

exponential growth and progress of Asia. I encourage the ADB to seek opportunities for greater participation by U.S. small businesses as part of its future projects. The ADB assists private enterprises in undertaking financially viable projects which also have significant economic development merit and catalyzing the flow of domestic and external resources to such projects. For example, the bank allocated over \$3.3 billion to develop telecommunications services in Asia's poorest areas and will invest almost \$1 billion on telecommunications networks in India alone.

The ADB also provides loans, equity investments, and technical assistance, and also cofinances projects with bilateral and multilateral agencies as well as export credit and commercial sources. As of June 30, 1995, the bank had approved \$51.9 billion in loans for 1,236 projects in 34 countries and \$3.9 billion for 3,539 technical assistance grants.

As a donor member, the United States has contributed to the Asian Development Fund [ADF], which is the ADB's window for concessional lending to its borrowing member countries. Each year, ADB extends loans to fund projects and activities in Asian and Pacific developing countries, and provides several billion U.S. dollars worth of contracts to procure goods and consulting services. In 1995, the United States ranked first among donor member countries in total procurement, with a donor amount of \$333 million dollars. The ADF, which is crucial to the bank's ability to grant loans, is the ADB's main soft-loan program. This soft-loan program lets donor countries apply for grants at a generous interest-free level, which makes it feasible for many poor countries to apply and receive loans to improve their environment, transportation, infrastructure, and communications.

A country that requests an interest-free loan from the ADF must fulfill requirements set by the ADB. The ADB stresses that the member countries have good governance which will permit a successful management of the development process, which encourages economic and political stability in the region. As a development partner, the ADB has a clear and direct interest in the capacity of borrowing governments to fulfill their economic role by implementing the associated policies. The success of the ADB's project investments depends on the efficacy of the institutional framework in developing member countries [DMC]. In addition, governments are expected to perform certain key functions, including maintaining macroeconomic stability; developing infrastructure; providing public goods; preventing market failures; and promoting equity. Without macroeconomic stability, business prospects are uncertain and investment risks are high.

Further, the bank advises the developing countries regarding human

rights, social and environmental policies, and other areas before accepting the country for a grant.

Mr. President, the replenishment of the ADF has been an ongoing problem. At present, ADF is expected to run out of money by year-end. In that respect, the ADB, along with other development banks, have been trying to arrange financing through private financial institutions. Multilateral agencies, such as ADB, likely will shift more funding to socially-oriented projects in the future, and have vast projects financed by private financial institutions.

The ADB has confronted and overcome many challenges, thanks to the efforts of its leadership. I would like to commend the diligent efforts of Ambassador Yang of the Asian Development Bank. Former California Savings and Loan Commissioner Linda Tsao Yang of Davis, CA, is the U.S. ambassador on the 12 member board of executive directors of the ADB. Ms. Yang has operated her own financial consulting firm since stepping down from the State S&L post in 1982. Her expertise during these challenging times is certainly welcome at the ADB.

I may not always agree with the bank's direction on a specific issue, but the overall direction of the ADB has been positive. Ambassador Yang is aggressively pursuing creative roles for the ADB to play in a manner which advances our Nation's commercial interests in that part of the world. Thanks in part to these creative efforts, the Asian continent is an exciting and promising region of the world for the residents and for those playing a part in its development.

TRIBUTE TO SENATOR AL SIMPSON

Mr. PRESSLER. Mr. President, we near the close of the 104th Congress will adjourn. Adjournment also will bring to a close the distinguished Senate career of Wyoming's senior Senator, the honorable AL SIMPSON. I am confident that Senate historians will see AL SIMPSON the way his colleagues already see him: as one of the truly great Senators of his era. I will miss AL SIMPSON—his leadership, his guidance, his wit, and most of all, his friendship.

AL SIMPSON and I entered the Senate at the same time—in 1979. At that time, he already had accumulated some Senate experience as the son of another legendary Wyoming Senator, Milward Simpson.

A story is told that Abraham Lincoln once began a meeting of his closest advisors by reading to them a piece from the humorist Artemus Ward. Lincoln seemed to be the only one who enjoyed the piece and found himself the only one laughing. Lincoln was said to have chastised his colleagues: "Why don't you laugh? With the fearful strain that is upon me night and day, if I did not laugh I should die, and you need this medicine as much as I do."

All of my colleagues would agree that the medicine of humor is best dispensed by our senior colleague from Wyoming. Perhaps not since Abraham Lincoln has Washington had a better practitioner in the art of medicinal humor. It has become a fond and regular experience to come to the floor for a vote, or visit the cloakrooms and see a small group of Senators listening delightfully to the yarns spun by our friend from Wyoming. When Senator SIMPSON formally addresses the Senate, we can count on his statements to be both informative and entertaining. I will miss AL SIMPSON's good nature and quick wit.

The full measure of AL SIMPSON is more than good humor. He is a man of enormous intellect and profound leadership. AL SIMPSON is sharp—as sharp as a tack, and as tough as a good piece of saddle leather, as he would probably say. But to see how tough AL SIMPSON is, and to understand his deep belief in the cause of public service, one need only take a look at the issues he has championed. Senator SIMPSON's extraordinary career no doubt will be remembered for his efforts on three very challenging issues—immigration, veterans affairs and entitlement reform. Each of those issues is vitally important, but frankly each can be thankless tasks.

It is appropriate that the 104th Congress will conclude with the passage of a comprehensive bill to address the serious problem of illegal immigration. This is the third major immigration bill shepherded in large measure by our friend from Wyoming. That is quite a record of legislative achievement given the volatile emotions that underlie this issue and the diverse interests involved. It's even more amazing when one considers that Senator SIMPSON hails from a great State not known for being a magnet for illegal immigrants. The tremendous leadership he has demonstrated on this issue is a testament to Senator SIMPSON's commitment to pursue what's in our Nation's interest, and to pursue such issues vigorously.

The same vigor is shown in Senator SIMPSON's commitment to our Nation's veterans. The Senator from Wyoming, like myself, is a veteran of the U.S. Army. Few have the level of understanding, the strong sense of compassion and fairness, that AL SIMPSON has displayed toward our veterans. As chairman of the Veterans Affairs Committee during a time of tremendous budgetary constraints, AL SIMPSON has made sure that this Nation maintains its commitment to the brave veterans who answered the call and made sacrifices for their country. All men and women who once adorned a military uniform to defend our country, as well as this Senate, and this Nation will miss this true friend of the American veteran.

Finally, Senator AL SIMPSON is a man of great vision—a man who believes that Congress has a duty to anticipate and prevent future problems.

He's right. No example demonstrates this belief more than his almost lonely effort to address the lurking problem of Federal entitlements, from Social Security to Medicare. Along with our friend from Nebraska, Senator KERREY, Senator SIMPSON chaired the Bipartisan Commission on Entitlement and Tax Reform. This commission found ominous signs that indicate now is the time to begin the process of reforming our Social Security and Medicare systems. It's no secret that both systems are incredibly important to our senior citizens. No doubt, this Nation owes a great debt of gratitude to AL SIMPSON for embarking this Senate, this Congress, and this Nation on what we all hope is the road toward true reform of Federal entitlements.

Now our dear friend from Wyoming soon will be speaking not from the Senate floor but from a Harvard lecture hall. The Senate's loss is certainly Harvard's gain. No doubt the fortunate young people who attend Professor SIMPSON's class will be entertained and informed. I hope the academic world will appreciate one basic fact: AL SIMPSON tells it like it is. For that, he has my admiration.

I will miss my Senate classmate. My wife Harriet and I always have enjoyed Senator SIMPSON and his wife Ann. They are great friends, and we look forward to seeing them should our travels take us to Cambridge or their's to Washington or South Dakota. I hope my friend from Wyoming doesn't mind if I drop in on his class on occasion, not just to gain the benefit of his thoughtful insights, but to hear again his homespun stories and receive yet another dose of his tremendous good humor. I wish AL and Ann Simpson the very, very best.

NOTICE OF ISSUANCE OF FINAL REGULATIONS

Mr. THURMOND. Mr. President, pursuant to section 304(d) of the Congressional Accountability Act of 1995 (2 U.S.C. sec. 1384(d)), a notice of issuance of final regulations was submitted by the Office of Compliance, U.S. Congress. The notice contains final regulations related to Federal Service Labor-Management Relations (Regulations under section 220(d) of the Congressional Accountability Act.)

The Congressional Accountability Act requires this notice be printed in the CONGRESSIONAL RECORD, therefore I ask unanimous consent that the notice be printed in the RECORD.

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

OFFICE OF COMPLIANCE—THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995: EXTENSION OF RIGHTS, PROTECTIONS AND RESPONSIBILITIES UNDER CHAPTER 71 OF TITLE 5, UNITED STATES CODE, RELATING TO FEDERAL SERVICE LABOR-MANAGEMENT RELATIONS (REGULATIONS UNDER SECTION 220(d) OF THE CONGRESSIONAL ACCOUNTABILITY ACT)

NOTICE OF ISSUANCE OF FINAL REGULATIONS

On July 9, 1996, the Board of Directors of the Office of Compliance adopted and sub-

mitted for publication in the Congressional Record final regulations implementing section 220(d) of the Congressional Accountability Act of 1995 (CAA), which extends to the Congress certain rights, protections, and responsibilities under chapter 71 of title 5, United States Code, relating to Federal service labor-management relations. On August 2, 1996, the House agreed both to H. Res. 504, to provide for the approval of final regulations that are applicable to the employing offices and covered employees of the House, and to H. Con. Res. 207, to provide for approval of final regulations that are applicable to the instrumentalities of the Congress, i.e., the employing offices and employees other than those offices and employees of the House and the Senate. On September 28, 1996, the Senate agreed to H. Con. Res. 207, covering the instrumentalities, and in addition approved S. Res. 304, to provide for the approval of the final regulations that are applicable to employing offices and covered employees of the Senate.

Together with the House's prior approval of H. Res. 504 and H. Con. Res. 207, the Senate's concurrence in H. Con. Res. 207 and its approval of S. Res. 304 constitute approval under section 304(c) of the CAA of the Board's section 220(d) regulations as applicable both to employing offices and covered employees of the House and of the Senate (other than those House and Senate offices expressly listed in section 220(e)(2)) and to the instrumentalities of the Congress. Accordingly, pursuant to section 304(d) of the CAA, the Board submits these regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for issuance by publication in the Congressional Record.

Pursuant to paragraph (3) of section 304(d) of the CAA, the Board finds good cause for advancing the effective date of the House regulations from 60 days after their issuance to October 1, 1996. That date corresponds with the effective date of application of CAA section 220 to the Congress. The Board finds that the effective implementation of the CAA is furthered by making these regulations effective for the House, the Senate, and the instrumentalities on that effective date rather than allowing the provisions of the CAA contained in section 411 and the derivative regulations of the executive branch to control the administration of the statute during the sixty day period otherwise required by section 304(d)(3) of the CAA.

Signed at Washington, D.C. on this 30th day of September, 1996.

GLEN D. NAGER,

Chair of the Board, Office of Compliance.

Accordingly, the Board of Directors of the Office of Compliance hereby issues the following final regulations:

[Final Regulations]

Subchapter C

- 2420 Purpose and scope
- 2421 Meaning of terms as used in this subchapter
- 2422 Representation proceedings
- 2423 Unfair labor practice proceedings
- 2424 Expedited review of negotiability issues
- 2425 Review of arbitration awards
- 2426 National consultation rights and consultation rights on Government-wide rules or regulations
- 2427 General statements of policy or guidance
- 2428 Enforcement of Assistant Secretary standards of conduct decisions and orders
- 2429 Miscellaneous and general requirements

Subchapter D

- 2470 General

2471 Procedures of the Board in impasse proceedings

SUBCHAPTER C

Part 2420—Purpose and Scope

§ 2420.1 Purpose and scope.

The regulations contained in this subchapter are designed to implement the provisions of chapter 71 of title 5 of the United States Code, as applied by section 220 of the Congressional Accountability Act (CAA). They prescribe the procedures, basic principles or criteria under which the Board and the General Counsel, as applicable, will:

(a) Determine the appropriateness of units for labor organization representation under 5 U.S.C. 7112, as applied by the CAA;

(b) Supervise or conduct elections to determine whether a labor organization has been selected as an exclusive representative by a majority of the employees in an appropriate unit and otherwise administer the provisions of 5 U.S.C. 7111, as applied by the CAA, relating to the according of exclusive recognition to labor organizations;

(c) Resolve issues relating to the granting of national consultation rights under 5 U.S.C. 7113, as applied by the CAA;

(d) Resolve issues relating to determining compelling need for employing office rules and regulations under 5 U.S.C. 7117(b), as applied by the CAA;

(e) Resolve issues relating to the duty to bargain in good faith under 5 U.S.C. 7117(c), as applied by the CAA;

(f) Resolve issues relating to the granting of consultation rights with respect to conditions of employment under 5 U.S.C. 7117(d), as applied by the CAA;

(g) Conduct hearings and resolve complaints of unfair labor practices under 5 U.S.C. 7118, as applied by the CAA;

(h) Resolve exceptions to arbitrators' awards under 5 U.S.C. 7122, as applied by the CAA; and

(i) Take such other actions as are necessary and appropriate effectively to administer the provisions of chapter 71 of title 5 of the United States Code, as applied by the CAA.

§ 2420.2

Notwithstanding any other provisions of these regulations, the Board may, in deciding an issue, add to, delete from or modify otherwise applicable requirements as the Board deems necessary to avoid a conflict of interest or the appearance of a conflict of interest.

Part 2421—Meaning of Terms as Used in This Subchapter

Sec.

- 2421.1 Act; CAA.
- 2421.2 Chapter 71.
- 2421.3 General Definitions.
- 2421.4 National consultation rights; consultation rights on Government-wide rules or regulations; exclusive recognition; unfair labor practices.
- 2421.5 Activity.
- 2421.6 Primary national subdivision.
- 2421.7 Executive Director.
- 2421.8 Hearing Officer.
- 2421.9 Party.
- 2421.10 Intervenor.
- 2421.11 Certification.
- 2421.12 Appropriate unit.
- 2421.13 Secret ballot.
- 2421.14 Showing of interest.
- 2421.15 Regular and substantially equivalent employment.
- 2421.16 Petitioner.
- 2421.17 Eligibility Period.
- 2421.18 Election Agreement.
- 2421.19 Affected by Issues raised.
- 2421.20 Determinative challenged ballots.