffic Control System, 2 p.m., 311 Cannon.

Committee on House Oversight, to consider pending business, 3 p.m., 1310 Longworth.

Task Force for the Contested Election in the 46th Congressional District of California, to consider pending business, 2 p.m., 1310 Longworth.

Committee on International Relations, hearing on Implementation of the U.S.-China Nuclear Cooperation Agreement, and to consider a motion to go into executive session, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific and the Subcommittee on International Economic Policy and Trade, joint hearing on the Financial Crisis in Asia, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, to mark up H.R. 3117, Civil Rights Commission Act of 1998, 10:30 a.m., B352 Rayburn.

Subcommittee on Courts and Intellectual Property, oversight hearing regarding copyright licensing regimes covering retransmission of broadcast signals, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, hearing regarding Gambling in Cyberspace: a hearing on the legality of gambling on the Internet, focusing on H.R. 2380, Internet Gambling Prohibition Act of 1997, 9:30 a.m., 2237 Rayburn.

Subcommittee on Immigration and Claims, to mark up H.R. 2759, Health Professional Shortage Area Nursing Relief Act of 1997, 10 a.m., 2226 Rayburn.

Committee on National Security, to consider pending business and to honor Rep. Donald V. Dellums, 2:30 p.m., 2118 Rayburn.

Committee on Rules, to consider H.R. 2846, to prohibit spending Federal education funds on national testing without explicit and specific legislation, 1 p.m., H–313 Capitol.

Committee on Science, hearing on the Road from Kyoto Part I: Where Are We, Where Are We Going, and How Do We Get There? 10 a.m., 2318 Rayburn.

Committee on Veterans' Affairs, hearing on the Department of Veterans Affairs budget request for FY 1999, 10 a.m., 334 Cannon.

Subcommittee on Benefits, hearing on the Department of Veterans Affairs Vocational Rehabilitation Programs, 2 p.m., 334 Cannon.

Committee on Ways and Means, to continue hearings on proposals to reduce the Federal tax burden on the American public, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on Iraq, 1 p.m., H–405 Capitol.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED FIFTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 27 through January 31, 1998

	Senate	*House*	*Total*
Days in session	3	2	5
Time in session	21 hrs., 54′	10 hrs., 13′	..
Congressional Record:			
Pages of proceedings	244	101	..
Extensions of Remarks	..	60	..
Public bills enacted into law	..	..	..
Private bills enacted into law	..	..	..
Bills in conference	..	1	..
Bills through conference	..	..	..
Measures passed, total	7	7	14
Senate bills	..	1	..
House bills	1	..	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	1	1	..
Simple resolutions	5	5	..
Measures reported, total	*1	*2	3
Senate bills	1	..	..
House bills	..	2	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	..	..
Simple resolutions	..	..	..
Special reports	..	..	..
Conference reports	..	..	..
Measures pending on calendar	116	42	..
Measures introduced, total	33	63	96
Bills	25	48	..
Joint resolutions	..	..	..
Concurrent resolutions	1	6	..
Simple resolutions	7	9	..
Quorum calls	1	1	..
Yea-and-nay votes	1	1	..
Recorded votes	..	..	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. One report has been filed in the Senate, and one report has been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 27 through January 31, 1998

Civilian nominations totaling 156 (including 124 nominations carried over from the First Session), disposed of as follows:

Confirmed	3
Unconfirmed	151
Withdrawn	2

Civilian nominations (FS, PHS, CG, NOAA), totaling 142 (including 86 nominations carried over from the First Session), disposed of as follows:

Unconfirmed	142

Air Force nominations, totaling 224 (including 21 nominations carried over from the First Session), disposed of as follows:

Unconfirmed	224

Army nominations, totaling 370 (including 2 nominations carried over from the First Session), disposed of as follows:

Unconfirmed	370

Navy nominations, totaling 64 (including 4 nominations carried over from the First Session), disposed of as follows:

Unconfirmed	64

Marine Corps nominations, totaling 6, disposed of as follows:

Unconfirmed	6

Summary

Total Nominations carried over from the First Session	237
Total nominations received this session	725
Total confirmed	3
Total unconfirmed	957
Total withdrawn	2

Next Meeting of the SENATE

10 a.m., Wednesday, February 4

Senate Chamber

Program for Wednesday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will resume consideration of S. 1575, to rename Washington National Airport as the ''Ronald Reagan Washington National Airport'', with votes to occur thereon.

Also, Senate may begin consideration of the nomination of David Satcher, of Tennessee, to be Surgeon General.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 4

House Chamber

Program for Wednesday: Consideration of H.R. 2625, to designate ''The Ronald Reagan National Airport'' (Modified Open Rule, One Hour of General Debate); and

Consideration of H.J. Res. 107, A Resolution Concerning Attorneys' Fees, Costs, and Sanctions Payable by the White House Health Care Task Force (Open Rule, One Hour of General Debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Baker, Richard H., La., E83
Barrett, Thomas M., Wisc., E77
Berman, Howard L., Calif., E76
Bilirakis, Michael, Fla., E79
Clay, William (Bill), Mo., E73
Clyburn, James E., S.C., E83, E84, E86
Combest, Larry, Tex., E73
Dellums, Ronald V., Calif., E74
Deutsch, Peter, Fla., E79
Farr, Sam, Calif., E78
Fazio, Vic, Calif., E79
Filner, Bob, Calif., E70
Gillmor, Paul E., Ohio, E83, E84, E85, E86
Gilman, Benjamin A., N.Y., E69, E71, E75
Gingrich, Newt, Ga., E74
Hamilton, Lee H., Ind., E63, E66, E67, E72
Kanjorski, Paul E., Pa., E80
Kildee, Dale E., Mich., E68, E71, E80
Kind, Ron, Wisc., E79
Kleczka, Gerald D., Wisc., E68
Knollenberg, Joe, Mich., E76
Lantos, Tom, Calif., E65, E66
Levin, Sander M., Mich., E64
McIntosh, David M., Ind., E67, E69
Oberstar, James L., Minn., E81
Packard, Ron, Calif., E73
Pascrell, Bill, Jr., N.J., E74
Payne, Donald M., N.J., E70
Radanovich, George P., Calif., E65
Ramstad, Jim, Minn., E64
Ros-Lehtinen, Ileana, Fla., E73
Schumer, Charles E., N.Y., E63, E66
Skelton, Ike, Mo., E77
Smith, Christopher H., N.J., E71
Solomon, Gerald B.H., N.Y., E63
Stabenow, Debbie, Mich., E85
Stark, Fortney Pete, Calif., E74, E80
Talent, James M., Mo., E77
Thune, John R., S.D., E82
Torres, Esteban Edward, Calif., E81, E84

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