

SENATE CONCURRENT RESOLUTION 11

At the request of Ms. SNOWE, the names of the Senator from California [Mrs. FEINSTEIN], the Senator from Illinois [Ms. MOSELEY-BRAUN], and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of Senate Concurrent Resolution 11, a concurrent resolution supporting a resolution to the longstanding dispute regarding Cyprus.

SENATE RESOLUTION 103

At the request of Mr. DOMENICI, the names of the Senator from New Mexico [Mr. BINGAMAN] and the Senator from Hawaii [Mr. INOUE] were added as cosponsors of Senate Resolution 103, a resolution to proclaim the week of October 15 through October 21, 1995, as National Character Counts Week, and for other purposes.

SENATE CONCURRENT RESOLUTION 18—AUTHORIZING THE ARCHITECT OF THE CAPITOL TO TRANSFER THE CATAFALQUE

Mr. DOLE (for himself and Mr. DASCHLE) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 18

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Chief Justice of the United States the catafalque which is presently situated in the crypt beneath the rotunda of the Capitol so that the said catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late Honorable Warren Burger, former Chief Justice of the Supreme Court of the United States.

SENATE CONCURRENT RESOLUTION 19—CORRECTING THE ENROLLMENT OF H.R. 483

Mr. PACKWOOD submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 19

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 483) to amend title XVIII of the Social Security Act to permit medicare select policies to be offered in all States, and for other purposes, the Clerk of the House of Representatives shall make the following correction: Amend the title so as to read as follows: "An Act to amend the Omnibus Budget Reconciliation Act of 1990 to permit medicare select policies to be offered in all States."

AMENDMENTS SUBMITTED

PRIVATE SECURITIES LITIGATION REFORM ACT OF 1995

SARBANES AMENDMENT NO. 1472

Mr. SARBANES proposed an amendment to the bill, S. 240, to amend the Securities Exchange Act of 1934 to establish a filing deadline and to provide

certain safeguards to ensure that the interests of investors are well protected under the implied private action provisions of the act; as follows:

On page 134, strike line 6, and insert the following:

"(A) NET FINANCIAL WORTH.—Each".

On page 134, strike lines 9 through 15, and insert the following: "that the net financial worth of the".

On page 134, line 23, strike "50 percent" and insert "100 percent".

BOXER (AND GRAHAM)
AMENDMENT NO. 1473

Mrs. BOXER (for herself and Mr. GRAHAM) proposed an amendment to the bill, S. 240, supra; as follows:

At the appropriate place, insert the following:

SEC. . STUDY AND REPORT ON PROTECTIONS FOR SENIOR CITIZENS AND QUALIFIED RETIREMENT PLANS.

(A) FINDINGS.—The Congress finds that—

(1) senior citizens and qualified retirement plans are too often the target of securities fraud of the kind evidenced in the Charles Keating, Lincoln Savings & Loan Association, and American Continental Corporation situations;

(2) this Act, in an effort to curb unfounded lawsuits, changes the standards and procedures for securities fraud actions; and

(3) the Securities and Exchange Commission has indicated concern with some provisions of this Act.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Securities and Exchange Commission shall—

(1) determine whether investors that are senior citizens or qualified retirement plans require greater protection against securities fraud than is provided in this Act and the amendments made by this Act, and

(2) if so, submit to the Congress a report containing recommendations on protections that the Commission determines to be appropriate to thoroughly protect such investors.

(c) DEFINITIONS.—For purposes of this section—

(1) the term "qualified retirement plan" has the same meaning as in section 4974(c) of the Internal Revenue Code of 1986; and

(2) the term "senior citizen" means an individual who is 62 years of age or older as of the date of the securities transaction at issue.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and public that a hearing has been scheduled before the full Committee on Energy and Natural Resources to review the Secretary of Energy's strategic realignment and downsizing proposal and other alternatives to the existing structure of the Department of Energy.

The hearing will take place Tuesday, July 11, 1995, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Those wishing to testify or who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Karen Hunsicker (202)

224-3543 or Betty Nevitt at (202) 224-0765.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. D'AMATO. Mr. President, I ask unanimous consent that the Committee on Armed Services and its subcommittees be authorized to meet June 26 to mark up the Department of Defense Authorization Act for fiscal year 1996.

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

ADDITIONAL STATEMENTS

IN MEMORY OF THE LATE SENATOR MARGARET CHASE SMITH

• Ms. SNOWE. Mr. President, last Friday I joined with the people of Maine and America in celebrating the life of Senator Margaret Chase Smith, who had a distinguished 32 years of service in Congress on behalf of my home State of Maine.

Senator Smith passed away this Memorial Day at the age of 97. With characteristic modesty, she asked that no funeral be held, and that instead that a memorial service be scheduled at a later date. That service is scheduled to occur this afternoon in Senator Smith's home town of Skowhegan, ME, at the Margaret Chase Smith Library.

During her tenure in Congress, Margaret Chase Smith became known for her independence and her conscience as well as for her legislative accomplishments. In 1953, she identified her creed that guided her both in life and in the Senate.

Her creed is as follows:

My Creed is that public service must be more than doing a job efficiently and honestly. It must be a complete dedication to the people and to the nation with full recognition that every human being is entitled to courtesy and consideration, that constructive criticism is not only to be expected but sought, that smears are not only to be expected but fought, that honor is to be earned but not bought.—MARGARET CHASE SMITH, November 11, 1953.

Senator Smith—always prepared to speak for what is right in society—also identified, in her book "Declaration of Conscience," some of the perils that face our society. I think that, as we mark Senator Smith's passing today, it is appropriate to again consider Margaret Chase Smith's "tribute to the square":

In today's growing, but tragic emphasis on materialism, we find a perversion of the values of things in life as we once knew them. For example, the creed once taught children as they grew up was that the most important thing was not in whether you won or lost the game, but in "how you played the game".

That high level attitude that stresses the moral side no longer predominates in this age of pragmatic materialism that increasingly worships the opposite creed that "the end justifies the means" or in the attitude of

get what you can in any way, manner, or means that you can . . . —“A Tribute to the Square,” December 21, 1964. Quoted in Margaret Chase Smith, “Declaration of Conscience.”

Now, three decades after Senator Smith wrote those words and four decades after her “Declaration of Conscience” speech, her words ring as true as they did when Margaret Chase Smith first uttered them. We may learn from them even today, as we celebrate Senator Smith’s memory, her conscience, and her values.●

THE SOUTHERN CALIFORNIA ATF FIREARMS TRACE STUDY

● Mr. SIMON. Madam President, I would like to draw my colleagues’ attention to a recent report released by the southern California field office of the Bureau of Alcohol, Tobacco and Firearms [BATF]. This report details a firearms trace study conducted on firearms found in crime scenes in southern California. The BATF’s objective in conducting this study was to help determine the source of crime guns and suggest practices to counter the threat posed by illicit traffic in firearms. The results of the study provide evidence that many firearms used in crimes come from licensed firearms dealers. The results also reveal the problems of interstate trafficking in firearms, and the need for uniform, national firearms regulations.

The report, titled “Sources of Crime guns in Southern California” describes the results of a firearms trace study in which special agents and intelligence analysts reviewed police reports and submitted trace requests for 1,764 guns recovered by selected law enforcement agencies in Los Angeles, Orange, and San Diego Counties between January 1, 1994 and November 10, 1994.

The results of the study raise serious questions about some of the rhetoric used to oppose firearms regulations. Last year, as I worked to tighten licensing requirements for Federal firearms dealers, many who opposed my proposals claimed that licensed gun dealers are not the source of guns used in crimes. This report shows that, at least in southern California, that is just not true. The ATF report outlined six sources of the guns recovered from crime scenes. By far the largest source was licensed gun dealers: Commercial gun dealers accounted for 80 percent of the guns recovered.

According to the study, many significant gun trafficking cases involved at-home dealers who purchased large quantities of firearms from distributors, then resold them without paperwork. Recent legislation, from the Brady law to my gun dealer licensing reforms in last year’s crime bill, has begun to address the serious lack of oversight on licensed gun dealers. As a result of my reforms, Federal firearms licenses now require a photograph and fingerprints, dealers are required to comply with State and local laws, and

the ATF now has 60 days, instead of 45, to investigate before granting a license. Additional reforms raised the licensing fee from a mere \$30 to \$200. In fact, several recent cases have led to prosecution and conviction on felony licensing and recordkeeping violations.

The report also shows the problems with interstate trafficking of firearms, and provides yet another argument in favor of national firearms regulations. Many of the guns recovered from crime scenes in southern California were traced to dealers in neighboring States with less stringent regulations: 30 percent of the guns included in the study were traced to dealers in 40 States other than California. Arizona and Nevada comprised 25 percent of the out-of-State purchases.

California is a State with strong gun trafficking laws. All gun transfers, including those involving private parties, must go through a dealer and be approved by the California Department of Justice. Prospective purchasers of handguns and long guns are screened during a 15-day waiting period and approved buyers are perpetually recorded in a computer database. California forbids the possession of certain assault weapons and forbids felons from possessing any type of firearm whatsoever.

By comparison, the laws of surrounding States, such as Nevada and Arizona, are highly permissive. Neither State imposes any restrictions other than the minimum Brady Bill requirements. Long gun sales and private transactions are not regulated and there is no central registry of handgun sales.

I would like to commend the ATF for conducting this important firearms trace study. The results of their report should help to inform the debate on gun control legislation.●

THE LIFE OF GEORGE HENRY WILLIAMS

● Mr. HATFIELD. Mr. President, throughout its colorful history, the State of Oregon has been blessed with the talents of many distinguished leaders. In my readings, I have been struck by the number of these great Oregon citizens who have received little notice from the writers of U.S. history. One such individual is Senator George Henry Williams.

I was reminded of Judge Williams’ important role in Oregon history by an article which recently appeared in the Oregon State Bar Bulletin. The article, excerpted from Judge Williams’ obituary, was skillfully edited by Julie Hankin of the Bulletin. This excellent piece of history gives us a glimpse into the extraordinary life of a great American and I recommend it to my colleagues.

A contemporary and close friend of Abraham Lincoln, Judge Williams came to Oregon following his appointment as Chief Justice of the Oregon territory in 1853. His ambition, however, was to serve in the U.S. Senate.

Having worked actively as a Free Soil Democrat, he eventually left the party for that of Lincoln and was elected to the U.S. Senate in 1864 on the Republican ticket. There, he quickly earned the respect of his colleagues and, later, the notice of his President, Gen. Ulysses S. Grant. President Grant nominated Williams to serve as his Attorney General. Williams withdrew his name from consideration, however, following a set of intriguing circumstances, all of which are detailed in the article which I will submit for the RECORD following my remarks.

Mr. President, in a city guided all too often by ego, I am always pleased to discover unsung heroes, those who sought only to serve their countrymen, not themselves. As noted author Walter Lippman once said: “The final test of a leader is that he leaves behind in other men the conviction and the will to carry on.” George Henry Williams was such an inspirational figure.

I ask that the article from the Oregon State Bar Bulletin appear in the RECORD.

[From the Oregon State Bar Bulletin, May 1995]

OREGON’S GENTLE GIANT—THE LIFE OF GEORGE HENRY WILLIAMS: SENATOR, ATTORNEY GENERAL, AND LAWYER

(By C.E.S. Wood)

George Henry Williams was born in a log cabin in New York state in 1823. Both of his grandfathers served in the Continental Army during the Revolutionary war. He studied law, and in 1844, at the age of 21, he was admitted to the bar at Syracuse. Soon afterward he started West to seek his fortunes as a lawyer.

Nationwide there were but a few miles of railroad at the time—none west of Indiana. There were no telegraph lines. Travel was by river, canal and coach. Pittsburgh and St. Louis were the Western frontier. Chicago did not exist. He made his way by the Erie Canal, the Ohio Canal, the Ohio River as far as St. Louis and then up the Mississippi to Fort Madison, Iowa. His wealth was the Statutes of New York and some bank notes of New York state banks.

Unfortunately, while Williams was counting backnotes in Pittsburgh in order to exchange them for western notes, they were snatched from him in a robbery. By virtue of his honest face he procured passage on boats to St. Louis and then Fort Madison.

In 1847, on the admission of Iowa as a state, he was elected a district judge. The same year he first met Abraham Lincoln at a conference in Chicago. Here began a great, lifelong friendship between these two with much background in common—born in poverty in log cabins, growing to the rugged strength and height of giants, athletic and sympathetic to the great masses. Judge Williams would later be selected as one of the escorts of honor and one of the pall bearers at Lincoln’s funeral.

As an anti-slavery Democrat, Judge Williams campaigned throughout Iowa for Franklin Pierce and was elected one of the presidential electors on the Democratic ticket. Shortly after Pierce’s inauguration in 1853, at the suggestion of his friend, Sen. Stephen A. Douglas, Williams was appointed chief justice of Oregon Territory. He was 30 years old. The appointment was without his knowledge and contrary to his wish.

He had gotten married in 1850 in Iowa to Miss Kate Van Antwerp and found his \$1,000