(c) EFFECTIVE DATE.—The amendments made by this section shall take effect at the beginning of the Congress next beginning after the date of the enactment of this Act.

SEC. 9. RESTRICTIONS ON USE OF MILITARY AIR COMMAND BY MEMBERS OF CONGRESS.

(a) RESTRICTIONS.—(1) Chapter 157 of title 10, United States Code, is amended by adding at the end the following:

''§ 2643. Restrictions on provision of air transportation to Members of Congress

''(a) RESTRICTIONS.—A Member of Congress may not receive transportation in an aircraft of the Military Air Command unless—

''(1) the transportation is provided on a space-available basis as part of the scheduled operations of the military aircraft unrelated to the provision of transportation to Members of Congress;

''(2) the use of the military aircraft is necessary because the destination of the Member of Congress, or an airfield located within reasonable distance of the destination, is not accessible by regularly scheduled flights of commercial aircraft; or

''(3) the use of the military aircraft is the least expensive method for the Member of Congress to reach the destination by aircraft, as demonstrated by information released before the trip by the member or committee of Congress sponsoring the trip.

''(b) DESTINATION.—In connection with transportation provided under subsection (a)(1), the destination of the military aircraft may not be selected to accommodate the travel plans of the Member of Congress requesting such transportation.

''(c) AIRCRAFT DEFINED.—For purposes of this section, the term 'aircraft' includes both fixed-wing airplanes and helicopters.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''2643. Restrictions on provision of air transportation to Members of Congress.''.

(b) EFFECT ON MEMBERS CURRENTLY RECEIVING TRANSPORTATION.—Section 2643 of title 10, United States Code, as added by subsection (a), shall not apply with respect to a Member of Congress who, as of the date of the enactment of this Act, is receiving air transportation or is scheduled to receive transportation in an aircraft of the Military Air Command until the Member completes the travel plans for which the transportation is being provided or scheduled.

SEC. 10. PROHIBITION ON USE OF MILITARY MEDICAL TREATMENT FACILITIES BY MEMBERS OF CONGRESS.

(a) PROHIBITION.—(1) Chapter 55 of title 10, United States Code, is amended by adding at the end the following:

''§ 1107. Prohibition on provision of medical and dental care to Members of Congress

''A Member of Congress may not receive medical or dental care in any facility of any uniformed service unless—

''(1) the Member of Congress is eligible or entitled to such care as a member or former member of a uniformed service or as a covered beneficiary; or

''(2) such care is provided on an emergency basis unrelated to the person's status as a Member of Congress.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''1107. Prohibition on provision of medical and dental care to Members of Congress.''.

(b) EFFECT ON MEMBERS CURRENTLY RECEIVING CARE.—Section 1107 of title 10, United States Code, as added by subsection (a), shall not apply with respect to a Member of Congress who is receiving medical or dental care in a facility of the uniformed services on the date of the enactment of this Act until the Member is discharged from that facility.

SEC. 11. ELIMINATION OF CERTAIN RESERVED PARKING AREAS AT WASHINGTON NATIONAL AIRPORT AND WASHINGTON DULLES INTERNATIONAL AIRPORT.

(a) IN GENERAL.—Effective 30 days after the date of the enactment of this section, the Airports Authority—

(1) shall not provide any reserved parking areas free of charge to Members of Congress, other Government officials, or diplomats at Washington National Airport or Washington Dulles International Airport; and

(2) shall establish a parking policy for such airports that provides equal access to the public, and does not provide preferential parking privileges to Members of Congress, other Government officials, or diplomats.

(b) DEFINITIONS.—As used in this section, the terms ''Airports Authority'', ''Washington National Airport'', and ''Washington Dulles International Airport'' have the same meanings as in section 6004 of the Metropolitan Washington Airports Act of 1986 (49 U.S.C. App. 2453).●

ADDITIONAL COSPONSORS

S. 295

At the request of Mrs. KASSEBAUM, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 295, a bill to permit labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes.

S. 1035

At the request of Mr. DASCHLE, the names of the Senator from Wyoming [Mr. SIMPSON] and the Senator from Michigan [Mr. ABRAHAM] were added as cosponsors of S. 1035, a bill to permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests, and for other purposes.

S. 1072

At the request of Mr. THURMOND, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 1072, a bill to redefine ''extortion'' for purposes of the Hobbs Act.

S. 1200

At the request of Ms. SNOWE, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1200, a bill to establish and implement efforts to eliminate restrictions on the enclaved people of Cyprus.

S. 1228

At the request of Mr. D'AMATO, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1228, a bill to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran.

S. 1249

At the request of Mr. FRIST, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1249, a bill to amend the Internal Revenue Code of 1986 to establish medical savings account, and for other purposes.

S. 1279

At the request of Mr. DOLE, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 1279, a bill to provide for appropriate remedies for prison condition lawsuits, to discourage frivolous and abusive prison lawsuits, and for other purposes.

S. 1316

At the request of Mr. KEMPTHORNE, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 1316, a bill to reauthorize and amend title XIV of the Public Health Service Act (commonly known as the ''Safe Drinking Water Act''), and for other purposes.

S. 1396

At the request of Mr. PRESSLER, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1396, a bill to amend title 49, United States Code, to provide for the regulation of surface transportation.

SENATE CONCURRENT RESOLUTION 26

At the request of Mr. LOTT, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Concurrent Resolution 26, a concurrent resolution to authorize the Newington-Cropsey Foundation to erect on the Capitol Grounds and present to Congress and the people of the United States a monument dedicated to the Bill of Rights.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, November 8, 1995, at 10 a.m., to hold a hearing on mandatory victim restitution.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for an executive session, during the session of the Senate on Wednesday, November 8, 1995, at 9:30 a.m.

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

COMMITTEE ON SMALL BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate Committee on Small Business hold a joint hearing with the House Committee on Small Business regarding ''Railroad Consolidation: Small Business Concerns'' on Wednesday, November 8, 1995, at 2 p.m., in room 2123 of the Rayburn House Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CRAIG. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, November 8, 1995, at 2 p.m., to hold a closed hearing on intelligence matters.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CRAIG. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, November 8, 1995, at 4 p.m., to hold a closed briefing regarding intelligence matters.

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

SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER DEVELOPMENT AND RELATED MATTERS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Special Committee to Investigate Whitewater Development and Related Matters be authorized to meet during the session of the Senate on Wednesday, November 8, and Thursday, November 9, 1995, to conduct hearings pursuant to Senate Resolution 120.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT AND THE DISTRICT OF COLUMBIA

Mr. CRAIG. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management and the District of Columbia, Committee on Governmental Affairs, be permitted to meet during a session of the Senate on Wednesday, November 8, 1995, at 9 a.m., to hold a hearing on oversight of the courthouse construction program.

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

ADDITIONAL STATEMENTS

PENSION REVERSION PROVISIONS IN BUDGET RECONCILIATION LEGISLATION

• Mrs. KASSEBAUM. Mr. President, the budget reconciliation legislation passed by the House of Representatives includes a measure that would generate approximately $10 billion in tax revenue by doing away with penalties Congress imposed in 1990 on pension fund withdrawals. The House proposal allows companies to withdraw so-called excess funds from pension plans for any purpose, without informing plan participants or beneficiaries.

As my colleagues know, the Senate on October 27 voted overwhelmingly to remove a similar provision from the Senate reconciliation legislation. While the Senate reversion provision was more narrowly tailored in many respects than its companion in the House bill, 94 members of this body voted to remove it.

The reason that members of this body rejected that proposal so resoundingly, I believe, is because even the more modest provisions contained in the Senate bill would have represented a significant shift in pension policy. Moreover, the Senate Committee on Labor and Human Resources Committee has not considered fully the ramifications of such a change.

And those ramifications are, potentially, tremendous. There are approximately 22,000 pension plans covering 11 million workers and 2 million retirees that have assets in excess of 125 percent of current liability, and the Joint Committee on Taxation estimates that the pension reversion provisions contained in both the House and Senate bills could result in the removal of tens of billions of dollars in surplus assets from these plans.

The last time Congress did address the reversion issue, we acted decisively to enact strong measures to protect workers' pensions. In response to a wave of corporate takeovers and pension raids in the 1980s, Congress in 1990 imposed a 50 percent excise tax on pension fund reversions, except in limited circumstances. The idea was to make it costly for companies to take assets from their pension plans. And, in fact, the raids on assets ceased almost entirely. Before this change, however, about $20 billion was siphoned from pension funds in just a few years, many pension plans were terminated, and thousands of workers saw their pensions replaced by risky annuities that in many cases provided lower benefits.

Let me be clear. There may be valid reasons to reconsider this policy. I believe strongly, however, that any changes in this area, and of this magnitude, should be made based on sound pension policy and not to satisfy budgetary demands. Therefore, I do not believe that changes to the current pension reversion policy should be included in budget reconciliation and I strongly urge the Senate conferees to insist on the Senate position.

Having said that, Mr. President, I realize the difficult task ahead for all budget conferees. While the Finance Committee budget conferees have a strong vote to bolster the Senate position, I realize that the House will be equally insistent.

If pension reversion provisions are to be included in the final reconciliation package, they should be carefully and conservatively constructed to ensure—above all—that each pension plan retains a cushion sufficient to weather changes in the current business climate, and ultimately to meet its obligations to participants and retirees. In this regard, I would like to associate myself with the very excellent and thoughtful remarks made on October 26 by Representative HARRIS W. FAWELL. Representative FAWELL is one of the most knowledgeable Members of the House on issues regarding employee benefits, and he has been an outspoken leader on the issue of pension reversions.

Because the threshold beyond which assets may be withdrawn under the House proposal can be less than the threshold of assets required in the event of an actual plan termination, the House proposal effectively would allow even companies in bankruptcy to terminate a plan or remove funds from a plan with no guarantee that the remaining assets would be sufficient to pay for all plan benefits. This clearly is unacceptable.

To ensure that pension assets are as safe as possible, it is essential that the formula for allowing employers to remove funds from pension trusts be based on the most conservative of actuarial principles. Therefore, I believe companies should be required to use a minimum asset cushion based on the greater of 125 percent of termination liability based on PBGC assumptions, rather than current liability, or accrued liability, whichever is greater.

To further ensure that pensions are secure, companies must be required to use conservative actuarial assumptions for interest, mortality, and expected retirement based on the guidelines issued by the Pension Benefit Guaranty Corporation [PBGC]. I realize some would prefer to leave this calculation to the discretion of a company's actuary. However, I do not believe it is prudent to allow absolute discretion without more fully considering the possible risks that may result from allowing the use of differing assumptions.

For example, the PBGC estimates that a plan whose current liability is 125 percent funded may in fact be less than 100 percent funded for purposes of its liability at plan termination. While the PBGC calculations may not be perfect, the risk to participants and taxpayers from an underfunded plan dictates that companies taking reversions rely on these assumptions.

In addition, there should be real limits both on the use of excess pension funds, and on the types of situations in which companies are allowed to take reversions. For example, a company generally should not be allowed to withdraw funds for new plant and equipment while it leaves another pension plan underfunded or fails to meet its obligations toward a defined contribution plan. Nor should a company in bankruptcy be allowed to take a reversion without further protections.

Finally, as the Senate provision originally provided, plan participants and beneficiaries must be given notice of pension withdrawals in advance, and must be afforded all the protections normally provided under title I of the Employee Retirement Income Security Act [ERISA].

Mr. President, let me emphasize again that I strongly prefer that no changes be made in this area—at least until such changes can be properly considered by the Labor Committee. But if, and when, such changes are to be made, they must be crafted carefully and conservatively to protect participants, retirees, and taxpayers; they must include protections normally provided to participants and retirees