

transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-1551. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to Exxon and stripper well oil overcharge funds as of June 30, 1995; to the Committee on Energy and Natural Resources.

EC-1552. A communication from the Secretary of Energy, transmitting, a draft of proposed legislation entitled "The Federal Energy Regulatory Commission Act of 1995"; to the Committee on Energy and Natural Resources.

EC-1553. A communication from the Deputy Associate Director for Compliance, Minerals Management Service, Royalty Management Program, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-1554. A communication from the Acting Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report of a flood plain management assessment; to the Committee on Environment and Public Works.

EC-1555. A communication from the Chair of the Prospective Payment Assessment Commission and the Chair of the Physician Payment Review Commission, transmitting jointly, pursuant to law, a report on Medicare Managed Care; to the Committee on Finance.

EC-1556. A communication from the Chair of the Foreign Claims Settlement Commission, transmitting, pursuant to law, the annual report for calendar year 1994; to the Committee on Foreign Relations.

EC-1557. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-1558. A communication from the Director of the Woodrow Wilson Center, transmitting, pursuant to law, the semiannual report of the Inspector General for fiscal year 1995; to the Committee on Governmental Affairs.

EC-1559. A communication from the Head of the Nonappropriated Fund Personnel and Insurance Branch, transmitting, pursuant to law, the report for the Navy NAF Retirement Plan for calendar year 1993; to the Committee on Governmental Affairs.

EC-1560. A communication from the Director of the Administrative Office of the U.S. Courts, transmitting, pursuant to law, the report of the proceedings of the Judicial Conference for fiscal year 1994; to the Committee on the Judiciary.

EC-1561. A communication from the Secretary of Veterans' Affairs, transmitting, a draft of proposed legislation to amend title 38, U.S. Code, to expand the authority of the Secretary of Veterans' Affairs to suspend special pay agreements for physicians and dentists who enter residency training programs; to the Committee on Veterans' Affairs.

EC-1562. A communication from the Comptroller General, transmitting, pursuant to law, the report of a revised deferral of budget authority; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, and 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-454. A joint resolution adopted by the Legislature of the State of California; to the Committee on Agriculture, Nutrition, and Forestry.

### "SENATE JOINT RESOLUTION NO. 21

"Whereas, the interstate Tahoe Regional Planning Compact ratified pursuant to Title 7.4 (commencing with Section 66800) of the Government Code created the Tahoe Regional Planning Agency; and

"Whereas, the agency is responsible for facilitating the attainment of environmental thresholds in the areas of air quality, transportation, scenic resources, and water quality; and

"Whereas, providing nonmotorized transportation facilities allows recreationists and residents to travel in the Tahoe Basin without an automobile, is consistent with the achievement of those thresholds, and leads to improved air quality and reduced vehicle miles traveled; and

"Whereas, approximately one-third of Lake Tahoe is currently provided with nonmotorized facilities through past cooperative work by local, state, and federal agencies; and

"Whereas, a trailside survey of the existing nonmotorized facilities provided by the Tahoe City Public Utility District shows usage and demand for recreation and commuter use to be exceptionally high; and

"Whereas, a completed nonmotorized facility around the lake would be a major recreational attraction leading to increased economic improvement in the tourism base; and

"Whereas, an enthusiastic "partnership" of public, private, and volunteer groups is ready to move forward to develop such a nonmotorized facility; and

"Whereas, full construction of the ultimate nonmotorized facility will require considerable cooperation between the federal government, the two states that are parties to the compact, local governments, and special districts, and will require a cooperative effort by all parties, public and private, in meeting funding needs over the next five years with a goal of full operation of the system by the year 2000; Now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That California state agencies, counties, cities, and districts in the Tahoe Basin, the Tahoe Regional Planning Agency, and other interested parties are urged to undertake the necessary steps to ensure the designation and siting, by July 1, 1996, and the development, by July 1, 2000, of an appropriate nonmotorized route on the California side of the Tahoe Basin; and be it further

*Resolved,* That the United States Forest Service is hereby urged to provide assistance to the Tahoe Regional Planning Agency to ensure the designation and siting of an appropriate nonmotorized route on the California side of the Tahoe Basin by July 1, 1996; and be it further

*Resolved,* That the Legislature of the State of California memorializes the President and the Congress of the United States to support the development of the Lake Tahoe Nonmotorized Bikeway and Pedestrian Facility; and be it further

*Resolved,* That the Tahoe Regional Planning Agency be requested to pursue a similar resolution and concurrent action with the State of Nevada; and be it further

*Resolved,* That planning for the nonmotorized facility consider the needs of both the recreational user who wishes to take an

enjoyable tour of the Lake Tahoe shoreline, as well as the "serious" commuter or recreational traveler who wishes to travel the perimeter of the lake; and be it further

*Resolved,* That support of this resolution be based on the understanding that all facility development will be consistent with the thresholds established as a requirement of the interstate compact; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Director of the United States Forest Service, to the President pro Tempore of the United States Senate, to the Speaker of the United States House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Tahoe Regional Planning Agency, to the Governor of California, to the Board of Supervisors of El Dorado County, to the Board of Supervisors of Placer County, to the City of South Lake Tahoe, to the Board of Directors of the Tahoe City Public Utilities District, and to the Board of Directors of the North Tahoe Public Utilities District."

POM-455. A joint resolution adopted by the Legislature of the State of California to the Committee on Appropriations.

### "SENATE JOINT RESOLUTION NO. 17

"Whereas, the United States government has mandated that state and local governments provide various services to immigrants, whether they are in this country legally or illegally, and has failed to reimburse those state and local governments for the costs of providing those services; and

"Whereas, the United States government historically has failed to adequately control the influx of undocumented immigrants into this country; and

"Whereas, the United States Supreme Court has repeatedly held that regulating the movement of individuals between this country and other nations is exclusively a federal responsibility; and

"Whereas, the costs associated with the supervision of parolees should never have been borne by the State of California because federal law mandates the prompt deportation of criminal aliens; and

"Whereas, the United States Congress enacted the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), authorizing a total of one billion eight hundred million dollars (\$1,800,000,000) to be distributed to several states over a period of six years to cover incarceration costs of illegal immigrants, but did not actually appropriate or provide the funds to the states; and

"Whereas, the amount authorized by the federal act would not, in any event, cover more than a fraction of the costs to the State of California associated with the incarceration of illegal immigrants; and

"Whereas, the failure of the United States government to adequately control the borders, in addition to the imposition of huge mandated but unreimbursed costs to state and local governments, has led to blatant inequities in terms of exploitation of undocumented laborers, and abuse of wage, safety, and child labor laws, as well as lower wage levels for California's working poor; and

"Whereas, California, Florida, and other states have suffered disproportionately from the failure of the United States government to control this nation's borders; and

"Whereas, California, Florida, and other states have brought legal actions with federal district courts to compel the United States government to reimburse them for the costs associated with providing mandated and other services to illegal immigrants; and

"Whereas, the federal district courts have dismissed these actions at the request of the United States government based on the doctrine of sovereign immunity, the most recent dismissal being that regarding the action brought by the State of California in the United States District Court in and for the Southern District of California, entitled *State of California v. United States of America*, Case No. 94-0674 K (CM); and

"Whereas, there is clear precedent for acting to waive the provisions regarding sovereign immunity in situations such as these; and

"Whereas, the continuing dispute between the State of California and the United States government regarding actual costs of providing unreimbursed services to illegal immigrants can best be resolved in an objective judicial proceeding; and

"Whereas, Congress also has the power to take salutary action by amending the Violent Crime Control and Law Enforcement Act of 1994 to appropriate, and distribute to the states over the next six years, the sum of one billion eight hundred million dollars (\$1,800,000,000), as originally authorized by the act, to cover costs of incarcerating illegal immigrants; Now therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to do all of the following:

"(a) Enact legislation to waive the immunity of the United States government to all suits brought by the states seeking reimbursement for all costs resulting from illegal immigration.

"(b) Enact legislation to facilitate the transfer from state and local custody to the Federal Bureau of Prisons all illegal immigrants in state and local correctional facilities.

"(c) Appropriate and distribute all funds necessary to cover the costs to the various states associated with providing services to illegal immigrants; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-456. A concurrent resolution adopted by the Legislature of the State of Michigan; to the Committee on Armed Services.

"SENATE CONCURRENT RESOLUTION No. 109.

"Whereas, in response to the call of officials and citizens alike, the United States Department of Defense, through the Defense Reutilization and Marketing Service, has achieved remarkable success as a pilot project committed to bringing sound business practices to a worldwide governmental operation. This initiative, which has been made more important by the reorganization of military facilities and base closures around the world, has been nominated for major recognition through the Innovations in American Government program coordinated by the Harvard University Kennedy School of Government; and

"Whereas, the Defense Reutilization and Marketing Service is charged with the mission of selling Department of Defense assets, reutilizing resources, transferring property and materials, and encouraging the recovery of metals. With the ever-increasing speed of change in technology and the unique demands of military preparedness in our volatile world, the task facing the Defense Reutilization and Marketing Service is a substantial one, representing enormous sums of capital. Fittingly, the Defense Logistics Agency of the Department of Defense se-

lected the Defense Reutilization and Marketing Service as a pilot project under the Government Performance Results Act of 1993. Since that time, this operation has constituted a wonderful example of reinventing policies and attitudes in government; and

"Whereas, Michigan has been the recipient of numerous benefits through the efforts of the Defense Reutilization and Marketing Service. Products from around the world have gone to Michigan schools, youth groups, universities, museums, local units of government, and police departments. Several million dollars worth of materials, ranging from camping equipment to heavy machinery, have been put to good use; and

"Whereas, the Defense Reutilization and Marketing Service responded to its challenge with true business strategies of putting customers first, improving processes and the use of technologies, empowering employees to get results, and meeting customer requirements at a reduced cost. With emphasis on maximizing return to the taxpayer, the service has achieved remarkable success in increasing total assets by nearly 200 percent and attaining self-sufficiency with an operating profit of \$17 million. These impressive figures represent a wonderful beginning. Most importantly, the success of this effort has generated a rethinking of all levels, with employees adopting attitudes consistent with those found in a sound and productive business. We hope all governmental agencies will follow this lead: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That we recognize the achievements of the Defense Reutilization and Marketing Service in being recognized nationally for representing the reinvention potential that exists within the federal government; and be it further

*Resolved*, That we memorialize the Congress of the United States to continue to encourage the progress of the Defense Reutilization and Marketing Service and similar programs in all governmental units; and be it further

*Resolved*, That copies of this resolution be transmitted to officials of the National Performance Review, the Department of Defense, the Defense Logistics Agency, and the Defense Reutilization and Marketing Service, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-457. A joint resolution adopted by the Legislature of the State of California; to the Committee on Commerce, Science, and Transportation.

"SENATE JOINT RESOLUTION No. 10

"Whereas, the federal government has attempted to impose national solutions to solve state and regional problems for decades; and

"Whereas, in that frame of policymaking, the role of the federal government in transportation has increased substantially over the past five decades; and

"Whereas, construction of the Interstate Highway System to link all states with a good network of roads was a desirable objective when it was introduced, and that system is very near completion; and

"Whereas, the federal government has expanded its role and mandates beyond the initial interstate system; and

"Whereas, the federal government's responsibilities for highway and mass transit are essentially that of tax collector, payor of public funds, "second-guesser," regulator, and reviewer; and

"Whereas, the state and local governments have continued to be the actual providers of services; and

"Whereas, the states possess the capability to collect their own taxes and formulate

their own expenditure priorities without federal oversight or mandates; and

"Whereas, the state and local governments have encouraged and contributed to this gradual increase in federal involvement; and

"Whereas, the new Congress and the President are considering options for reinventing federal government and reducing its involvement in areas in which federal involvement is not necessary; and

"Whereas, the effort of the previous Congress was to establish a new national transportation system to add other modes of transportation only for the sake of intermodalism; and

"Whereas, that action would increase, rather than decrease, the federal role in an area that is not necessary; and

"Whereas, the federal government can do more for intermodalism by eliminating its role in highway building than by expanding its role into transit; and

"Whereas, state and local agencies should recognize that by asking for federal money they are asking for federal intervention and that they cannot expect the United States government to furnish funds and not order them to spend those funds in mandated ways, that every federal dollar received is paid to the federal tax collectors by California residents, and that California taxpayers are benefited if the federal role in collecting and distributing taxes is eliminated. Now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take appropriate action to reorganize the federal Department of Transportation, eliminate federal programs for highways and transit, and limit the federal role in transportation to national safety standards, aviation, the Coast Guard, and Amtrak; and be it further

*Resolved*, That federal efforts to develop and establish a national transportation system should be abandoned, and California transportation agencies are urged not to participate in the formation of that system; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States and to the United States Secretary of Transportation."

POM-458. A joint resolution adopted by the Legislature of the State of California; to the Committee on Energy and Natural Resources.

"SENATE JOINT RESOLUTION No. 30

"Whereas, Yosemite National Park has long been a favorite destination for horseback travelers, and in the park's early days, tourism facilities in Yosemite Valley depended on pack trains and stagecoaches to import supplies and guests, and to provide communication to that then-remote part of the Sierra-Nevada Mountains; and

"Whereas, in 1865, James M. Hutchings opened the first saddle train business in Yosemite, which provided pleasure riding and guide services for guests; and

"Whereas, Yosemite National Park consistently receives high numbers of visitors and, in 1994, a record number of 4.1 million people visited the park; and

"Whereas, only 5 percent of the park's total number of annual visitors leave the paved, developed areas of the park thus leaving most of the 1,170 square-mile park for

those persons who prefer a less crowded, more adventurous experience; and

"Whereas, in January of this year, head managers of the Yosemite Stables were given notice that the park's concessionaire, the Yosemite Concessions Services, intends to shut down the stable operations prior to the 1996 season; however, the National Park Service has recommended that the stables remain open for another year until the economic and environmental considerations relating to horse operations in the park can be thoroughly evaluated; and

"Whereas, Yosemite stable operations is one of the most profitable services in the park; and

"Whereas, if the Yosemite Concessions Services horse operations are shut down, the park revenues from trail fees will be decreased and the level of trail maintenance will deteriorate; and

"Whereas, if the Yosemite Stables close down, no private use of corrals will be possible, thus making it difficult for individuals with private stock to make use of the riding trails out of Yosemite; Now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly*, That the Legislature expresses its opposition to the closure of the Yosemite Stables for environmental and economic reasons; and be it further

*Resolved*, That the Legislature memorializes the National Park Service, the President, and the Congress of the United States to take steps necessary to prevent the closure of the Yosemite Stables; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Governor, to the Secretary of the Interior, to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States".

POM-459. A joint resolution adopted by the Legislature of the State of California; to the Committee on Environment and Public Works.

#### "SENATE JOINT RESOLUTION NO. 2

"Whereas, through the Clean Air Act and its amendments (42 U.S.C. Sec. 7401 et seq.), the federal government has undertaken the laudable task of ridding the air we breathe of pollution; and

"Whereas, a balance must be struck between any steps taken to reduce air pollution, and the adverse impact those steps may have upon the economy, the business climate, and the cost and size of government; and

"Whereas, under the Clean Air Act Amendments of 1990 (P.L. 101-549), those states with areas that are classified as severe or extreme nonattainment areas are forced to adopt employee commute option and trip reduction laws; and

"Whereas, pursuant to the Clean Air Act, programs are being conducted by California air districts to clean the state's air through the imposition of onerous, burdensome, and costly regulations that require employers of companies having 100 or more employees to establish trip reduction plans; and

"Whereas, an example of the ineffectiveness and excessive cost of employer trip reduction plan regulations can be shown by the resultant failures of the South Coast Air Quality Management District's employer trip reduction plan requirement, Rule 1501, previously known as Regulation 15; and

"Whereas, since its implementation in 1988, Rule 1501 has contributed negligible benefits towards reducing or eliminating smog within the Los Angeles basin, while at the same time, this rule's compliance cost

upon employers is estimated at anywhere between \$136 million and \$197 million annually, or, roughly, \$3,000 for every car not driven to work, for a total of approximately \$1 billion that Los Angeles basin employers have been forced to spend to comply with this rule; and

"Whereas, the South Coast Air Quality Management District Governing Board realizes that Rule 1501 is ineffective, expensive, and has fallen far short of the average vehicle ridership goals sought by the district pursuant to the Clean Air Act; and

"Whereas, it is obvious that the costs and effects of mandated employer trip reduction plans, such as Rule 1501, can be devastating to companies trying to remain economically competitive, and these policies do not justify the economic and social hardships that will occur in nonattainment areas if employer trip reduction mandates continue as part of the Clean Air Act; and

"Whereas, despite the fact that other avenues may be available to pursue the goals of the Clean Air Act without having to resort to mandated employer trip reduction plans, these alternatives cannot be legally pursued by states in lieu of existing employer trip reduction plan mandates unless Congress amends the Clean Air Act to reflect this intent; Now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact an amendment to the Clean Air Act that will eliminate the provisions mandating an employer trip reduction program in extreme and severe nonattainment areas and, instead, allow states to pursue practical and cost-effective alternatives towards solving their air quality problems; and be it further

*"Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the Legislature of each of the other states."

POM-460. A joint resolution adopted by the Legislature of the State of California; to the Committee on Environment and Public Works.

#### "SENATE JOINT RESOLUTION NO. 5

"Whereas, the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.) was enacted to encourage states to act appropriately to clean up the air in their own neighborhoods; and

"Whereas, the act, as recently amended (P.L. 101-549), has continued to deviate from the principle of establishing standards and allowing states to design specific actions to satisfy those standards and to rely more on the principle that Washington "knows best"; and

"Whereas, the federal law now specifies detailed procedures and programs that the states must follow, including the requirement for specific types of smog check, and other similar programs; and

"Whereas, the State of California has been in the forefront of clean air activities, including the adoption of new vehicle emission standards, and possesses extensive experience and knowledge about programs and activities that are feasible and cost-effective and those that are not; and

"Whereas, the Clean Air Act has placed California at the mercy of federal bureaucrats to the extent that the state must negotiate with them on minute details, such as whether or not the smog inspection stations can be allowed to sell candy bars and other similar commodities; and

"Whereas, Congress has expressed a strong interest in reducing the role of the federal government by allowing states to manage their own affairs; and

"Whereas, there is a question regarding the efficacy of the science that the Environmental Protection Agency has used to diminish the relative effectiveness of alternative clean air strategies; Now, therefore, be it

*"Resolved by the Senate and Assembly of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to amend the Clean Air Act to retain the clean air standards, including requirements to reduce emissions from mobile sources, but remove specific requirements such as vehicle inspection and maintenance, and to require the Environmental Protection Agency to reevaluate, using recent scientific, technological, and other environmental findings, the methodology and science used to measure both the inventory of emissions and the effectiveness of individual components of the state clean air plans for purposes of compliance with the broader goals of the Clean Air Act Amendments of 1990 (P.L. 101-549); and be it further

*"Resolved*, That the California Legislature will continue to pursue all feasible and cost-effective strategies that, as implemented, produce cleaner air for California's residents, and that those strategies will be pursued because doing so is good for the health and safety of the people of California and not because doing so is mandated by the United States Congress, the federal bureaucracy, or a federal judge; and be it further

*"Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States."

POM-461. A joint resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary.

#### "SENATE JOINT RESOLUTION NO. 18

"Whereas, the Home Office and Business Opportunities (HOBO) Association of California, an innovative grassroots organization recognized as one of the foremost leaders and advocates of homebased business issues statewide, is sponsoring a Homebased Business Week in the state; and

"Whereas, Homebased Business Week will build public awareness and advance the values of homebased business to California; and

"Whereas, Homebased Business Week will create and promote change, foster economic growth, increase employment, and support the desire for independence and self-reliance, while realizing the concerns for child care, the quality of home life, and the environment; and

"Whereas, Homebased Business Week will assist homebased businesses by providing educational and informational programs, forums, workshops, seminars, and conferences, which will aid in the establishment and development of homebased businesses all across California; and

"Whereas, Homebased Business Week will assist the growing number of homebased business owners in realizing their potential in finding the American dream; and

"Whereas, it would be of benefit to other states to observe Homebased Business Week nationally; Now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly*, That the Legislature of the State of California, sharing these interests and concerns, hereby declares the week of September 25 through 29, 1995, as

Homebased Business Week in California; and be it further

"Resolved, That the Legislature further urges the President and Congress of the United States to declare the week of September 25 through 29, 1995, as Homebased Business Week nationally; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Governor, and to the Home Office and Business Opportunities Association.

POM-462. A concurrent resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary.

"SENATE CONCURRENT RESOLUTION No. 33

"Whereas, it was Japan that ultimately plunged the United States into World War II when on December 7, 1941, Japanese aircraft attacked without warning the United States Pacific Fleet at anchor in Pearl Harbor in Hawaii which propelled enraged Americans to arms; and

"Whereas, on December 8, 1941, within hours of the attack on Pearl Harbor, Japanese bombers struck the British colony of Hong Kong on the south coast of China and the two United States Islands of Guam and Wake in the Pacific Ocean; and

"Whereas, Japan's next target was the petroleum-rich Netherlands East Indies that were protected by Allied warships that were mauled by Japan's navy in February 1942 in the Battle of the Java Sea; and

"Whereas, only the conquest of the Philippines took longer than Japan expected when American and Philippine forces commanded by United States General Douglas MacArthur defended the islands and although suffering from malnutrition and disease, they beat back Japanese attacks for just over three months; and

"Whereas, on April 9, 1942, about 75,000 exhausted troops on Bataan surrendered to the Japanese and most of them were forced to march about 65 miles to prison camps and many prisoners died of disease and mistreatment during what became known as the Bataan Death March; and

"Whereas, three events in 1942 helped turn the tide against Japan, the first of these being the Doolittle Raid in which Lieutenant Colonel James H. Doolittle led 16 B-25 bombers in a daring bombing raid on the Japanese homeland that consisted of a surprise attack on Tokyo and other Japanese cities to show that Japan could be beaten; and

"Whereas, in May 1942 in the Battle of the Coral Sea, which was the first naval battle in which opposing ships never sighted one another and planes based on aircraft carriers did all the fighting, American warships halted the Japanese assault on Port Moresby on the south coast of New Guinea; and

"Whereas, in the Battle of Midway in June 1942, the United States cracked Japan's naval code and learned of Japan's coming invasion to capture Midway Island at the westernmost tip of the Hawaiian chain and the battle that ensued became the first clear Allied victory over Japan in World War II; and

"Whereas, the Allies developed two major campaigns against Japan in the South Pacific, one force under MacArthur that checked the Japanese on New Guinea and another force under Admiral Chester W. Nimitz that battled the Japanese in the Solomon Islands northeast of Australia that included the six-month battle for Allied control of the Island of Guadalcanal; and

"Whereas, superiority at sea and in the air enabled the Allies to close in on Japan in early 1945 and by then Japan had lost much

of its empire, most of its aircraft and cargo ships, and nearly all of its warships and American B-29 bombers were pounding Japan's industries, and American submarines were sinking vital supplies headed for Japan; and

"Whereas, Japan's military leaders went on fighting even though they faced certain defeat; and

"Whereas, the Allies decided they needed more bases to step up the bombing campaign against Japan and chose the Japanese islands of Iwo Jima and Okinawa; and

"Whereas, in April 1945 the United States, Great Britain, and China issued a statement warning that Japan would be destroyed unless it surrendered unconditionally but in spite of the warning, Japan went on fighting; and

"Whereas, on August 6, 1945, an American B-29 bomber called the Enola Gay dropped the first atomic bomb used in warfare on the Japanese city of Hiroshima and after Japanese leaders failed to respond to the bombing, the United States dropped a larger bomb on Nagasaki on August 9, 1945.

"Whereas, on August 14, 1945, Japan agreed to end the war and on September 2, 1945, representatives of Japan signed the official statement of surrender aboard the United States battleship Missouri that lay at anchor in Tokyo Bay and representatives of all the Allied nations were present; and

"Whereas, President Truman declared September 2, 1945 as V-J Day or Victory over Japan Day and World War II had finally ended; Now, therefore, be it

"Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature does hereby proclaim September 2, 1995, as the 50th Anniversary of V-J Day and urges all Californians to join in ceremonies to commemorate this major historic event; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the Governor of California, and to each Senator and Representative from California in the Congress of the United States."

POM-463. A concurrent resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary

"SENATE CONCURRENT RESOLUTION No. 17

"Whereas, home should be a place of warmth, unconditional love, tranquility, and security; however, for many Americans, home is tainted with violence and fear; and

"Whereas, domestic violence is more than the occasional family dispute; and

"Whereas, according to the United States Department of Health and Human Services, domestic violence is the single largest cause of injury to American women, affecting six million women of all racial, cultural, and economic backgrounds; and

"Whereas, according to data published in 1993 by the Commonwealth Fund and a 1994 survey report by the United States Department of Justice, in the United States, a woman is battered every 15 seconds; 40 percent of female homicide victims in 1991 were killed by their husbands or boyfriends; and

"Whereas, more than half of the number of women in need of shelter from an abusive environment may be turned away from a shelter due to lack of space; and

"Whereas, women are not the only targets of domestic violence; young children, elderly persons, and men are also victims in their own homes; and

"Whereas, emotional scars are often permanent; and

"Whereas, a coalition of organizations has emerged to confront directly this crisis. Law enforcement agencies, domestic violence hotlines, battered women and children's

shelters, health care providers, churches, and the volunteers that serve those entities are helping the effort to end domestic violence; and

"Whereas, it is important to recognize the compassion and dedication of the individuals involved in that effort, applaud their commitment, and increase public understanding of this significant problem; and

"Whereas, the first Day of Unity was celebrated in October 1981 and was sponsored by the National Coalition Against Domestic Violence (N.C.A.D.V.) for the purpose of uniting battered women's advocates across the nation in an effort to end domestic violence; and

"Whereas, that one day has grown into a month of activities at all levels of government, aimed at creating awareness about the problem and presenting solutions; and

"Whereas, the first Domestic Violence Awareness Month was proclaimed in October 1987; Now, therefore, be it

"Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby proclaims the month of October 1995 as Domestic Violence Awareness Month; and be it further

"Resolved, That the Secretary of the Senate transmit a copy of this resolution to the President of the United States, the Governor of the State of California, the Director of the United States Department of Health and Human Services, and to each Senator and Representative from California in the Congress of the United States."

POM-464. A joint resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary.

"SENATE JOINT RESOLUTION No. 24

"Whereas, the travel agent industry employs travel agents in this state, who derive a substantial amount of their earnings from the traditional 10-percent commission on airline ticket sales; and

"Whereas, virtually every major airline has imposed a limit on these sales commissions, so that airlines pay no more than \$25 on one-way domestic tickets and \$50 for round-trip tickets instead of the former commission of 10 percent of the cost of the ticket; and

"Whereas, the imposition of the commission limit is harming the travel agent industry, endangering jobs held primarily by women and single parents; and

"Whereas, a statewide job loss will have a negative impact on the state's budget, resulting in a decrease in formerly collected income taxes and an increase in state unemployment compensation expenditures; and

"Whereas, it has not yet been determined whether the airline industry's lockstep approach to cost savings through the imposition of a commission limit constitutes a violation of antitrust law; Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Attorney General of the United States to conduct an investigation to determine if the airlines' imposition of a limit on the sales commissions of travel agents constitutes a violation of federal antitrust law; and be it further

"Resolved, That the Congress of the United States is respectfully urged to suspend the imposition of commission limits until the Attorney General has completed the investigation requested pursuant to this resolution; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the Attorney General of the United States, the Majority Leader of the United States Senate,

the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-465. A joint resolution adopted by the Legislature of the State of California; to the Committee on Veterans' Affairs.

"SENATE JOINT RESOLUTION NO. 29

"Whereas, the 1.5 million Americans who served in the "Forgotten War" have waited too long to be recognized for their sacrifices; and

"Whereas, the 54,000 soldiers who made the ultimate sacrifice for democracy deserve our thanks and respect; and

"Whereas, the 8,168 Americans who remain missing-in-action should always remain in our memories; and

"Whereas, it is appropriate that the Veterans of the Korean War be commemorated for their heroic efforts in that struggle for democracy; and

"Whereas, in October 1986, Congress passed legislation authorizing the American Battle Monuments Commission to establish a memorial on federal land in or near Washington, D.C. to honor the military personnel who served in the Korean War; and

"Whereas, in October 1986, President Ronald Reagan signed into law a measure authorizing the establishment of the Korean War Memorial in Washington, D.C., and Congress earmarked \$1 million, to be repaid to the federal government, to start the project originally estimated to cost \$5 million; and

"Whereas, on June 14, 1992, President George Bush broke ground for the Korean War Memorial, on a 2.2-acre plot on the National Mall on a plot of former marshlands at the foot of the Lincoln Memorial; and

"Whereas, on August 17, 1995, the President and South Korean President Kim Young-Sam, joined by ambassadors from the 21 nations that supported the United Nations resolution opposing North Korea's invasion of South Korea, dedicated the Korean War Memorial in Washington, D.C.; and

"Whereas, the memorial consists of 19 seven-foot-tall statues of roughened stainless steel with a dark patina weighing nearly 1,000 pounds each, depicting American soldiers advancing toward the American flag; and

"Whereas, the memorial represents all of the services that fought in the war: 14 Army infantrymen, three Marines, one Navy medic, and one Air Force forward observer; and

"Whereas, the memorial includes a 164-foot long, eight-foot thick, polished granite wall weighing over 100 tons; and

"Whereas, the wall is made of "academy black" granite from California, and contains over 2,500 images representing the land, sea, and air troops; and

"Whereas, the memorial includes a highly reflective black granite reflecting pool; and

"Whereas, Ray Davis, a retired Marine Corps general and Chairman of the Korean War Veterans Memorial Dedication Foundation stated that establishment of the memorial will be "a positive, uplifting, permanent kind of memorial. It will not age in that visitors see there, in almost perfect form, those that served the cause of freedom"; and

"Whereas, California commends these and other efforts to commemorate and place in a proper place of honor, a memorial to the great sacrifices that were made by those who fought for freedom and democracy during this heretofore "forgotten war"; Now therefore be it

*"Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California commemorates those who fought in the Korean War, and applauds the President and the Congress

of the United States, the Korean War Veterans Memorial Dedication Foundation, and others who supported this effort for their accomplishments in making the Washington, D.C. Korean War Memorial a reality; and be it further

*"Resolved,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take further action, as appropriate, to ensure that the Korean War does not again become a "forgotten war"; and be it further

*"Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Korean War Veterans Memorial Dedication Foundation, and a suitably prepared copy to the author for distribution, as appropriate."

## REPORTS OF COMMITTEES

The following reports of committees were submitted on October 25, 1995:

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 1097. A bill to designate the Federal building located at 1550 Dewey Avenue, Baker City, Oregon, as the "David J. Wheeler Federal Building", and for other purposes.

The following reports of committees were submitted on October 26, 1995:

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 848. A bill to grant the consent of Congress to an amendment of the Historic Chattahoochee Compact between the States of Alabama and Georgia.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. D'AMATO, from the Committee on Banking, Housing, and Urban Affairs: John A. Knubel, of Maryland, to be Chief Financial Officer, Department of Housing and Urban Development.

Kevin G. Chavers, of Pennsylvania, to be President, Government National Mortgage Association.

Hal C. DeCell III, of Mississippi, to be an Assistant Secretary of Housing and Urban Development.

Norman S. Johnson, of Utah, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 1999.

Albert James Dwoskin, of Virginia, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 1995.

Joseph H. Neely, of Mississippi, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of six years.

Alicia Haydock Munnell, of Massachusetts, to be a Member of the Council of Economic Advisers.

Dwight P. Robinson, of Michigan, to be Deputy Secretary of Housing and Urban Development.

Isaac C. Hunt, Jr., of Ohio, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2000.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to re-

quests to appear and testify before any duly constituted committee of the Senate.)

By Mr. HATCH, from the Committee on the Judiciary:

Juan Abran DeHerrera, of Wyoming, to be United States Marshal for the District of Wyoming for the term of four years.

John R. Tunheim, of Minnesota, to be United States District Judge for the District of Minnesota.

Barry Ted Moskowitz, of California, to be United States District Judge for the Southern District of California vice a new position created by Public Law 101-650, approved December 1, 1990.

Stephen M. Orlofsky, of New Jersey, to be United States District Judge for the District of New Jersey.

Susan J. Dlott, of Ohio, to be United States District Judge for the Southern District of Ohio.

R. Guy Cole, Jr., of Ohio, to be United States Circuit Judge for the Sixth Circuit.

(The above nominations were reported with the recommendation that they be confirmed.)

## 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. KEMPTHORNE (for himself, Mr. WARNER, Mr. FAIRCLOTH, Mr. INHOFE, Mr. THOMAS, Mr. MCCONNELL, Mr. CRAIG, Mr. BENNETT, Mr. BURNS, and Mr. COCHRAN):

S. 1364. A bill to reauthorize and amend the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

S. 1365. A bill to provide Federal tax incentives to owners of environmentally sensitive lands to enter into conservation easements for the protection of endangered species habitat, and for other purposes; to the Committee on Finance.

By Mr. KEMPTHORNE (for himself, Mr. CHAFEE, Mr. WARNER, Mr. FAIRCLOTH, Mr. INHOFE, Mr. THOMAS, Mr. MCCONNELL, Mr. CRAIG, Mr. BENNETT, Mr. BURNS, and Mr. COCHRAN):

S. 1366. A bill to amend the Internal Revenue Code of 1986 to allow a deduction from the gross estate of a decedent in an amount equal to the value of real property subject to an endangered species conservation agreement; to the Committee on Finance.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KEMPTHORNE (for himself, Mr. WARNER, Mr. FAIRCLOTH, Mr. INHOFE, Mr. THOMAS, Mr. MCCONNELL, Mr. CRAIG, Mr. BENNETT, Mr. BURNS, and Mr. COCHRAN):

S. 1364. A bill to reauthorize and amend the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

### THE ENDANGERED SPECIES CONSERVATION ACT

● Mr. KEMPTHORNE. Mr. President, today I introduced a bill that I believe will restore Americans' faith and confidence in the Government's ability to