

**DORGAN (AND BOND) AMENDMENT
NO. 3064**

Mr. DORGAN (for himself and Mr. BOND) proposed an amendment to the bill S. 1396, *supra*; as follows:

On page 319, strike lines 1 through 9 and insert in lieu thereof the following—

(3) striking subparagraph (E) of subsection (b)(1) and inserting in lieu thereof the following—

“(E) whether the proposed transaction will not substantially lessen competition, or tend to create a monopoly in any line of commerce in any section of the country.”;

(4) striking paragraph (2) of subsection (b) and striking “(1)” in the first paragraph of subsection (b);

(5) striking subsection (c) and inserting in lieu thereof the following—

“(c) The Commission shall approve and authorize a transaction under this section when it finds the transaction is consistent with the public interest. In making the findings under subsection (b)(1)(E), the Transportation Board—

“(1) shall request an analysis by the Attorney General of the United States and shall accord substantial deference to the recommendations of the Attorney General and shall approve the transaction only if it finds that transaction does not violate the standards set forth in subsection (b)(1)(E). The transaction may not be consummated before the thirtieth calendar day after the date of approval by the Transportation Board. Action under the antitrust laws arising out of the merger transaction may be brought only by the Attorney General, and any action brought shall be commenced prior to the earliest time under this subsection at which a merger transaction approved under this subsection may be consummated. The commencement of such an action shall stay the effectiveness of the Transportation Board's approval unless the court shall otherwise specifically order. In any such action, the court shall review de novo the issues presented. Upon consummation of a merger transaction in compliance with this subsection and after termination of any antitrust litigation commenced within the period prescribed in this section, or upon the termination of such period if no such litigation is commenced, the transaction may not thereafter be attacked in any judicial proceeding on the ground that it alone and of itself constituted a violation of any antitrust laws other than section 2 of Title 15, but nothing in this subsection shall exempt any rail carrier resulting from a merger transaction approved under this subsection from complying with the antitrust laws after the consummation of such transaction:

“(2) may impose conditions governing the transaction, including the divestiture of parallel tracks or requiring the granting of trackage rights. Any trackage rights conditions imposed to alleviate anticompetitive effects of the transaction shall provide for compensation levels to ensure that such effects are alleviated;

“(3) may approve and authorize the transaction only if it finds that the guaranty, assumption, or increase is consistent with the public interest, when the transaction contemplates a guaranty or assumption of payment dividends or of fixed charges or will result in an increase of total fixed charges; and

“(4) may require inclusion of other rail carriers located in the area involved in the transaction if they apply for inclusion and the Transportation Board finds their inclusion to be consistent with the public interest.”;

(6) striking the last two sentences of subsection (d);

(7) striking subsection (e); and

(8) notwithstanding any other provision of this Act, amendments under this section shall apply to all applications pending before the Transportation Board.

**BOXER (AND OTHERS)
AMENDMENT NO. 3065**

Mrs. BOXER (for herself, Mr. HARKIN, Mr. BRYAN, Mr. BUMPERS, and Mr. FEINGOLD) proposed an amendment to the bill S. 1396, *supra*; as follows:

At the appropriate place in the bill, insert the following new section:

**SEC. . PAY OF MEMBERS OF CONGRESS AND
THE PRESIDENT DURING GOVERNMENT SHUTDOWNS.**

(a) COMPARABLE PAY TREATMENT.—The pay of Members of Congress and the President shall be treated in the same manner and to the same extent as the pay of the most adversely affected Federal employees who are not compensated for any period in which appropriations lapse.

(b) This section shall take effect December 15, 1995.

BYRD AMENDMENT NO. 3066

Mr. BYRD proposed an amendment to the bill S. 1396, *supra*; as follows:

At the appropriate place, insert the following new section:

**SEC. . DESTRUCTION OF MOTOR VEHICLES OR
MOTOR VEHICLE FACILITIES;
WRECKING TRAINS.**

(a) DESTRUCTION OF MOTOR VEHICLES OR MOTOR VEHICLE FACILITIES.—Section 33 of title 18, United States Code, is amended by adding at the end the following new undesignated paragraph:

“Whoever is convicted of a crime under this section involving a motor vehicle that, at the time the crime occurred, carried high-level radioactive waste (as that term is defined in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12)), or spent nuclear fuel (as that term is defined in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23))), shall be imprisoned for not less than 30 years.”

(b) WRECKING TRAINS.—Section 1992 of title 18, United States Code, is amended—

(10) by inserting after the fourth undesignated paragraph the following:

“Whoever is convicted of any such crime that involved a train that, at the time the crime occurred, carried high-level radioactive waste (as that term is defined in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12)), or spent nuclear fuel (as that term is defined in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23))), shall be imprisoned for not less than 30 years.”

ASHCROFT AMENDMENT NO. 3067

Mr. ASHCROFT proposed an amendment to the bill S. 1396, *supra*; as follows:

On page 413, after line 14, insert the following new subsection:

“(d) The remedies provided in this part, concerning matters covered by this part with respect to the transportation of household goods by motor carriers are exclusive and preempt the remedies provided under Federal or State law.”

**AUTHORITY FOR COMMITTEES TO
MEET**

COMMITTEE ON ARMED SERVICES

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet at 10:15 a.m. on Tuesday, November 28, 1995, in open session, to receive testimony on the use of United States military forces to enforce the Bosnian peace agreement and the role of NATO and other foreign nations in the implementation force.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, November 28, 1995, at 2 p.m. to hold a closed hearing regarding intelligence matters.

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

ADDITIONAL STATEMENTS

SENATE JOINT RESOLUTION 29

• Mr. SIMON. Mr. President, in going through the CONGRESSIONAL RECORDS I came across Senator FRANK MURKOWSKI's comments on Senate Joint Resolution 29.

In that resolution, he calls for dialog between North and South Korea.

Almost a year ago, Senator MURKOWSKI and I visited North Korea and South Korea, and I applaud what he suggests in this resolution and his leadership on it.

Let me add that I believe the United States could be a facilitator of this dialog.

Senator MURKOWSKI and I sent a letter suggesting that North Korea send 10 parliamentarians to the United States and South Korea the same, and that after visiting the United States for about 8 days, that the parliamentarians of both countries meet the last 2 days in an isolated setting with a few of us who would be hosts from the United States.

Because of the tensions that have arisen since the death of Kim Il Sung neither side was willing to take that step.

It is time to explore this again.

Nowhere in the world do you have as many troops facing each other, heavily armed, with a total lack of communication between the two sides.

The potential for explosion is very real and there are 140,000 American troops on the South Korean side.

We would have an interest in resolving this even without the presence of those troops but that adds a meaningful dimension to this.

I am sending a copy of these remarks to the Assistant Secretary of State for Asia, Winston Lord.

I ask that the text of the resolution be printed in the RECORD.

The text of the resolution follows:

S.J. RES. 29

Whereas the Agreed Framework Between the United States and the Democratic People's Republic of Korea of October 21, 1994, states in Article III, paragraph (2), that

"[t]he DPRK will consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula";

Whereas the Agreed Framework also states the "[t]he DPRK will engage in North-South dialogue, as this Agreed Framework will help create an atmosphere that promotes such dialogue";

Whereas the two agreements entered into between North and South Korea in 1992, namely the North-South Denuclearization Agreement and the Agreement on Reconciliation, Nonaggression and Exchanges and Cooperation, provide an existing and detailed framework for dialogue between North and South Korea;

Whereas the North Korean nuclear program is just one of the lingering threats to peace on the Korean Peninsula; and

Whereas the reduction of tensions between North and South Korea directly serve United States interests, given the substantial defense commitment of the United States to South Korea and the presence on the Korean Peninsula of United States troops: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STEPS TOWARD NORTH-SOUTH DIALOGUE ON THE KOREAN PENINSULA.

It is the sense of the Congress that—

(1) substantive dialogue between North and South Korea is vital to the implementation of the Agreed Framework Between the United States and North Korea, dated October 21, 1994; and

(2) together with South Korea and other concerned allies, and in keeping with the spirit and letter of the 1992 agreements between North and South Korea, the President should pursue measures to reduce tensions between North and South Korea and should facilitate progress toward—

(A) holding a North Korea-South Korea summit;

(B) initiating mutual nuclear facility inspections by North and South Korea;

(C) establishing liaison offices in both North and South Korea;

(D) resuming a North-South joint military discussion regarding steps to reduce tensions between North and South Korea;

(E) expanding trade relations between North and South Korea;

(F) promoting freedom to travel between North and South Korea by citizens of both North and South Korea;

(G) cooperating in science and technology, education, the arts, health, sports, the environment, publishing, journalism, and other fields of mutual interest;

(H) establishing postal and telecommunications services between North and South Korea; and

(I) reconnecting railroads and roadways between North and South Korea.

SEC. 2. REPORT TO CONGRESS.

Beginning 3 months after the date of enactment of this joint resolution, and every 6 months thereafter, the President shall transmit to the appropriate congressional committees a report setting forth the progress made in carrying out section 1.

SEC. 3. DEFINITIONS.

As used in this joint resolution—

(1) the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives;

(2) the term "North Korea" means the Democratic People's Republic of Korea; and

(3) the term "South Korea" means the Republic of Korea.●

TRIBUTE TO GILFORD HIGH SOCCER

● Mr. SMITH. Mr. President, true dynasties in sports are hard to come by these days. I am pleased to report, however, that a group of high school athletes and coaches in my State have achieved a special kind of success.

The Gilford Middle High School Golden Eagles varsity soccer team won their national record-setting ninth straight State championship on November 6. Senior All-American striker Kris Keenan finished off a brilliant high-school career with the game's only goal. Keenan's goal 10:06 into sudden-death overtime came at the expense of the Coe-Brown Northwood Academy Comanches. The loss was the first of the season for the Comanches, who had a tremendous season in their own right.

Winning the championship game extended Gilford's undefeated streak to 100 consecutive games. The team's last loss occurred almost six full seasons ago. With four more wins at the start of the 1996 campaign, the Golden Eagles will hold this national mark, as well.

The one constant throughout this amazing string of success has been head coach David Pinkham. Coach Pinkham came to Gilford in 1977, fresh off of his career as an All-American soccer player at Plymouth State College in Plymouth, NH.

In 19 seasons, Coach Pinkham has compiled a career record of 281-28-13. That is good for a .893 career winning percentage. Under his tutelage, the Golden Eagles have gone undefeated the past five seasons, and in seven of the past nine. Gilford's record since the beginning of its first championship season in 1987 is an incredible 152-2-7—.966.

Over the duration of his coaching career, Coach Pinkham's teams have scored almost seven and a half goals for every one of their opponents. Before a scoreless tie earlier this year, his teams had not been shut out for 121 consecutive games. This too, may be a national record.

Gilford has made the playoffs 17 consecutive years and has advanced to at least the Class M State semifinals for 15 straight seasons. Amazingly, the last time it failed to make it to the final four—1980—some members of this year's team had not yet been born.

The Golden Eagles have earned the respect of their opponents and followers of New Hampshire high school soccer not only for their athletic accomplishments, but also for the way they conduct themselves on the field. Gilford's players work extremely hard for their success and play the game with a tremendous amount of pride and class. At the same time, they show a great deal of respect for their opponents and the game they love.

These attributes that produce so many on-field accomplishments are evident in the rest of the players daily lives, as well. The Gilford community is rightfully proud of the dozens of fine

young men produced by the Gilford soccer program.

Congratulations to Coach Dave Pinkham and the 1995 Class M State Soccer Champion Gilford Golden Eagles. On behalf of the citizens of the State of New Hampshire, I commend your outstanding accomplishment.●

THE DEATH OF HENRY J. KNOTT, SR.

● Ms. MIKULSKI. Mr. President, with great sadness, I rise today to pay tribute to an extraordinary man. Henry J. Knott, Sr., died yesterday at the age of 89. For many decades, we knew him in Baltimore and throughout Maryland as a talented businessman and a philanthropist whose generosity knew no bounds.

I first want to express my deepest condolences to his wife of 67 years, Marion Burk Knott, his 12 children, his 51 grandchildren, and his 55 great-grandchildren.

People in positions of power and responsibility should serve as role models for our young people and give something back to their communities. I have great admiration for people who have a sense of civic responsibility, for people who try to make their community a better place to live.

Mr. Knott epitomized these qualities. Throughout his career, he sought to help those less fortunate than himself get a better education and lead better lives. He donated millions of dollars to Catholic educational institutions like his alma mater, Loyola College; Mount St. Mary's College, Emmitsburg; the College of Notre Dame in Maryland; and the University of Notre Dame in Indiana. He was especially generous to the Institute of Notre Dame, a Catholic high school both his daughters and I attended.

His legendary generosity extended well beyond education. He provided enormous help to health and cultural institutions as well. He donated essential funds to the Baltimore Symphony Orchestra, the Johns Hopkins Oncology Center, and several Baltimore hospitals to help them establish an income fund to provide medical care for the poor.

His many business activities earned him a reputation as a highly disciplined and hard-working person. But his civic and charitable activities showed us that he was also an extremely modest person who had very deep feelings for the Catholic Church, his community, and the people around him.

In a 1987 Baltimore magazine article, he was asked about his prodigious philanthropy. He replied that making money was "like catching fish. You get up early. You fill the boat up with fish. And then you give them all away before they start to rot." This quote says a great deal about Henry Knott. He saw his wealth as a way to make life better for others. He never lost sight of this goal.