

our young counterparts of today's 10th Mountain Division—light. Following their recent return from Haiti, 10 young soldiers of the 10th Mountain—light—from Fort Drum, NY, will be participating in the reenactment climb. Joining these active duty soldiers will be two climbing experts from the 172d Mountain Battalion, Vermont National Guard.

The reenactment teams are headquartered in the small mountain village of Lizzano, which was the scene of intense fighting during my division's breakthrough from the Apennines northward into the Po River Valley and the Dolomite Mountains. During the 10th Mountain Division's decisive combat operations in northern Italy, nearly 1,000 of my fellow soldiers lost their lives to enemy action, another 4,000 were wounded.

As our Nation observes the 50th anniversary of the end of World War II during 1995, I am tremendously proud to know that a handful of my fellow 10th Mountain Division veterans have undertaken such a meaningful way of commemorating one of their victories in the final months of the war. I salute them for their endeavor, and I am sure that all other Members of the Congress will do the same.

Mr. PRESSLER addressed the Chair. The PRESIDING OFFICER. The Senator from South Dakota.

TRIBUTE TO DONALD "COOTIE" MASTERS

Mr. PRESSLER. Mr. President, I rise to pay tribute to Donald "Cootie" Masters, the newspaper publisher in my hometown, who recently passed away. D.J. Masters was not only a publisher of a weekly newspaper, he was also a State legislator. He was a fine man, and an inspiration to me.

I think that the role of the weekly editor in America has been overlooked. The importance of the women and men who run our smalltown newspapers is seldom recognized.

Our weekly newspapers have almost been forgotten in this telecommunications age, when we have satellite TV, when we have all the various modern technologies. But our weekly newspapers are still there at the heart of their communities.

I received the Humboldt Journal even when I was in the Army in Vietnam. My mother bought me a subscription and sent it. I received the Humboldt Journal when I was away at the University of South Dakota and later when I was a student at Oxford University in England, and then at Harvard Law School. I still get the Humboldt Journal at home.

You cannot get the weekly hometown paper out of the boy, I suppose you could say.

D.J. Masters was a true South Dakotan. He took great pride in his work, his family, his community, and his faith. He was an example and inspiration to many.

I do not know if many people really understand the positive impact on the lives of South Dakotans that the editors of our weekly papers have.

As the editor of my hometown newspaper, the Humboldt Journal, Cootie Masters was part of the lives of thousands of South Dakotans.

Born on July 7, 1906, Cootie began his rich and fulfilling life in the town of Humboldt, SD. This small town upbringing and his strong family ties instilled in him a deep respect for traditional values. He graduated from Humboldt High School in 1924 and went on to attend the University of South Dakota. I would like to note that in 1924 it was quite an accomplishment for a young student from a small town to attend college. This was only the beginning of Cootie's many achievements.

In addition to his studies at USD, Cootie participated in basketball and was a fraternity brother in Delta Tau Delta. He demonstrated at a young age the importance in life of social involvement and balance between intellectual and physical pursuits.

After Cootie graduated from college, he became involved in his family business. His father owned and operated the Humboldt Journal and passed on his business knowledge to Cootie. Cootie's father died suddenly in 1936, leaving Cootie as the sole owner and editor of the Journal. Anyone you may know in a family business will tell you that successfully passing on a family business to the next generation is much more difficult than most people realize. Cootie not only succeeded in taking over the Journal in 1936, but also was successful in operating it until well after his official retirement. That is no small feat.

Cootie's life involved much more than his newspaper work. He contributed to the whole State of South Dakota by serving in the State house as a representative from Minnehaha County from 1936 to 1941.

Cootie balanced his successful business and political careers with devotion to his family and friends. On June 12, 1933, he began his family by marrying Mildred Newton. Cootie and Mildred had three sons: Neal, Tom, and Bob. Today, the Masters family includes 7 grandchildren and 11 great-grandchildren. I know that Cootie considered his family to be the most precious blessing in his life.

Aside from his children, grandchildren and great-grandchildren, what may have kept Cootie young for so long was his robust enjoyment of life. After college, he continued to participate in baseball and basketball. He also loved the outdoors. An avid sportsman, Cootie enjoyed fishing and hunting. He certainly picked the right State for enjoying the great outdoors.

What is most impressive about Cootie is that with all of his public activities, he is still described as a man with not one enemy.

Cootie was a true friend to me, to our community, and to our State. I will always remember him fondly.

I extend my deepest sympathies to the Masters family on the loss of their beloved Cootie.

Mr. President, I pay tribute not only to him but to the weekly newspapers of South Dakota and to the South Dakota State House of Representatives from which he served during his career.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The Senate continued with the consideration of the joint resolution.

UNANIMOUS-CONSENT AGREEMENT

Mr. DOLE. Mr. President, I ask unanimous consent that the following be the only amendments or motions in order to House Joint Resolution 1 and that all amendments or motions be subject to relevant first and second degree amendments and all first-degree amendments or motions on the list must be filed at the desk with the bill clerk by 12 noon Wednesday with the exception of first-degree amendments to motions. I will submit the list. I will not read the list. I think both the distinguished Democrat leader and I have the same list. I will submit that list.

I further ask that no further amendments be in order to the joint resolution after 3 p.m. on Friday February 24, and that any amendments, motions, or motions pending at that time be disposed of without debate in a stacked sequence beginning at 2:15 p.m. on Tuesday, February 28.

I further ask that the time on Monday, February 27 and on Tuesday, February 28, prior to 12:30 p.m. be equally divided between the two leaders or their designees, and a vote on final disposition of House Joint Resolution 1 occur following the stacked votes beginning at 2:15 on February 28, 1995.

I further ask that no votes occur during the session of the Senate on Friday, February 24, and on Monday, February 27, 1995.

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

Mr. DOLE. Mr. President, I send the list to the desk, and also ask that it be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Bumpers:

1. Motion to commit to budget to amend the Budget Act.

Johnston:

1. Impoundment.

Leahy:

1. GAO study.

Feingold:

1. Budgetary surplus; 2. Budgetary surplus; 3. T.V.A.; 4. T.V.A. like agencies.

Wellstone:

1. Children; 2. Education; 3. Veterans; 4. Relevant; 5. Relevant; 6. Relevant; 7. Motion to refer to Budget Committee.

Rockefeller:

1. Veterans (do today).

Graham:

1. Regarding debt; 2. Regarding debt; 3. Effective date.

Kennedy:

1. Impoundment.

Levin:

1. Implementing language; 2. Relevant; 3. Relevant; 4. Relevant.

Conrad:

1. Exemption for recessionary periods.

Kerry:

1. Motion to commit Budget Committee; 2. Exemption for economic recession.

Hollings:

1. Relevant.

Dashle:

1. Relevant; 2. Relevant.

Feinstein:

1. Substitute amendment.

Byrd:

1. Increase taxes by majority vote; 2. Increase debt by majority vote; 3. President to submit an alternative budget; 4. Waiver for war by majority vote; 5. Effective date of 2000; 6. Strike reliance on estimates; 7. Increase revenues by 3/5's vote of both houses; 8. Increase tax revenues by 3/5's vote of both houses; 9. Relevant.

Nunn:

1. National economic emergencies; 2. Judicial powers.

Dorgan:

1. Motion to refer regarding C.B.O. appointment.

Pryor:

1. Relevant.

Dole:

1. Five motions.

Daschle:

1. Three motions.

CLOTURE MOTION VOTES VITIATED

Mr. DOLE. Mr. President, I ask that the two cloture votes scheduled for Wednesday, February 22, be vitiated.

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

MORNING BUSINESS

INDIAN EDUCATION

Mr. DOLE. Mr. President, I ask unanimous consent that the Indian Affairs Committee be discharged from consideration of S. 377, a bill relating to Indian education and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A bill (S. 377) to amend a provision of part A of title IX of the Elementary and Secondary Education Act of 1965, relating to Indian education, to provide a technical amendment, and for other purposes.

Mr. DOLE. Mr. President, I ask unanimous consent that the bill be deemed read a third time, passed and the motion to reconsider be laid upon the table.

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

So the bill (S. 377) was deemed read the third time and passed, as follows:

S. 377

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TECHNICAL AMENDMENT.

Section 9112(a)(1)(A) of the Elementary and Secondary Education Act of 1965 (as added by section 101 of the Improving America's

Schools Act of 1994 (Public Law 103-382)) is amended by striking "and" and inserting "or".

S. 377

Mr. MCCAIN. Mr. President, S. 377 is a technical corrections bill in its truest form. S. 377 would amend section 9112(a)(1)(A) of the Elementary and Secondary Education Act of 1965. S. 377 would amend section 9112(a)(1)(A), otherwise referred to as the Indian Education Act, by striking the word "and" and inserting the word "or." This technical change would correct an oversight that occurred during the conference of the bill.

Last Congress, the Committee on Indian Affairs received testimony from both Indian educators and tribal organizations on proposals for the reauthorization of the Indian Education Act. These proposals were integrated into the Improving America's School Act of 1994. Among these proposals was a program providing formula grants to schools enrolling Indian children.

During the House and Senate conference regarding this particular section of the act, discussions ensued on whether a minimum of 10 or 20 Indian children would be required in order to be eligible for these programs. The House bill would have required that a school have at least 20 Indian children or that the Indian children make up at least 25 percent of the student body of the school. The Senate bill would have required that a school have a minimum of 10 Indian children or that Indian children make up 25 percent of the student body of the school. The House and Senate Conferees agreed upon the Senate version which required a minimum of 10 Indian students or that Indian students make up 25 percent of the school's enrollment.

The congressional intent behind section 9112 clearly supports the enactment of this technical amendment. The House and Senate debate on this section only contemplated the number of Indian children that would be required for funding pursuant to this section. The conferees did not debate over the conjunction "or." The side-by-side analysis used by both the Senate and House conferees supports this point. However, an apparent error occurred in the redrafting process of the conference approved bill. The drafters inadvertently substituted the word "and" for "or." As a result, the law currently states that "in order for a school to be eligible for an Indian Education Act formula grant, it must have 10 eligible students and have 25 percent of its student population eligible for the program." among these proposals.

This minor oversight will have major ramifications in the education of American Indian and Alaska Native children. The current language unnecessarily restricts a schools eligibility for grant funding by requiring schools to meet both criteria. Consequently, the existing language will result in the

disqualification of many schools that serve American Indian and Alaska Native children. The Department of Education is in the process of promulgating regulations which do not accurately reflect the true intent of the Congress. Therefore, it is imperative that this amendment be promptly enacted to clarify and fulfill the true intent of the act, to improve schools for all Americans, including Indians and Alaska Natives.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO CHEMICAL AND BIOLOGICAL WEAPONS— MESSAGE FROM THE PRESIDENT—PM 19

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

On November 16, 1990, in light of the dangers of the proliferation of chemical and biological weapons, President Bush issued Executive Order No. 12735, and declared a national emergency under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*). Under section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), the national emergency terminates on the anniversary date of its declaration unless the President publishes in the *Federal Register* and transmits to the Congress a notice of its continuation.

On November 14, 1994, I issued Executive Order No. 12938, which revoked and superseded Executive Order No. 12735. As I described in the report transmitting Executive Order No. 12938, the new Executive order consolidates the functions of Executive Order No. 12735, which declared a national emergency with respect to the proliferation of chemical and biological weapons, and Executive Order No. 12930, which declared a national emergency with respect to nuclear, biological, and chemical weapons, and their means of delivery. The new Executive order continued in effect any rules, regulations, orders, licenses, or other forms of administrative action taken under the authority of Executive Order No. 12735.