

same manner and with the same effect as if this subsection had not been enacted.

SEC. 303. PROOF OF OWNERSHIP OF CLAIMS TO CONFISCATED PROPERTY.

(a) EVIDENCE OF OWNERSHIP.—(1) In any action brought under this Act, the courts shall accept as conclusive proof of ownership a certification of a claim to ownership that has been made by the Foreign Claims Settlement Commission pursuant to title V of the International Claims Settlement Act of 1949 (22 U.S.C. 1643 and following).

(2) In the case of a claim that has not been certified by the Foreign Claims Settlement Commission before the enactment of this Act, a court may appoint a Special Master, including the Foreign Claims Settlement Commission, to make determinations regarding the amount and ownership of claims to ownership of confiscated property by the Government of Cuba. Such determinations are only for evidentiary purposes in civil actions brought under this Act and do not constitute certifications pursuant to title V of the International Claims Settlement Act of 1949.

(3) In determining ownership, courts shall not accept as conclusive evidence of ownership any findings, orders, judgments, or decrees from administrative agencies or courts of foreign countries or international organizations that invalidate the claim held by a United States national, unless the invalidation was found pursuant to binding international arbitration to which the United States submitted the claim.

(b) AMENDMENT OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949.—Title V of the International Claims Settlement Act of 1949 (22 U.S.C. 1643 and following) is amended by adding at the end of the following new section:

“DETERMINATION OF OWNERSHIP CLAIMS REFERRED BY DISTRICT COURTS OF THE UNITED STATES

“SEC. 514. Notwithstanding any other provision of this Act and only for purposes of section 302 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1995, a United States district court, for fact-finding purposes, may refer to the Commission, and the Commission may determine, questions of the amount and ownership of a claim by a United States national (as defined in section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1995, resulting from the confiscations of property by the Government of Cuba described in section 503(a), whether or not the United States national qualified as a national of the United States (as defined in section 502(1)) at the time of action by the Government of Cuba”.

(c) RULE OF CONSTRUCTION.—Nothing in this Act or in section 514 of the International Claims Settlement Act of 1949, as added by subsection (b), shall be construed—

(1) to require or otherwise authorize the claims of Cuban nationals who became United States citizens after their property was confiscated to be included in the claims certified to the Secretary of State by the Foreign Claims Settlement Commission for purposes of future negotiation and espousal of claims with a friendly government in Cuba when diplomatic relations are restored; or

(2) as superseding, amending, or otherwise altering certifications that have been made pursuant to title V of the International Claims Settlement Act of 1949 before the enactment of this Act.

SEC. 304. EXCLUSIVITY OF FOREIGN CLAIMS SETTLEMENT COMMISSION CERTIFICATION PROCEDURE.

Title V of the International Claims Settlement Act of 1949 (22 U.S.C. 1643 and following), as amended by section 303, is further amended by adding at the end the following new section:

“EXCLUSIVITY OF FOREIGN CLAIMS SETTLEMENT COMMISSION CERTIFICATION PROCEDURE

“SEC. 515. (a) Subject to subsection (b) neither any national of the United States who was eligible to file a claim under section 503 but did not timely file such claim under that section, nor any national of the United States (on the date of the enactment of this section) who was not eligible to file a claim under that section nor any national of Cuba, including any agency, instrumentality, subdivision, or enterprise of the Government of Cuba or any local government of Cuba in place on the date of the enactment of this section, nor any successor thereto, whether or not recognized by the United States, shall have a claim to, participate in, or otherwise have an interest in, the compensation proceeds or non-monetary compensation paid or allocated to a national of the United States by virtue of a claim certified by the Commission pursuant to section 507, nor shall any district court of the United States have jurisdiction to adjudicate any such claim.

“(b) Nothing in subsection (a) shall be construed to detract from or otherwise affect any rights in the shares of capital stock of nationals of the United States owning claims certified by the Commission under section 507.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, October 11, 1995, to conduct a hearing on Iran sanctions.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 11, 1995, at 2 p.m.

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

ADDITIONAL STATEMENTS

EDIBLE OIL REGULATORY REFORM ACT

• Mr. CHAFEE. Mr. President, the Senate received from the House today H.R. 436, the Edible Oil Regulatory Reform Act. The bill would amend the Oil Production Act of 1990, or OPA-90. As chairman of the Environment and Public Works Committee, which has exclusive jurisdiction over OPA-90, I support the Senate's passage of H.R. 436 by unanimous consent without delay.

As a member of the Environment and Public Works Committee at the time the committee reported the bill that became OPA-90, I am well acquainted with the statute. As many of us will recall, the Congress enacted OPA-90 in the aftermath of the catastrophic *Exxon Valdez* oilspill in Prince William Sound, AK.

One of the key elements of OPA-90 requires all vessels to demonstrate a certain minimum level of financial responsibility to cover the costs of clean-up and damages in the event of an oil-spill. The intent behind this requirement is to ensure that an entity that discharges oil into our natural environment pay for the costs and damages arising from the spill—not the U.S. taxpayer. This intent remains sound and should continue to inform the application of the statute.

In passing OPA-90, however, Congress did not intend to abandon the use of common sense. As the act currently stands, there is no distinction made in the financial responsibility requirements for oil-carrying vessels, regardless of the kind of oil being carried. Therefore, a vessel carrying sunflower oil is held to the same requirements under OPA-90 as a carrier of deep crude.

H.R. 436 simply recognizes that vegetable oils and animal fats are different from petroleum oils. Most important, they are different in ways that make it less likely that a spill of vegetable oil or animal fat will cause the same kind of environmental damage as would a petroleum oil spill. For example, vegetable oils and animal fats contain none of the toxic components of petroleum oil.

This is not to suggest that a spill of vegetable oil or animal fat will have no adverse environmental impacts. Experience has shown to the contrary, especially in the case of the Blue Earth River spill in Minnesota in the mid-1960's. Here it is important to note that H.R. 436 would not provide an exemption for carriers of vegetable oil or animal fats. They still would be subject to a mandatory minimum financial responsibility requirement under OPA-90.

Thus, H.R. 436 will lend more rationality to the application of OPA-90 while maintaining the fundamental integrity of the act's purpose and approach. I commend my colleagues in the House for recognizing an opportunity to improve the implementation of an environmental statute.

Finally, as chairman of the Environment and Public Works Committee, let me say that I appreciate the willingness of all Senators to expedite action on this bill. Without unanimous consent, H.R. 436 would have been referred to the Committee on Environment and Public Works. My review of the bill has convinced me that it is a straightforward, commonsense piece of legislation on which committee hearings are unnecessary and to which I can lend my support.●

NATIONAL FIRE PREVENTION WEEK

• Mr. SARBANES. Mr. President, this week is National Fire Prevention

Week, a time for us to look back on the year's efforts to prevent fire-related deaths, injuries, and property damage, and an occasion to reflect on the important role of the brave men and women who comprise our national fire service.

Mr. President, as you know, fire is a serious problem in the United States—an average of 4,000 Americans die from fire annually and nearly 30,000 Americans sustain fire-related injuries every year.

Fire Prevention Week falls on the anniversary of the Great Chicago Fire of 1871 which tragically killed 250 people, burned 17,000 buildings, and rendered over 100,000 people homeless. As a Nation, we have made significant progress in our efforts to improve firefighting and prevention methods since then, but we still have a long way to go. More recently, the Happy Land Social Club fire of 1990 in New York City which claimed the lives of 87 people reminds us of the massive destruction that can be caused by fire.

Increasingly, however, the efforts of our fire service and organizations such as the National Fire Protection Association, the annual sponsor of National Fire Prevention Week, are making a difference. Due to a thoughtful, multipronged attack, in which battles are won by not having them fought in the first place, fire-related deaths are at an alltime low—reduced to 4,275 last year from 8,900 deaths in 1913 when standardized recordkeeping began.

No one is immune to the dangers of fire. On February 26, 1994, nine Marylanders were killed in a single family home simply because a candle was placed too close to a sofa bed. In order to avoid tragedies like these, members of the fire service, the National Fire Protection Association, and others use National Fire Prevention Week each year to renew and strengthen their commitment to fire-related education programs, construction and engineering improvements, and more effective fire regulations. In line with a recent escalation in efforts to minimize fires caused by carelessness or neglect, the theme of this year's Fire Prevention Week is "Watch What You Heat."

I salute the American Fire Service on the occasion of National Fire Prevention Week and I join in their call to make our country as fire safe as possible.●

ETHEL STAATS CELEBRATES 100TH BIRTHDAY

● Mrs. BOXER. Mr. President, I invite my colleagues to join me in congratulating Mrs. Ethel Staats from my hometown, Greenbrae, CA, on the very special occasion of her upcoming 100th birthday on October 22, 1995.

Mrs. Staats has, throughout her 100 years, been a devoted mother, grandmother, and great-grandmother. She had 3 children, 14 grandchildren, and 17 great-grandchildren. She has been the foundation of a very strong and close family.

In addition, she has dedicated herself to the care and support of others in the community. In her youth, she was a respected nurse, caring for others, and now, in her later years, she has been spending much of her time babysitting and caring for the children of our neighborhood. When my grown children were babies, Mrs. Staats was always there to lend a hand.

She continues to enjoy baseball and football on the radio, with a particular interest in the San Francisco Giants and the Cincinnati Reds.

She happily resides at Rafael Convallescent Hospital in San Rafael, CA. As she says, "If I have to be some place other than home, this place is great."

Ethel Staats is a special woman, one of those senior citizens whom we can all look to with admiration, and who deserves mentioning on her very special day. I wish her the best for her future years and happiest of birthdays.●

TRIBUTE TO ROBERT J. LEWIS

● Mr. BIDEN. Mr. President, one of the greatest pleasures of our service in the Senate, is that we have the opportunity to call the Nation's attention to acts of extraordinary service and sacrifice by our citizens, and to record those acts as a part of our proud and uniquely American history of leadership by the People.

On more occasions than any of us can count, Mr. President, our praise and thanks have been earned by members of a group who truly embody the highest ideals of citizenship and service—our Nation's firefighters. During this National Fire Prevention Week, I am especially proud to pay tribute to a firefighter from my State, Capt. Robert J. Lewis of the Talleyville Fire Company.

On June 30 of this year, the Talleyville Fire Company was dispatched to help battle a house fire in Brandywood, a community just north of Wilmington, DE. There was heavy smoke coming from the attic, and the firefighters immediately went to work with handlines directed to the upper floor of the house.

An engine crew from the nearby Claymont Fire Company was assigned to search the main attic. In the course of that search, Claymont Firefighter Greg Denston was caught when fire broke through the wall, engulfing the attic in flames and leaving little chance of escape by way of the staircase.

In the course of working his way to the attic, Firefighter Denston had lost his helmet, and his protective mask had become dislodged when the flames broke through the wall. He alertly activated his personal safety signal device, hoping that someone would hear his call for help.

Rescue Capt. Robert J. Lewis did hear, Mr. President, and he responded.

Captain Lewis found a Claymont Fire Company helmet at the bottom of the attic staircase. He fought his way

through heavy smoke and intense heat, and managed to get to the attic by way of the kind of fold-down stairs that can be hard to navigate under the best of circumstances. And these were surely the worst of circumstances.

The attic was literally under siege by the fire. But Captain Lewis managed to locate Firefighter Denston and to pull him down the stairs, where several other firefighters helped get their injured comrade out of the house and on his way to medical treatment. Firefighter Denston was hospitalized for 7 days, and has continued his recovery at home.

The hope of that recovery is only possible, Mr. President, because Robert Lewis answered the call for help, as firefighters do every day in cities and towns across America.

Captain Lewis' professional instincts—and all firefighters are professionals—his professional instincts were perfect; he acted precisely as his training had taught him.

But training can only teach you how to save a life. It cannot make you do it.

The personal instinct that led Captain Lewis to act quickly and decisively—automatically, without pausing to weigh the pros and cons, putting his concern for another above his concern for his own safety—that instinct comes from deep within. It is something hard to define, but it makes ordinary citizens into heroes every day.

One American writer described it this way: "There is a certain blend of courage, integrity, character and principle which has no satisfactory dictionary name but has been called different things at different times, in different countries. Our American name for it is 'guts.'" Training makes a professional; guts, Mr. President, make a hero.

Capt. Robert J. Lewis of the Talleyville Fire Company did not become a hero on June 30, 1995. He was already a hero, as were his fellow firefighters, because they know that every time they answer the call they may be putting their lives at risk. And still they answer—without pausing to weigh the pros and cons, putting their concern for others above their concern for their own safety—each and every time.

In recognizing Captain Lewis for his extraordinary service, we recognize all firefighters. They represent and summon the best in us—the best of the American character—and we are grateful to them all.●

ORDERS FOR THURSDAY, OCTOBER 12, 1995

Mr. HELMS. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9:30 a.m. tomorrow, Thursday, October 12, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day; that there be a period of