

## ADDITIONAL COSPONSORS

S. 537

At the request of Ms. MIKULSKI, the name of the Senator from New York (Mr. D'AMATO) was added as a cosponsor of S. 537, a bill to amend title III of the Public Health Service Act to revise and extend the mammography quality standards program.

S. 1307

At the request of Mr. DASCHLE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1307, a bill to amend the Employee Retirement Income Security Act of 1974 with respect to rules governing litigation contesting termination or reduction of retiree health benefits and to extend continuation coverage to retirees and their dependents.

S. 1362

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1362, a bill to promote the use of universal product members on claims forms used for reimbursement under the medicare program.

S. 1924

At the request of Mr. MACK, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1924, a bill to restore the standards used for determining whether technical workers are not employees as in effect before the Tax Reform Act of 1986.

S. 2162

At the request of Mr. MACK, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2162, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of printed wiring board and printed wiring assembly equipment.

S. 2222

At the request of Mr. GRASSLEY, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 2222, a bill to amend title XVIII of the Social Security Act to repeal the financial limitation on rehabilitation services under part B of the Medicare Program.

S. 2338

At the request of Mr. MOYNIHAN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2338, a bill to amend the Harmonized Tariff Schedule of the United States to provide for equitable duty treatment for certain wool used in making suits.

S. 2354

At the request of Mr. BOND, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2354, a bill to amend title XVIII of the Social Security Act to impose a moratorium on the implementation of the per beneficiary limits under the interim payment system for home health agencies, and to modify the standards for calculating the per visit cost limits and the rates for prospective payment

systems under the medicare home health benefit to achieve fair reimbursement payment rates, and for other purposes.

S. 2364

At the request of Mr. CHAFEE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2364, a bill to reauthorize and make reforms to programs authorized by the Public Works and Economic Development Act of 1965.

S. 2371

At the request of Mr. LOTT, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2371, a bill to amend the Internal Revenue Code of 1986 to reduce individual capital gains tax rates and to provide tax incentives for farmers.

S. 2392

At the request of Mr. BENNETT, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Oregon (Mr. SMITH), and the Senator from North Carolina (Mr. FAIRCLOTH) were added as cosponsors of S. 2392, a bill to encourage the disclosure and exchange of information about computer processing problems and related matters in connection with the transition to the Year 2000.

S. 2412

At the request of Mr. BURNS, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. KERRY), and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 2412, a bill to create employment opportunities and to promote economic growth establishing a public-private partnership between the United States travel and tourism industry and every level of government to work to make the United States the premiere travel and tourism destination in the world, and for other purposes.

## SENATE RESOLUTION 257

At the request of Mr. MURKOWSKI, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Wyoming (Mr. THOMAS), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of Senate Resolution 257, a resolution expressing the sense of the Senate that October 15, 1998, should be designated as "National Inhalant Abuse Awareness Day."

## SENATE RESOLUTION 281—TO AUTHORIZE TESTIMONY AND REPRESENTATION OF EMPLOYEES OF THE SENATE

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 281

Whereas, in the case of United States v. Alphonso Michael Espy, Criminal Case No. 97-0335, pending in the United States District Court for the District of Columbia, a trial subpoena has been served upon Galen Fountain and Jo Nobles, employees of the Senate, and Leslie Chalmers Tagg, formerly an employee of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

*Resolved* That Galen Fountain, Jo Nobles, Leslie Chalmers Tagg, and any other employee from whom testimony may be required, are authorized to testify in the case of United States v. Alphonso Michael Espy, except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent Galen Fountain, Jo Nobles, Leslie Chalmers Tagg, and any other employee of the Senate, in connection with testimony in United States v. Alphonso Michael Espy.

## AMENDMENTS SUBMITTED

## CONSUMER BANKRUPTCY REFORM ACT OF 1998

## DODD AMENDMENT NO. 3614

Mr. DODD proposed an amendment to amendment No. 3559 proposed by Mr. GRASSLEY to the bill (S. 1301) to amend title 11, United States Code, to provide for consumer bankruptcy protection, and for other purposes; as follows:

At the appropriate place, insert the following:

Sec. . PROTECTION OF SAVINGS EARMARKED FOR THE POSTSECONDARY EDUCATION OF CHILDREN.—Section 541(b) of title 11, United States Code, as amended by section 403 of this Act, is amended—

(1) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(2) by inserting after paragraph (6) the following:

"(7) except as otherwise provided under applicable State law, any funds placed in a qualified State tuition program (as described in section 529(b) of the Internal Revenue Code of 1986) at least 180 days before the date of entry of the order for relief or

"(8) any funds placed in an education individual retirement account (as defined in section 530(b)(1) of the Internal Revenue Code of 1986) at least 180 days before the date of entry of the order for relief."

FEINSTEIN (AND OTHERS)  
AMENDMENT NO. 3615

Mrs. FEINSTEIN (for herself, Mr. DURBIN, and Mr. JEFFORDS) proposed an amendment to the bill, S. 1301, supra; as follows:

At the appropriate place in title VII, insert the following:

## SEC. . ENCOURAGING CREDITWORTHINESS.

(2) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(a)(1) certain lenders may sometimes offer credit to consumers indiscriminately, without taking steps to ensure that consumers are capable of repaying the resulting debt, and in a manner which may encourage certain consumers to accumulate additional debt; and

(2) resulting consumer debt may increasingly be a major contributing factor to consumer insolvency.

(b) STUDY REQUIRED.—The Board of Governors of the Federal Reserve System (hereafter in this section referred to as the "Board") shall conduct a study of—

(1) consumer credit industry practices of soliciting and extending credit—

(A) indiscriminately;

(B) without taking steps to ensure that consumer are capable of repaying the resulting debt; and

(C) in a manner that encourages consumers to accumulate additional debt; and

(2) the effects of such practices on consumer debt and insolvency.

(c) REPORT AND REGULATIONS.—Not later than 24 months after the date of enactment of this Act, the Board—

(1) shall make public a report on its findings with respect to the credit industry's indiscriminate solicitation and extension of credit;

(2) may issue regulations that would require additional disclosures to consumers; and

(3) may take any other actions, consistent with its existing statutory authority, that the Board finds necessary to ensure responsible industrywide practices and to prevent resulting consumer debt and insolvency.

#### HARKIN (AND OTHERS) AMENDMENT NO. 3616

Mr. HARKIN (for himself, Mr. DORGAN, Mr. CONRAD, Mr. WELLSTONE, Mr. BRYAN, and Mr. KERREY) proposed an amendment to the bill, S. 1301, supra; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ SENSE OF THE CONGRESS REGARDING INTEREST RATES.

(a) FINDINGS.—The Congress finds, as of the date of enactment of this Act, that—

(1) real interest rates are at historically high levels, the highest in 9 years;

(2) the Federal Funds rate is 5.5 percent, where it has been since March 1997, despite an inflation rate of 1.6 percent;

(3) between 1992 and 1994, the Federal Funds rate averaged 3.6 percent, while inflation was at 2.8 percent;

(4) to confirm that real interest rates are historically high, the Chairman of the Board of Governors of the Federal Reserve System, Alan Greenspan, said during his Humphrey-Hawkins testimony before the Committee on Banking and Financial Services of the House of Representatives on February 24, 1998, "Statistically, it is a fact that real interest rates are higher now than they have been on the average of the post-World War II period.";

(5) inflation over the 2 years preceding the date of enactment of this Act was at its lowest level since the 1960's;

(6) interest rates on 30 year Treasury bonds have sunk to record lows and are below the Federal funds rate, a signal that the United States economy could be headed for a recession;

(7) United States corporate earnings in the second quarter of 1998 were down 1.3 percent from a year earlier;

(8) a reduction in interest rates would increase resources for business growth;

(9) the farm debt is at its highest level since 1985, and broad commodity price indexes are extremely low;

(10) there are significant, widespread signs of global deflation, to which the United States has not been exposed since the Great Depression;

(11) there has been a deterioration in a number of economies around the world, which will negatively impact the United States through fewer purchases of United States exports and a greater influx of cheap imports to the United States;

(12) the United States economy is a large, healthy economic engine, and if the United States economy does slow, it would be exceedingly difficult for the world-wide economy to recover;

(13) a decline in equity values could dampen confidence and slow consumer and business spending, which together represents four-fifths of the United States economy;

(14) a decline in United States interest rates would help bolster the currencies of countries throughout the world suffering from economic hardships; and

(15) a reduction in interest rates would strengthen the United States economy over the next year while the world's weakened economies recover.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Federal Open Market Committee should promptly reduce the Federal Funds rate.

#### GRASSLEY AMENDMENT NO. 3617

Mr. GRASSLEY proposed an amendment to the bill, S. 1301, supra; as follows:

#### SEC. . TREASURY DEPARTMENT STUDY REGARDING SECURITY INTERESTS UNDER AN OPEN END CREDIT PLAN.

(a) Within 180 days of the enactment of this Act, the Federal Reserve Board in consultation with the Treasury Department, the general credit industry, and consumer groups, shall prepare a study regarding the adequacy of information received by consumers regarding the creation of security interests under open end credit plans.

(b) FINDINGS.—This study shall include the Board's findings regarding:

(1) whether consumers understand at the time of purchase of property under an open end credit plan that such property may serve as collateral under that credit plan;

(2) whether consumers understand at the time of purchase the legal consequences of disposing of property that is purchased under an open end credit plan and is subject to a security interest under that plan; and

(3) whether creditors holding security interests in property purchased under an open end credit plan use such security interests to cover reaffirmations of existing debts under section 524 of the United States Bankruptcy Code.

In formulating these findings, the Board shall consider, among other factors it deems relevant, prevailing industry practices in this area.

(c) DISCLOSURE RECOMMENDATIONS.—This study shall also include the Board's recommendations regarding the utility and practicality of additional disclosures by credit card issuers at the time of purchase regarding security interests under open end credit plans, including, but not limited to:

(1) disclosures of the specific property in which the creditor will receive a security interest;

(2) disclosures of the consequences of non-payment of the card balance, including how the security interest may be enforced; and

(3) disclosures of the process by which payments made on the card will be credited with respect to the lien created by the security contract and other debts on the card.

(d) The Board shall submit this report to the Senate Committee on the Judiciary, the

Senate Committee on Banking, Housing, and Urban Affairs, the House Committee on the Judiciary, and the House Committee on Banking and Financial Services within the time allotted by this section.

Insert at an appropriate place:

Section 546 of title 11, United States Code, is amended by inserting at the end thereof—

"(I) Notwithstanding section 545(2) and (3) of this title, the trustee may not avoid a warehouseman's lien for storage, transportation or other costs incidental to the storage and handling of goods, as provided by Section 7-209 of the Uniform Commercial Code."

Insert at an appropriate place:

Section 330(a) of Title 11 is amended:

(1) in subsection (3)(A) after the word "awarded", by inserting "to an examiner, Chapter 11 trustee, or professional person"; and

(2) by adding at the end of subsection (3)(A) the following:

"(3)(B) In determining the amount of reasonable compensation to be awarded a trustee, the court shall treat such compensation as a commission based on the results achieved."

On page 59 of amendment 3595, after clause "(v)", insert "(vi) not unfair because excessive in amount based upon the value of the collateral."

On page 60 of amendment 3595, after clause "(iii)" insert "(iv) the following statement: If your current rate is a temporary introductory rate, your total costs may be higher."

#### NATIONAL AIR TRANSPORTATION SYSTEM IMPROVEMENT ACT OF 1998

#### McCAIN (AND FORD) AMENDMENT NO. 3618

Mr. McCAIN (for himself and Mr. FORD) proposed an amendment to the bill (S. 2279) to amend title 49, United States Code, to authorize the programs of the Federal Aviation Administration for fiscal years 1999, 2000, 2001, and 2002, and for other purposes; as follows:

On page 88, in the matter appearing after line 8, strike the item relating to section 106.

On page 88, in the matter appearing after line 8, insert the following after the item relating to section 211:

Sec. 212. Airfield pavement conditions.

On page 89, strike the item relating to section 403.

On page 89, strike the item relating to section 503 and insert the following:

Sec. 503. Runway safety areas; precision approach path indicators.

On page 89, after the item relating to section 519 insert the following:

Sec. 520. Improvements to air navigation facilities.

Sec. 521. Denial of airport access to certain air carriers.

Sec. 522. Tourism.

Sec. 523. Equivalency of FAA and EU safety standards.

Sec. 524. Sense of the Senate on property taxes on public-use airports.

Sec. 525. Federal Aviation Administration Personnel Management System.

Sec. 526. Aircraft and aviation component repair and maintenance advisory panel.

Sec. 527. Report on enhanced domestic airline competition.

Sec. 528. Aircraft situational display data.