

[Mr. LIEBERMAN] was added as a cosponsor of S. 2108, a bill to clarify Federal law with respect to assisted suicide, and for other purposes.

S. 2123

At the request of Mr. BIDEN, his name was added as a cosponsor of S. 2123, a bill to require the calculation of Federal-aid highway apportionments and allocations for fiscal year 1997 to be determined so that States experience no net effect from a credit to the Highway Trust Fund made in correction of an accounting error made in fiscal year 1994, and for other purposes.

S. 2125

At the request of Mr. HELMS, his name was added as a cosponsor of S. 2125, a bill to provide a sentence of death for certain importations of significant quantities of controlled substances.

#### SENATE RESOLUTION 233

At the request of Ms. SNOWE, the names of the Senator from New Mexico [Mr. BINGAMAN], the Senator from Mississippi [Mr. COCHRAN], the Senator from Utah [Mr. HATCH], the Senator from Vermont [Mr. JEFFORDS], the Senator from Vermont [Mr. LEAHY], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Illinois [Mr. SIMON], and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of Senate Resolution 233, a resolution to recognize and support the efforts of the United States Soccer Federation to bring the 1999 Women's World Cup tournament to the United States.

#### SENATE RESOLUTION 295

At the request of Mr. BIDEN, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Resolution 295, a resolution to designate October 18, 1996, as "National Mammography Day."

#### SENATE CONCURRENT RESOLUTION 72—RELATIVE TO PARDONS

Mr. SHELBY (for himself, Mr. BOND, Mr. GRAMS, Mr. MURKOWSKI, Mr. FAIRCLOTH, Mr. KYL, Mr. INHOFE, Mr. SANTORUM, Mrs. FRAHM, Mr. THURMOND, Mr. HELMS, and Mr. BENNETT) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 72

Whereas it is incumbent upon the Congress to oppose any action that would have the effect of undermining the rule of law or the faith of the American people in our jury system;

Whereas on May 28, 1996, former business partners of the President were convicted of a total of 24 felony counts by a jury of 12 Arkansas residents;

Whereas Susan McDougal and Jim Guy Tucker have been sentenced for their crimes by a Federal district judge in Little Rock, Arkansas, and their codefendant James McDougal is awaiting sentencing by the same judge;

Whereas on September 4, 1996, Susan McDougal was held in contempt of court for refusing to answer questions before a Federal grand jury relating to (1) the knowledge of

the President with respect to the fraudulent transactions for which she was convicted, and (2) the truthfulness of the testimony of the President at her trial;

Whereas in a televised interview broadcast on September 23, 1996, the President stated that any request for a Presidential pardon made by James or Susan McDougal or Jim Guy Tucker would be reviewed in the normal course, thereby leaving open the possibility that one or more pardons might indeed be issued at some later date;

Whereas any Presidential pardon of James or Susan McDougal or Jim Guy Tucker would seriously undermine the confidence of the American people in our criminal justice system, by essentially nullifying felony convictions of friends and associates of the President rendered by a jury of 12 Arkansas residents on charges initially brought by a grand jury comprised of 23 other Arkansans; and

Whereas the September 23, 1996, remarks by the President could be construed by his recently convicted friends and associates as offering them an inducement to refuse to testify honestly and openly about matters under investigation by Federal law enforcement authorities: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress that the President should categorically disavow any intention of issuing a Presidential pardon to James or Susan McDougal or Jim Guy Tucker, and thereby affirm the principle that, in the system of justice in the United States, no person is above the law.

• Mr. SHELBY. Mr. President, I have been very disturbed by the recent press reports detailing the President's willingness to pardon Susan McDougal and possibly other former business partners and friends who have been convicted of defrauding the government.

The President's public willingness to suggest that a pardon may be forthcoming, at a time when Susan McDougal is facing contempt charges by a lawfully empaneled grand jury for not responding to questions about the role and truthfulness of the President himself, undermines our judicial system and seriously questions his ability to fulfill his obligation to see that "the laws be faithfully executed."

As you will recall, Mr. President, Susan McDougal was convicted on several felony counts of defrauding the government. She was tried and convicted by a jury of her peers in Little Rock, Arkansas and sentenced to 2 years in prison for her crimes.

While the President may not be pleased with the results of Independent Counsel Kenneth Starr's investigation, including the conviction of many of his friends and former associates, it is outrageous for the President to now allege prosecutorial misconduct on behalf of Mr. Starr. At the request of Attorney General Reno, a three judge panel appointed an Independent Counsel, Kenneth Starr, to investigate fully any violation of Federal law relating in any way to James B. McDougal's, President William Jefferson Clinton's or Mrs. Hillary Rodham Clinton's relationships with Madison Guaranty Savings & Loan Association, Whitewater Development Corporation, or Capital Management Services, Inc.

Mr. President, the President's recent statements raise serious questions about his intent to interfere with, and possibly undermine, the Independent Counsel's ongoing investigation into these matters.

Today, Senator BOND and I are submitting a concurrent resolution that would express the Sense of the Congress that the President should disavow any intent of issuing presidential pardons to James and Susan McDougal and Jim Guy Tucker and reaffirm one of the basic tenets of our American system of justice that no one is above the law. •

#### SENATE CONCURRENT RESOLUTION 73—RELATIVE TO PROPERTY CLAIMS

Mr. D'AMATO submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 73

Whereas Fascist and Communist dictatorships have caused immeasurable human suffering and loss, degrading not only every conceivable human right, but the human spirit itself;

Whereas the villainy of communism was dedicated, in particular, to the organized, and systematic destruction of private property ownership;

Whereas the wrongful and illegal confiscation of property perpetrated by Fascist and Communist regimes was often specifically designed to victimize people because of their religion, national or social origin, or expressed opposition to the regimes which repressed them;

Whereas Fascists and Communists often obtained possession of properties confiscated from the victims of the systems they actively supported;

Whereas Jewish individuals and communities were often twice victimized, first by the Nazis and their collaborators and then by the subsequent Communist regimes;

Whereas churches, synagogues, mosques, and other religious properties were also destroyed or confiscated as a means of breaking the spiritual devotion and allegiance of religious adherents;

Whereas Fascists, Nazis, and Communists have used foreign financial institutions to launder and hold wrongfully and illegally confiscated property and convert it to their own personal use;

Whereas some foreign financial institutions violated their fiduciary duty to their customers by converting to their own use financial assets belonging to Holocaust victims while denying heirs access to these assets;

Whereas refugees from communism, in addition to being wrongly stripped of their private property, were often forced to relinquish their citizenship in order to protect themselves and their families from reprisals by the Communists who ruled their countries;

Whereas the participating states of the Organization for Security and Cooperation in Europe have agreed to give full recognition and protection to all types of property, including private property, as well as the right to prompt, just, and effective compensation in the event private property is taken for public use;

Whereas the countries of Central and Eastern Europe, as well as the Caucasus and Central Asia, have entered a post-Communist period of transition and democratic

development, and many countries have begun the difficult and wrenching process of trying to right the past wrongs of previous totalitarian regimes;

Whereas restrictions which require those whose properties have been wrongly plundered by Nazi or Communist regimes to reside in or have the citizenship of the country from which they now seek restitution or compensation are arbitrary and discriminatory in violation of international law; and

Whereas the rule of law and democratic norms require that the activity of governments and their administrative agencies be exercised in accordance with the laws passed by their parliaments or legislatures and such laws themselves must be consistent with international human rights standards: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That the Congress—*

(1) welcomes the efforts of many post-Communist countries to address the complex and difficult question of the status of plundered properties;

(2) urges countries which have not already done so to return plundered properties to their rightful owners or, as an alternative, pay compensation, in accordance with principles of justice and in a manner that is just, transparent, and fair;

(3) calls for the urgent return of property formerly belonging to Jewish communities as a means of redressing the particularly compelling problems of aging and destitute survivors of the Holocaust;

(4) calls on the Czech Republic, Latvia, Lithuania, Romania, Slovakia and any other country with restrictions which require those whose properties have been wrongly plundered by Nazi or Communist regimes to reside in or have the citizenship of the country from which they now seek restitution or compensation to remove such restrictions from their restitution or compensation laws;

(5) calls upon foreign financial institutions, and the states having legal authority over their operation, that possess wrongfully and illegally property confiscated from Holocaust victims, from residents of former Warsaw Pact states who were forbidden by Communist law from obtaining restitution of such property, and from states that were occupied by Nazi, Fascist, or Communist forces, to assist and to cooperate fully with efforts to restore this property to its rightful owners; and

(6) urges post-Communist countries to pass and effectively implement laws that provide for restitution of, or compensation for, plundered property.

● Mr. D'AMATO. Mr. President, I submit a concurrent resolution which addresses a number of distinct, but closely related, property issues. It follows up on work already done by the Helsinki Commission, which held a hearing on this subject on July 18, 1996. This same concurrent resolution is being submitted today in the House by the Commission's distinguished Chairman, my good friend and colleague from New Jersey, Congressman CHRIS SMITH. It is cosponsored by the majority of the Commission.

The substance of this concurrent resolution has been discussed with the Administration and parallels and supports the work being done by Under Secretary of Commerce for International Trade Stuart E. Eizenstat, who also serves as the U.S. Department of State Special Envoy for Property Claims in Central and Eastern Europe.

I strongly believe that there must be a full, complete and final accounting of

the assets of Holocaust victims that have been wrongfully held by Swiss—and possibly other banks—for some five decades now. Those records must be opened, and the stolen assets returned to their rightful heirs. This concurrent resolution addresses that issue.

It also addresses the compelling situation of Holocaust survivors in Central and Eastern Europe. Many of these people, unlike their counterparts in Western Europe, were denied the chance to receive any compensation for their suffering or to receive the return of properties stolen by the Nazis when the iron curtain closed, leaving them at the mercy of new dictatorships. This concurrent resolution recognizes the urgent need for Jewish communal properties to be restored to their rightful owners, to help give these survivors the means to live out their final days in dignity.

Finally, this concurrent resolution speaks to the difficult and complex process underway in many post-Communist countries in Central and Eastern Europe and the former Soviet Union. Some countries have already taken steps to return property or provide compensation for property wrongly confiscated by Communist regimes. I commend those countries for their efforts.

At the same time, I am deeply troubled that some restitution or compensation laws have discriminated against American citizens, people who lost both their property and their citizenship when they sought refuge in this country, fleeing Communist persecution. To exclude these people from efforts to right past wrongs pours salt on an open wound. I urge my colleagues to join me in supporting this concurrent resolution, and in sending a message that these injustices must be remedied before the passage of time carries the victims beyond our mortal abilities to offer them some recompense for their suffering.

While restoration of property ownership or compensation for its wrongful confiscation can never right the terrible wrongs done to the victims by their Nazi, fascist, and communist oppressors, it can go some way toward balancing the scales. That is what this concurrent resolution is about and why it deserves our support. ●

#### AMENDMENTS SUBMITTED

#### THE FEDERAL POWER ACT AMENDMENTS OF 1996

#### MURKOWSKI AMENDMENT NO. 5412

Mr. NICKLES (for Mr. MURKOWSKI) proposed an amendment to the bill (S. 737) to extend the deadlines applicable to certain hydroelectric projects, and for other purposes; as follows:

Beginning of page 2 line 1 through page 6 line 6, strike section 2, 3, 4, 5 and 6, and number subsequent section accordingly.

On page 9, following line 17, add the following new section

#### “SEC. 5. EXTENSION OF COMMENCEMENT OF CONSTRUCTION DEADLINE CERTAIN HYDROELECTRIC PROJECTS LOCATED IN ILLINOIS.

“(A) PROJECT NUMBER 3943.—

“(1) Notwithstanding the time limitations of section 13 of the Federal Power Act, the Federal Energy Regulatory Commission, upon the request of the licensee for project number 3943 (and after reasonable notice), may extend the time required for commencement of construction of such project for not more than 3 consecutive 2-year periods, in accordance with paragraphs (2) and (3).

“(2) An extension may be granted under paragraph (1) only in accordance with—

“(A) the good faith, due diligence, and public interest requirements contained in section 13 of the Federal Power Act; and

“(B) the procedures of the Federal Energy Regulatory Commission under such section.

“(3) This subsection shall take effect for project number 3943 upon the expiration of the extension of the period required for commencement of construction of such project issued by the Federal Energy Regulatory Commission under section 13 of the Federal Power Act.

“(b) PROJECT NUMBER 3944.—

“(1) Notwithstanding the time limitations of section 13 of the Federal Power Act, the Federal Energy Regulatory Commission, upon the request of the licensee for FERC project number 3944 (and after reasonable notice), may extend the time required for commencement of construction of such project for not more than 3 consecutive 2-year periods, in accordance with paragraphs (2) and (3).

“(2) An extension may be granted under paragraph (1) only in accordance with—

“(A) the good faith, due diligence, and public interest requirements contained in section 13 of the Federal Power Act; and

“(B) the procedures of the Commission under such section.

“(3) This subsection shall take effect for project number 3944 upon the expiration of the extension of the period required for commencement of construction of such project issued by the Commission under section 13 of the Federal Power Act.

#### “SEC. 6. REFURBISHMENT AND CONTINUED OPERATION OF A HYDROELECTRIC FACILITY IN MONTANA

“Notwithstanding section 10(e)(1) of the Federal Power Act or any other law requiring payment to the United States of an annual or other charge for the use, occupancy, and enjoyment of land by the holder of a license issued by the Federal Energy Regulatory Commission under Part I of the Federal Power Act, a political subdivision of the State of Montana that accepts the terms and conditions of a license for Federal Energy Regulatory Commission project number 1473 in Granite County and Deer Lodge County, Montana—

“(a) shall not be required to pay any such charge with respect to the 5-year period following the date of acceptance; and

“(b) after that 5-year period and for so long as the political subdivision holds the license, shall be required to pay such charges under section 10(e)(1) of the Federal Power Act or any other law for the use, occupancy, and enjoyment of the land covered by the license as the Federal Energy Regulatory Commission or any other federal agency may assess, not to exceed a total of \$20,000 for any year.”.