

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] for Mr. SIMPSON, for himself, and Mr. CRAIG, proposes an amendment numbered 3098.

Mr. BROWN. Madam President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 2, after line 10, insert the following:

(7) In section 18, strike "contract, loan, or any other form" and insert "or loan".

(8) In section 12(b)(1), strike "7" and insert "6".

Mr. SIMPSON. Madam President, I rise, along with Senator CRAIG, to offer an amendment to H.Con.Res. 116, the resolution to make technical corrections to the recently-passed lobbying reform legislation, S. 1060. We understand that our amendment is acceptable to the managers of the lobbying reform legislation, Senators LEVIN and COHEN, and we are grateful to each of them for their cooperation.

In explaining our technical amendment, we note that three versions of the Simpson-Craig lobbying reform amendment have passed the Senate. The first was our amendment to S. 1060, banning all forms of Federal fund transfers, including contracts, to organizations described in Internal Revenue Code section 501(c)(4) who also engage in lobbying activities. Part of the rationale for this amendment was that those organizations should not simultaneously enjoy the benefits of exemption from taxation, unlimited expenditures on lobbying, and Federal funding support.

However, learning of a quirk in the legislative history of 501(c)(4) organizations, we found that many insurance companies are still technically organized as 501(c)(4) organizations, even though they are now fully taxable. Many of these, along with other health care providers that are also 501(c)(4) organizations, handle Federal contracts under Medicare, the Federal employees health system, and CHAMPUS. We believe that our colleagues would concur that such groups lie outside the scope of the intended reach of a cutoff of grant money to organizations which enjoy the benefits of 501(c)(4) status.

It is for this reason that we redrafted our amendment, during consideration of the Treasury-Postal appropriations bill, to correct for this and to exclude contracts from the prohibition on Federal funding assistance. That amendment passed the Senate by voice vote on July 24 of this year.

The third version of this provision to pass the Senate was included in a broader version of grants reform, which was the Simpson-Craig amendment to the provision authored by Representatives ISTOOK, MCINTOSH, and EHRLICH that the House had included in House Joint Resolution 115, the second FY

1996 continuing resolution. In the language in that amendment affecting 501(c)(4) organizations, we also took out the ban on contracts and other forms of funding, other than grants.

Mr. CRAIG. Senator SIMPSON has pointed out the important fact that versions of the Simpson-Craig lobbying reform amendment have been approved by the Senate three times this year. I commend Senator SIMPSON on his leadership in this area and am happy that the Simpson-Craig amendment, along with the rest of the lobbying reform bill, is on the verge of being signed into law.

The first version of our amendment, added to S. 1060, had a scope and impact on some insurance and health care providers, uniquely classified as 501(c)(4) organizations, that the authors and the Senate never intended. This problem was corrected in the second and third versions of the Simpson-Craig amendment. Therefore, the Senate twice approved the very change in our 501(c)(4) organizations language that we are proposing again today.

For reasons totally unrelated to this change, the House of Representatives struck the second and third, perfected, Simpson-Craig lobbying reform amendments from the Treasury-Postal bill and the continuing resolution. The House was seeking, instead, to promote its broader Istook-McIntosh-Ehrlich language. However, even in that House language, 501(c)(4) organizations were never barred from receiving contracts.

So, Madam President, the intent of the Senate is clear throughout the evolution of floor votes on three bills, and the intent of the House is clear in two floor votes on a related provision. Neither body intends that all 501(c)(4) organizations who lobby should be barred from receiving Federal contracts. But because the earliest version of either body's position on lobbying and grant reform was the one preserved in S. 1060 as cleared by the House, the clear intent of both bodies on 501(c)(4) organizations is not reflected in that bill.

That is all we are proposing in our technical amendment today, that this technical corrections resolution adjust S. 1060 to reflect the clear intent of both the Senate and the House, as expressed in the relevant votes taken in both bodies.

Mr. SIMPSON. The Senator from Idaho [Mr. CRAIG] is correct. While we are pleased that the House passed lobbying reform legislation with the original Simpson-Craig language intact, we also believe that Congress would want to take the opportunity, in the form of this technical corrections resolution, to acknowledge the unique status of certain 501(c)(4) organizations, as we did in our redrafted amendment to the Treasury-Postal appropriations bill and the second continuing resolution. We therefore submit our amendment to eliminate the terms "contracts" and "any other form" to the Senate, trusting that the correcting language will more closely conform to the intentions

of the Congress in passing our original amendment.

Mr. CRAIG. There is one additional provision in our amendment, at the request of the bill's managers, to simplify and expedite the process of handling this resolution. This provision would correct, in section 12(b)(1) of the bill, a cross-reference to the definition for representation of a foreign entity. This same change was already made in section 12(c), and the change in section 12(b)(1) simply makes it consistent and correct, clerically.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3098) was agreed to.

Mr. BROWN. I ask unanimous consent that the concurrent resolution be considered and agreed to, as amended, and the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution appear at the appropriate place in the RECORD.

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

So the concurrent resolution (H. Con. Res. 116), as amended, was agreed to.

#### CORRECTION OF ENROLLMENT OF S. 1060

Mr. FORD. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Concurrent Resolution 36, a concurrent resolution introduced earlier today by Senator LEVIN; that the resolution be read and adopted; that the motion to reconsider be laid upon the table.

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

So the concurrent resolution (S. Con. Res. 36) was agreed to, as follows:

#### S. CON. RES. 36

*Resolved by the Senate (the House of Representatives concurring).* That in the enrollment of the bill S. 1060, to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 6(8), strike "6" and insert "7".

(2) In section 9(7), insert "and" after the semicolon, in section 9(8), strike "; and" and insert a period, and strike paragraph (9) of section 9.

(3) In section 12(c), strike "7" and insert "6".

(4) In section 15(a)(2), strike "8" and insert "7".

(5) In section 15(b)(1), strike ", 5(a)(2)," and in section 15(b)(2), strike "8" and insert "7".

(6) In section 24(b), strike "13, 14, 15, and 16" and insert "9, 10, 11, and 12".

(7) In section 12(b)(1), strike "7" and insert in lieu thereof "6".

#### AMENDING THE CLEAN AIR ACT

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 325 just received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 325) to amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles traveled in ozone nonattainment areas designated as severe, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BAUCUS. Madam President, H.R. 325 is a short, simple bill that seeks to maintain our clean air standards while giving States greater flexibility in how they achieve them. It does this by removing the requirement that the 14 cities in 11 States with severely polluted air devise a program to reduce work-related travel by employees. But the bill reaffirms that those cities must still meet the health-based air quality standards contained in the Clean Air Act. Thus, these cities can now develop alternative methods to achieve the goal of cleaner, healthier air.

This is a narrow bill that responds to a particular problem by granting States greater flexibility while, at the same time, maintaining progress toward improving our Nation's air quality. I support both those efforts. Over the years we have learned that clean air will not be ours without careful vigilance.

There are some in Congress who would turn back the clock on our efforts to protect air quality. Those same people say we have gone overboard. That the health-based standards contained in the Clean Air Act are too difficult to achieve. That the time has come when we must relax the laws and regulations that have been responsible for improving our air quality.

Well, I disagree. And the American people disagree. The Clean Air Act has successfully delivered on its promises. Let me cite some examples.

In the 5 years since passage of the Clean Air Act Amendments of 1990, over half of the cities that did not then meet the air quality standard for urban smog now meet that standard.

Over three-quarters of the cities that did not meet the air quality standard for carbon monoxide in 1990 now meet that standard.

Emissions of toxic air pollutants have been reduced by 1.6 billion pounds per year, more than six times the reductions achieved in the first 20 years under the original Clean Air Act.

Sulphur dioxide emissions, the principal cause of acid rain, have been reduced by 2.6 million tons since 1990.

And U.S. production of chemicals that deplete the stratospheric ozone layer has been reduced by over 90 percent since 1990.

Despite these successes, we cannot rest on them. Nearly two-thirds of American sampled in a poll this past

summer believed that our current air pollution control laws are not strict enough.

So we must not weaken our resolve to achieve clean air. Nor can we put the special interests of some ahead of the public interest. Where we can work together to develop better, more efficient and more effective ways of achieving our environmental goals, we should. That is what this bill does, and it is why I support it. But where there are efforts to roll back our standards, to weaken the protection of human health and the environment, then we must stand firm against such changes.

Mr. SANTORUM. Madam President, I rise to support the passage of H.R. 325, which was received from the House of Representatives this afternoon. As the original Senate sponsor of this bipartisan legislation, I commend the distinguished chairman of the Environment and Public Works Committee for his support and prompt assistance in obtaining unanimous consent to take up and pass this measure.

H.R. 325 repeals a costly and bureaucratic mandate, known as the Employee Trip Reduction Program [ETRP], which was imposed as part of the Clean Air Act Amendments of 1990. Under the law, States are responsible for establishing the program in regions considered to be in severe nonattainment for certain air pollutants. Individual employers in these areas must develop plans to show how their employees will curb automobile use. Although this program was initially viewed as a means of encouraging ride-sharing and mass transportation in areas with severe air quality problems, it has proven very complicated and expensive to implement.

Some studies have set the cost of ETRP as high as \$1,000 per employee annually, and the Environmental Protection Agency projected that it might cost employers \$1.2 to \$1.4 billion nationwide. When Congressional Research Service looked at this requirement, the report's authors estimated that ETRP would only reduce volatile organic compounds by 0.5 to 0.8 percent over current levels. Moreover, the failure to establish a plan and ensure employee compliance could expose businesses to fines as high as \$25,000 per day.

Although I have serious questions about whether ETRP can be implemented successfully, I must stress that this legislation does not remove the trip reduction program from the Clean Air Act entirely. Instead, it replaces the law's one-size-fits-all mandate with language making this program voluntary. In crafting this legislation, it was our specific goal to leave the trip reduction program in place as a tool for States to use in meeting their overall air quality goals. In this way, it would leave States the option of electing a car-pooling program when, and where, it will have the greatest benefits.

The measure was further amended in the House Commerce Committee to

make clear that states will still be responsible for achieving the pollution reductions allotted for the ETRP program, and I believe that this change will help to ensure that the environmental objectives of the Clean Air Act are not weakened.

The need for this measure is clear. In the Philadelphia metropolitan area, the looming threat of a forced car pooling program earlier this year sent hundreds of employers scrambling to establish ride-sharing programs. For some firms in the Center City area where mass transportation options are prevalent, such plans could be set up easily. Many companies in the surrounding counties or employers with irregular shifts, however, found that they could not meet the law's requirements without taking costly and extraordinary steps to restructure work schedules.

Thankfully, both the EPA and the Commonwealth of Pennsylvania shelved plans for implementing the ETRP before the law was to take effect. Nevertheless, the law itself has remained in place, exposing all involved to the possibility of legal action to enforce its requirements. Twice this year, Congress has passed legislation containing a prohibition on enforcement of the ETRP. By passing H.R. 325, we will achieve a small measure of common sense regulatory relief and finally close the books on this unnecessary mandate once and for all.

Again, I thank the chairman for his support of H.R. 325, and I look forward to seeing this measure signed into law quickly.

Mr. CHAFEE. Madam President, H.R. 325 makes amendments to the Clean Air Act to fix a provision that has not worked. The 1990 Amendments required each State with a severe ozone nonattainment problem to adopt measures that would increase vehicle occupancy rates during the rush hour. Businesses and other organizations employing more than 100 people in nine major metropolitan regions were expected to encourage carpooling and the use of mass transit to reduce the number of vehicles traveling to and from work each day.

This provision of the 1990 Amendments was modeled on a program that was being implemented in Los Angeles. As more and more employers have relocated to the deep suburbs where mass transit is impractical and have built large parking facilities for their workers, metropolitan areas have experienced a dramatic increase in the number of cars on the road and the distances that commuters travel to their jobs. This increase in trips and miles traveled has, to some extent, offset dramatic gains in emissions reduction that have been achieved through catalytic converters and other pollution control devices on automobiles. The employer trip reduction program was intended to address this troublesome side of the air quality problem.

But evidence accumulated since the 1990 Amendments were enacted indicates that ridesharing programs are not a cost-effective option in the short-term to control air pollution. The effort necessary to convince commuters to get out of their cars and into carpools or buses or trains is quite expensive compared to other steps that would achieve the same emissions reductions in the short-term. It may be that over a very long period, a requirement like this would convince major employers to make locational decisions that encourage the use of transit and other ridesharing options. But in the short-run, the emissions reductions achieved do not justify the great difficulties that would be experienced by the States and by employers to carry out the trip reduction program.

This requirement of the 1990 Clean Air Act Amendments has engendered much opposition in the legislatures of the several States that are subject to. EPA made it clear earlier this year that the Agency would not aggressively enforce the requirements. And even in Los Angeles, the program that served as a model for the 1990 federal program has been discontinued. All seem to agree that this is a measure that should not be mandated.

H.R. 325 does not entirely repeal the employer trip reduction program. It makes it voluntary with the States. It will remain as potential avenue for emissions reductions for the States that choose to use it. And the bill does not rollback the Clean Air Act in any sense. All States will continue to bear an obligation to achieve healthy air quality by the same deadlines that are currently in the law. The bill makes clear that States that choose not to carry out the trip reduction program must find equivalent emissions reductions from other sources.

Madam President, we have a responsibility to act quickly to fix Federal programs, such as this one, that have proved unworkable. So, I have urged that the Senate act on this bill immediately and send it to the President without further delay. I would note that the National Highway System bill that the President recently signed corrected problems with EPA regulations for the vehicle inspection and maintenance program under the Clean Air Act. Where legitimate problems with implementation of the Clean Air Act have been discovered, we are moving to correct them.

Mr. BROWN. Madam President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 325) was ordered to a third reading, was read the third time, and passed.

#### ROOSEVELT HISTORY MONTH

Mr. BROWN. Madam President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of Senate Resolution 75, a resolution proclaiming October 1996 as "Roosevelt History Month," and that the Senate proceed to its immediate consideration, that the resolution and preamble be agreed to en bloc, and that the motion to reconsider be laid on the table, that any statements relating thereto appear in the RECORD at the appropriate place.

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

The resolution (S. Res. 75) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 75

Whereas January 30, 1995, is the 113th anniversary of the birth of President Franklin Delano Roosevelt in Hyde Park, New York;

Whereas almost a half-century after the death of President Roosevelt, his legacy remains central to the public life of the Nation;

Whereas before becoming President of the United States, Franklin Delano Roosevelt served in the New York State Senate and later was appointed Assistant Secretary of the Navy, and in 1928 became Governor of New York;

Whereas as President of the United States between 1933 and 1945, Franklin Delano Roosevelt guided the Nation through two of the greatest crises of the twentieth century, the Great Depression and the Second World War, and in so doing, changed the course of American politics;

Whereas a memorial in stone in the District of Columbia will soon be dedicated to his memory, as authorized by Congress in 1955; and

Whereas a month commemorating the history of Franklin Delano Roosevelt would complement the dedication of the memorial: Now, therefore, be it

*Resolved*, That October, 1996, should be designated "Roosevelt History Month". The President is requested to issue a proclamation calling on the people of the United States to observe the month with appropriate ceremonies and activities.

#### TITLE 18 UNIFORMITY ACT

Mr. BROWN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 242, S. 1331.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1331) to adjust and make uniform the dollar amounts used in title 18 to distinguish between grades of offenses, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Title 18 Uniformity Act of 1995".

#### SEC. 2. ADJUSTING AND MAKING UNIFORM THE DOLLAR AMOUNTS USED IN TITLE 18 TO DISTINGUISH BETWEEN GRADES OF OFFENSES.

(a) Sections 215, 288, 641, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 661, 662, 665, 872, 1003, 1025, 1163, 1361, 1707, 1711, and 2113 of title 18, United States Code, are amended by striking "\$100" each place it appears and inserting "\$1,000".

(b) Section 510 of title 18, United States Code, is amended by striking "\$500" and inserting "\$1,000".

#### SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall apply to sentences imposed on or after the date of enactment of this Act.

Mr. BROWN. I ask unanimous consent the committee amendment be agreed to, the bill be considered read a third time and passed as amended, the motion to reconsider be laid upon the table, that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

So the committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

#### EXPRESSING THE SENSE OF CONGRESS REGARDING THE NEXT PANCHEN LAMA

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar 266, S. J. Res. 43.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S. J. Res. 43) expressing the sense of the Congress regarding Wei Jingsheng; Gudhun Choekyi Nyima, the next Panchen Lama of Tibet; and the human rights practices of the Government of the People's Republic of China.

The PRESIDING OFFICER. Is there objection, to the immediate consideration of the joint resolution?

There being no objection the Senate proceeded to consider the bill.

Mr. HELMS. Madam President, citizens all over the world are protesting—and after all major Western countries have complained to the Chinese Government—about the mistreatment of a courageous Chinese citizen named Wei Jingsheng because Wei has spent most of his life trying to bring democracy and decent human rights to his 1.2 billion fellow Chinese citizens.

In return, the Chinese Government has sentenced him to another 14 years in a jail after a trial that lasted 6 hours and to which no officials representing the United States Government were allowed to attend.

The Wei Jingsheng trial follows on the heels of last week's Communist Chinese Government's announcement that for the first time in Tibetan history, Red China has selected a successor to the Panchen Lama, the second