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## Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God of hope, we need Your vibrant optimism. Our own optimism is like a teabag: we never know how strong it is until we get into hot water. It is in times of frustrations or adversity that our optimism is tested. When the process of human efforts grinds slowly and people disturb our pace of progress, our attitudes are given a litmus test. Often our realism too soon turns to resignation. We expect far too little and receive it. Transform our experienced pessimism into expectant hope. So often we live as if we had to carry the burdens alone. Today we relinquish any negative thoughts to You and receive a fresh infusion of Your hope. Hope through us today, O God of hope. Make us people who are a lift and not a load, a blessing and not a burden. Through our Lord and Savior. Amen.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Good morning, Mr. President.

### SCHEDULE

Mr. LOTT. Mr. President, today the Senate will be conducting a period of morning business until the hour of 2 p.m. this afternoon. Beginning then at 2, the Senate will begin 3 hours of further debate on the FAA reauthorization conference report. In accordance with the previous agreement, a cloture vote will occur on the conference report at 10 a.m. tomorrow morning. I urge all my colleagues to plan their schedules accordingly. This is a very important matter. I hope all Members will be present for this key cloture vote.

Of course, we expect that there is a likelihood that there will be a final

vote later on in the day. Perhaps that will wind up being a voice vote, but we have to assume at this point it will be a recorded vote. I hope if cloture is invoked Thursday, the Senate will be able to complete the action certainly in a timely manner.

Senators should be aware that roll-call votes are still possible during today's session on any other legislative matters that are in the clearance process. I hope that we will be able to get some noncontroversial issues cleared. That process has slowed down markedly, but we are still hoping and working so that we can get some done that are supported on both sides of the aisle. We are working on that as we speak.

It is also my hope that an agreement can be reached with respect to the parks legislation. Meetings have been occurring this morning. There is communication underway between Senator MURKOWSKI, Democratic Senators, and

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WILLIAM M. THOMAS, *Chairman*.

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the administration. We are hoping that we can add some bills that should have been included in the package that passed the House by an overwhelming margin. Certainly some of those that were knocked out should have been included, and there is no justification for them not being there. We are trying to identify those and get an understanding as to how we will handle it in the Senate and the House and with the administration.

As developments occur and as we clear bills, we will be back to the floor to deal with those.

Mr. President, I have no further need of time, so I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ASHCROFT). Without objection, it is so ordered.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m. with Senators permitted to speak therein for not to exceed 10 minutes each.

#### THE OMNIBUS PARKS BILL

Mr. BINGAMAN. Mr. President, I will not take a full 10 minutes, but I would like to speak briefly about this so-called parks bill or Presidio package which is being considered here in the Senate this week and urge my colleagues who are engaged in negotiations on this to come to some resolution so that we can move ahead with this important piece of legislation.

My home State of New Mexico will be greatly benefited if this package of legislation becomes law. There are many provisions in it that I believe would be important to many constituencies around the country.

I notice in the October 1 CONGRESSIONAL RECORD, the RECORD that we received on our desks today, there is a list on page—let us see—it is H12197, a listing of the various titles which are included in the bill. I can honestly say there is probably something in here for every State in the Union. This is a catch-all piece of legislation which is intended to make necessary boundary adjustments and to make necessary provisions for the protection of our public lands in a great many areas. These are noncontroversial provisions.

This is a summary I refer to here, a summary of the legislation that has already passed the House of Representatives. I wish, Mr. President, we could call this legislation up and pass it in the Senate. Today would be a good time to do that while we still have

enough Senators here to get a quorum. I could go through and will indicate the various titles.

The first title relates to the Presidio of San Francisco which, of course, has been the reason that the package was designated the Presidio package. The second title is on boundary adjustments and conveyances. The next title is on rivers and trails and exchanges of lands, then historic areas, and it goes on to describe the various administrative and management provisions including the National Coal Heritage Area, the Tennessee Civil War Heritage Area, the Augusta Canal National Heritage Area, Steel Industry Heritage Project, Essex Heritage Area, South Carolina National Heritage Corridor, America's Agricultural Heritage Partnership, the Ohio and Erie Canal National Heritage Corridor, the Hudson River Valley National Heritage Area.

Mr. President, to my knowledge, all of these are meritorious provisions and ones which we should enact before we leave town. I think it would be a great shame if we were not able to do that. This is of particular interest in my home State for several provisions, but particularly there has been a longstanding problem of great concern to the Taos Pueblo which we are proposing to resolve in this legislation.

The Taos Pueblo land transfer provision would transfer 764 acres in northern New Mexico which is now located in the Wheeler Peak Wilderness of the Carson National Forest to the Taos Pueblo, adjacent to the Taos Pueblo.

The area has spiritual significance to the people in the Taos Pueblo. The bottleneck area continues to be used by the Taos Pueblo Indians for religious pilgrimages. The sacred Path of Life Trail, connecting the Pueblo with Blue Lake, runs through this bottleneck. The Blue Lake Wilderness has been a source of spiritual strength to the Taos Pueblo for over 1,000 years. The bill pending before the Senate today is intended to complete the full transfer of the Blue Lake territory to the Taos Pueblo, a transfer that Senator Anderson pursued diligently while he was here representing our State. The bottleneck tract will be returned to its rightful owners under this legislation.

I would hate to see the legislation fail to pass because of a disagreement over some totally unrelated provisions. Again, I urge my colleagues to allow this land transfer in my home State and the many other important provisions in the Presidio package to become law. It is the right thing to do for the people of Taos Pueblo. I hope very much we can take that responsible action before we adjourn this session for this year.

I yield the floor.

#### UNFINISHED BUSINESS

Mrs. KASSEBAUM. Mr. President, as the 104th Congress draws to a close, I want to spend a few moments discussing what I believe are some important

initiatives which are not going to make it into the statute books this year. Although I am deeply disappointed that the many months—and years—which have gone into these efforts have not borne fruit, I am confident that they have taken enough root that they will rise once again in the 105th Congress.

Unfortunately, the list of proposals falling into this category is much longer than I might wish. I will not go through the entire litany, but I do want to set out what I was attempting to accomplish with respect to the Food and Drug Administration [FDA], the National Institutes of Health [NIH], and our Nation's job training programs.

Legislation to reform the Food and Drug Administration, S. 1477, was reported by the Committee on Labor and Human Resources with strong bipartisan support. Members on both sides of the aisle spent long hours in negotiations, and I want particularly to commend the Senator from Maryland [Ms. MIKULSKI] for her unflagging efforts on behalf of reform. Unfortunately, these negotiations failed to produce an agreement which would not be filibustered, and it was therefore not possible to bring S. 1477 before the full Senate.

This legislation was designed to enhance the professionalism, stature, and effectiveness of the FDA. In developing the measure, I was motivated by a desire to assure that our Nation does not lose its leadership in new product development and by a desire to respond to the plight of countless individuals who have suffered needless delays in obtaining new therapies.

Through hearings, meetings, and other reviews of the issue, I concluded that the performance of the FDA could be substantially improved without sacrificing consumer confidence in the safety and efficacy of the products they purchase.

I would like to outline briefly the major principles underlying this legislation, because I believe they are important and should serve as the foundation for any FDA reform measure considered in the future:

First, as I stated, the major purpose of S. 1477 was to enhance the professionalism of the agency, and it attempted to do so by providing a clear statement of the agency's mission and by emphasizing performance standards and accountability.

Second, it attempted to improve the speed and efficiency of the product testing, review, and approval process by encouraging cooperation between the agency and the manufacturer from the very beginning. Too often, all the focus is placed on the back end of the process—FDA approval—without giving sufficient attention to steps which could be taken to improve the process during the many years leading up to that point.

Mr. President, as you know, it can take sometimes as many as 12 years or more before final approval is achieved.