

which has passed this financial services bill, even if only by one vote—will be like this cup and it will catch the heat and the fire of the moment; but the Senate will be the saucer in which we will allow the passions of the moment to cool. That is what role Senator SHELBY and I intend to fulfill as we exercise our rights. It may be that we can be run over and this bill can be passed; maybe not. I believe that those who want this bill would be well advised to urge Senator SARBANES and Senator MOSELEY-BRAUN, who are so determined to expand CRA—I think it would be advisable to ask them whether that is worth killing this bill over. Can't you just take a time-out on CRA and leave it out of the bill? Or, if you can't do that, why not agree to a compromise whereby those who oppose CRA are willing to let you expand it, but you have to give them an antifraud provision, and you have to give them reasonable enforcement, so that if you are complying with the law, you are considered to be complying with the law?

I hope people who are for this bill with their great economic interest will call on those who are on the verge of killing it in the name of CRA to be reasonable and let us move ahead.

I say today that unless there be any confusion from this point on, as one single Member of the Senate, I intend to do everything in my power to impede this bill unless these problems are resolved. I intend to do everything in my power to use all the rules of the Senate, no matter how long it takes, no matter how difficult it may be. It may be that Senator SHELBY and I, and others, can be run over, but it may be that the rules of the Senate are sufficiently strong that with our determined resistance this bill will die unless some accommodation is given on this issue.

I urge those on the other side of this issue—I am not talking about the other side of this body. I am talking about the people who have invested millions, billions, trillions in banks, insurance companies, securities companies who know in their heart that we are right about community reinvestment—I urge them to call on those who are trying to use this bill as a vehicle to expand community reinvestment not to kill this bill over this issue.

I yield the floor.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I want to first associate myself entirely with the remarks of the Senator from Texas. He was speaking very articulately for himself. But he was also speaking for me and a lot of other people, I believe, here in the Senate when he was talking about the problems with H.R. 10. There are a lot of good things in H.R. 10. But one of the most reprehensible things, I believe, Mr. President, is the expansion of the Community Reinvestment Act. Senator GRAMM has gone to great lengths to explain that tonight.

But before any of my colleagues would think about voting for the bill, if it comes up, H.R. 10, I think they ought to ask themselves and ask their local bankers, small bankers, the small directors and the officers if they in America support these measures that I think are reprehensible, such as increased administrative enforcement authority of the regulators to fine directors and officers of banks up to \$1 million a day for CRA noncompliance. That is not the law today.

Two, that would make activities like insurance sales, or mutual fund sales, subject to CRA compliance on all depository institution affiliates on an ongoing basis. That is not the law today; and regulatory authority to shut down any affiliate within the holding company if just one subsidiary depository institution falls out of CRA compliance.

Just think about this. These are sweeping, sweeping changes in the law as we know it today.

Senator GRAMM talked at length about passing this banking reform bill—and I think it has a lot of reform in it—and keeping CRA neutral; not bother or try to repeal the CRA law as it exists today, although I personally would like to; leave it alone for another day, but not to try to expand it, either.

Those are some of my concerns.

Senator GRAMM and I have offered and we are hoping to negotiate with the proponents of this legislation for a resolution to the problems dealing with CRA issues. I will go over them one more time.

Mr. President, it would apply to the formation of financial services holding companies the same CRA structure that applies to the formation of bank holding companies today. I don't see anything wrong with that. It would be uniform, and it makes a lot of sense.

Second, Mr. President, any financial institution that has been found to be in compliance with CRA in its most recent exam shall be deemed to be in compliance with CRA for all purposes and for any action until its next regularly scheduled CRA exam.

And, thirdly—I think this is very important—to put forth some language in there dealing with antifraud, antibribery provisions, and to say basically that it shall be illegal for any financial institution in connection with the CRA review evaluation or consideration to give anyone not employed by the bank any grant or subsidy in cash, or in kind, or to establish any quota, or set aside for employment, management, sales, purchases, or other business activities other than activities voluntarily undertaken by the financial institution to meet the credit needs of the local communities in which the financial institution is chartered.

This makes a lot of sense to me. I think it makes sense that people would focus in on this as we debate this bill.

But I just want to again say that we should go ahead if we could knock out

and make CRA neutral in this; go ahead and work on the merits of H.R. 10, which are many, and try to do something. If we can't, Senator GRAMM—and there will be others—and I are going to do everything we can to protect our rights here in the Senate.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, September 29, 1998, the federal debt stood at \$5,523,785,546,399.80 (Five trillion, five hundred twenty-three billion, seven hundred eighty-five million, five hundred forty-six thousand, three hundred ninety-nine dollars and eighty cents).

One year ago, September 29, 1997, the federal debt stood at \$5,388,316,000,000 (Five trillion, three hundred eighty-eight billion, three hundred sixteen million).

Five years ago, September 29, 1993, the federal debt stood at \$4,387,836,000,000 (Four trillion, three hundred eighty-seven billion, eight hundred thirty-six million).

Ten years ago, September 29, 1988, the federal debt stood at \$2,587,821,000,000 (Two trillion, five hundred eighty-seven billion, eight hundred twenty-one million).

Fifteen years ago, September 29, 1983, the federal debt stood at \$1,354,190,000,000 (One trillion, three hundred fifty-four billion, one hundred ninety million) which reflects a debt increase of more than \$4 trillion—\$4,169,595,546,399.80 (Four trillion, one hundred sixty-nine billion, five hundred ninety-five million, five hundred forty-six thousand, three hundred ninety-nine dollars and eighty cents) during the past 15 years.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-7237. A communication from the Chief of the Regulations Unit of the Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 98-48) received on September 28, 1998; to the Committee on Finance.

EC-7238. A communication from the Interim District of Columbia Auditor, transmitting, pursuant to law, a copy of the Auditor's report regarding revenue estimates in support of the issuance of certain bonds; to the Committee on Governmental Affairs.

EC-7239. A communication from the Executive Director of the Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, notice of a list of additions and deletions to the Committee's Procurement List dated September 22, 1998; to the Committee on Governmental Affairs.

EC-7240. A communication from the Acting Assistant Secretary for Land and Minerals Management, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Geothermal Resources Leasing and Operations" (RIN1004-AB18) received on September 29, 1998; to the Committee on Energy and Natural Resources.

EC-7241. A communication from the Assistant Secretary for Land and Minerals Management, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Areas: State Irrigation Districts" (RIN1004-AC53) received on September 29, 1998; to the Committee on Energy and Natural Resources.

EC-7242. A communication from the Secretary of Defense, transmitting, notice of routine military retirements; to the Committee on Armed Services.

EC-7243. A communication from the Assistant Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, a report entitled "Reduction in Overhead Costs of Inventory Control Points"; to the Committee on Armed Services.

EC-7244. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Vidalia Onions Grown in Georgia; Decreased Assessment Rate" (Docket FV98-955-1 IFR) received on September 29, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7245. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Nectarines and Peaches Grown in California; Relaxation of Quality Requirements for Fresh Nectarines and Peaches" (Docket FV98-916-2 IFR) received on September 29, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7246. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Limiting the Volume of Small Red Seedless Grapefruit" (Docket FV98-905-4 IFR) received on September 29, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7247. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Amended Economic Impact Analysis of Final Rule Requiring Use of Labeling on Natural Rubber Containing Devices" (Docket 96N-0119) received on September 29, 1998; to the Committee on Labor and Human Resources.

EC-7248. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives

Exempt from Certification; Canthaxanthin; Confirmation of Effective Date; Correction" (Docket 93C-0248) received on September 29, 1998; to the Committee on Labor and Human Resources.

EC-7249. A communication from the Administrator of the Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Continuous Chilling of Split Poultry Portions" (RIN0583-AB95) received on September 29, 1998; to the Committee on Labor and Human Resources.

EC-7250. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (I.D. 092398D) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7251. A communication from the Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Tuna Fisheries; Atlantic Bluefin General Category" (I.D. 091198A) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7252. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Table of Allotments, FM Broadcast Stations (Sturgis, Kentucky)" (Docket 96-226) received on September 24, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7253. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Table of Allotments, FM Broadcast Stations (Beaver Dam and Brownsville, Kentucky)" (Docket 98-17) received on September 24, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7254. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, notice of the consolidation of Dockets No. 97-26 and No. 97-91 regarding FM broadcast stations received on September 24, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7255. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Transportation for Individuals with Disabilities" (RIN2105-AC00) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7256. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Americans with Disabilities Act Accessibility Guidelines for Transportation Vehicles; Over-the-Road Buses" (RIN2105-AC00) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7257. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "List of Nonconforming Vehicles Decided to be Eligible for Importation" (RIN2127-AH28) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7258. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Odometer Disclosure Requirements; Exemptions" (RIN2127-AG83) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7259. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Industrie Model A300-600 Series Airplanes" (Docket 98-NM-82-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7260. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Schweizer Aircraft Corporation and Hughes Helicopters, Inc. Model 269A, 269A-1, 269B, 269C, 269D, and TH-55A Helicopters" (Docket 96-SW-10-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7261. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A320-111, -211, and -231 Series Airplanes" (Docket 97-NM-159-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7262. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model DHC-8-100 and -300 Series Airplanes" (Docket 94-NM-89-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7263. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Davenport, IA" (Docket 98-ACE-21) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7264. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes" (Docket 98-NM-100-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7265. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Carrizo Springs, Glass Ranch Airport, TX" (Docket 98-AWS-44) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7266. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Model T210R Airplanes" (Docket 98-CE-19-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7267. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes" (Docket 97-CE-53-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7268. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fairchild Aircraft, Inc. SA226 and SA227 Series Airplanes" (Docket 98-CE-84-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7269. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule regarding airworthiness directives on SAFT America Inc. nickel cadmium batteries (Docket 97-CE-116-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7270. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Industrie Model A320 Series Airplanes" (Docket 97-NM-42-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7271. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A320 Series Airplanes" (Docket 98-NM-77-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7272. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A320 Series Airplanes Equipped with a Bulk Cargo Door" (Docket 97-NM-192-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7273. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Short Brothers Model SD3-60 SHERPA Series Airplanes" (Docket 98-NM-138-AD) received on September 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7274. A communication from the Acting Assistant Attorney General, Department of Justice, transmitting, a draft of proposed legislation to strengthen law enforcement's ability to combat illegal bulk cash smuggling; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1480. A bill to authorize appropriations for the National Oceanic and Atmospheric Administration to conduct research, monitoring, education and management activities for the eradication and control of harmful algal blooms, including blooms of *Pfiesteria piscicida* and other aquatic toxins (Rept. No. 105-357).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment:

S. 2120. A bill to improve the ability of Federal agencies to license federally-owned inventions (Rept. No. 105-358).

#### 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. GRAMS:

S. 2532. A bill for the relief of D.W. Jacobson, Ronald Karkala, and Paul Bjorgen of Grand Rapids, Minnesota, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAIG:

S. 2533. A bill to amend the Federal Power Act to improve the hydroelectric licensing process by granting the Federal Energy Regulatory Commission statutory authority to better coordinate participation by other agencies and entities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 2534. A bill to suspend temporarily the duty on 2, (4-chlorophenol) -3ethyl-2, 5-dihydro-5-oxo-4-pyridazine carboxylic acid, potassium salt; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WARNER:

S. Res. 283. A resolution to refer H.R. 998 entitled "A bill for the relief of Lloyd B. Gamble" to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMS:

S. 2532. A bill for the relief of D.W. Jacobson, Ronald Karkala, and Paul Bjorgen of Grand Rapids, Minnesota, and for other purposes; to the Committee on the Judiciary.

#### PRIVATE RELIEF LEGISLATION

• Mr. GRAMS. Mr. President, today I am introducing a private bill addressing an inequity faced by a now dissolved Minnesota company, Norwood Manufacturing, Incorporated.

Norwood entered into contract with the United States Post Office to produce mail pallets according to Postal Service specifications. After producing the pallets, the Post Office canceled the contract, indicating the pallets did not meet the intended use, even though Norwood met the specifications requirement in the contract.

Genuine issues of material fact surround the question of whether the Post Office canceled the contract for cause, convenience, or possibly in bad faith. Surprisingly, Norwood was denied its plea to be heard in court. Summary judgment was awarded to the Post Office, and an appeal of this decision was denied.

At this point, all avenues of relief have been exhausted, including my efforts in 1995 to request a Congressional Reference from the Judiciary Committee, back to the Claims Court for review.

In my view, an injustice has occurred since usual legal relief has been precluded in the history of this case. I believe compensation by the United

States is owed to Norwood. There is precedent for reimbursing companies which abide by contracts which either include errors, or when specifications change after a contract is signed and the company is not made aware of these changes. The Postal Service made an error, and it should have reimbursed this company, as is normal practice.●

By Mr. CRAIG:

S. 2533. A bill to amend the Federal Power Act to improve the hydroelectric licensing process by granting the Federal Energy Regulatory Commission statutory authority to better coordinate participation by other agencies and entities, and for other purposes; to the Committee on Energy and Natural Resources.

#### HYDROELECTRIC LICENSING PROCESS IMPROVEMENT ACT OF 1998

Mr. CRAIG. Mr. President, I rise to introduce a bill, and I send it to the desk.

Mr. President, the bill I introduce is the Hydroelectric Licensing Process Improvement Act of 1998. As its title suggests, the purpose of the bill is to improve the process by which hydroelectric projects are licensed by the Federal Energy Regulatory Commission. Under the existing law, non-federal dams that are constructed across navigable streams in the United States must be licensed by the FERC. In addition, under the present law, certain federal agencies, such as the United States Forest Service and the Departments of Commerce and Interior, have authority to mandate that FERC accept certain conditions in the license FERC ultimately issues. The Departments, for example, can impose conditions that address fish passage. The federal land agencies can impose conditions to protect federal land impacted by the project. FERC licenses, then, often contain conditions imposed by federal resource agencies.

These agencies, however, through no fault of their own, are single issue agencies. The law limits their considerations to a narrow spectrum of concerns as they decide mandatory conditions. Experience shows by the use of this licensing process that these decisions that are made by these agencies are very narrow. You could say narrow minded. Why? Because they are single-issue agencies. And the law now dictates that they operate only in that realm in their decisionmaking. We do not have to settle for bad decision-making simply because oftentimes the information that the Federal Energy Regulatory Commission gets, or the information they are dictated to by these single-purpose agencies, would result in bad decisionmaking. By adjusting this law, we can, I believe, have a better decisionmaking process. I will say that this is clearly the intent of the legislation that I am introducing today.

Now, Mr. President, these licenses for the dams can be for as little as 30 years