

That is the value of service in the U.S. Senate—education. We are supposed to learn. And that is why I have always stayed in politics, because I learn something new every day. I have also learned when to hush when the hour is past 6 o'clock and staff is looking at me like an aberration.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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 one nomination which was referred to the Committee on Governmental Affairs.

(The nomination received today is printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

At noon, a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 543. An act to reauthorize the National Marine Sanctuaries Act, and for other purposes.

H.R. 1734. An act to reauthorize the National Film Preservation Board, and for other purposes.

H.J. Res. 198. Joint resolution appointing the day for the convening of the first session of the One Hundred Fifth Congress and the day for the counting in Congress of the electoral votes for the President and Vice President cast in December 1996.

The enrolled bills and joint resolution were signed subsequently by the President pro tempore [Mr. THURMOND].

At 2:29 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 2579. An act to establish the National Tourism Board and the National Tourism Organization to promote international travel and tourism to the United States.

S. 640. An act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

S. 811. An act to authorize the Secretary of the Interior to conduct studies regarding the desalination of water and water reuse, and for other purposes.

S. 1044. An act to amend title III of the Public Health Service Act to consolidate and reauthorize provisions relating to health centers, and for other purposes.

S. 1467. An act to authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes.

S. 1505. An act to reduce risk to public safety and the environment associated with pipeline transportation of natural gas and hazardous liquids, and for other purposes.

S. 1711. An act to amend title 38, United States Code, to improve the benefits programs administered by the Secretary of Veterans Affairs to provide for a study of the Federal programs for veterans, and for other purposes.

S. 1965. An act to prevent the illegal manufacturing and use of methamphetamine.

S. 1973. An act to provide for the settlement of the Navajo-Hopi land dispute, and for other purposes.

S. 2153. An act to designate the United States Post Office building located in Brewer, Maine, as the "Joshua Lawrence Chamberlain Post Office Building", and for other purposes.

The enrolled bills were signed subsequently by the President pro tempore [Mr. THURMOND].

At 5:28 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that pursuant to the provisions of section 1 of 2 U.S.C. 154, as amended by section 1 of Public Law 102-246, the Speaker appoints Mr. Edwin L. Cox of Dallas, TX, as a member from private life on the part of the House to fill the unexpired term of Mrs. Marguerite S. Roll to the Library of Congress Trust Fund Board.

##### ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

H.R. 2297. An act to codify without substantive change, laws related to transportation and improve the United States Code.

H.R. 3005. An act to amend the Federal securities laws in order to promote efficiency and capital formation in the financial market, and to amend the Investment Company Act of 1940 to promote more efficient management of mutual funds, protect investors, and provide more effective and less burdensome regulation.

H.R. 3118. An act to amend title 38, United States Code, to reform eligibility for health care provided by the Department of Veterans Affairs, to authorize major medical facility construction projects for the Department, to improve administration of health care by the Department, and for other purposes.

H.R. 3159. An act to amend title 49, United States Code, to authorize appropriations for fiscal years 1997, 1998, and 1999 for the National Transportation Safety Board, and for other purposes.

H.R. 3815. An act to make technical corrections and miscellaneous amendments to trade laws.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 2, 1996, he had presented to the President of the United States, the following enrolled bills:

S. 640. An act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

S. 811. An act to authorize the Secretary of the Interior to conduct studies regarding the desalination of water and water reuse, and for other purposes.

S. 1044. An act to amend title III of the Public Health Service Act to consolidate and reauthorize provisions relating to health centers, and for other purposes.

S. 1467. An act to authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes.

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S. 1965. An act to prevent the illegal manufacturing and use of methamphetamine.

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S. 2153. An act to designate the United States Post Office building located in Brewer, Maine, as the "Joshua Lawrence Chamberlain Post Office Building," and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany the bill (S. 1010) to amend the "unit of general local government" definition for Federal payments in lieu of taxes to include unorganized boroughs in Alaska, and for other purposes (Rept. No. 104-396).

Report to accompany the bill (S. 1889) to authorize the exchange of certain lands conveyed to the Kenai Natives Association pursuant to the Alaska Native Claims Settlement Act, to make adjustments to the National Wilderness System, and for other purposes (Rept. No. 104-397).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BROWN:

S. 2187. A bill to reauthorize appropriations for the Civil Rights Commission Act of 1983, and for other purposes; to the Committee on the Judiciary.

By Mr. SIMPSON:

S. 2188. A bill to provide for the retention of the name of the mountain at the Devils Tower National Monument in Wyoming known as "Devils Tower", and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 2189. A bill to enhance the administrative authority of the president of Southwestern Indian Polytechnic Institute, and for

other purposes; to the Committee on Indian Affairs.

# STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SIMPSON:

S. 2188. A bill to provide for the retention of the name of the mountain at the Devils Tower National Monument in Wyoming known as "Devils Tower", and for other purposes; to the Committee on Environment and Public Works.

## THE DEVILS TOWER NATIONAL MONUMENT ACT OF 1996

• Mr. SIMPSON. Mr. President, I introduce a bill which will enable Devils Tower National Monument to retain its historic name.

This national monument—indeed, our Nation's first national monument—has been known as "Devils Tower" for over 120 years. It is known the world over as perhaps one of the most distinguishing natural features of my State and is universally known for providing some of the best crack climbing in the world.

In short, Mr. President, Devils Tower—and worldwide recognition of it, even through such movies as "Close Encounters of the Third Kind"—is vitally important to my State, which depends so heavily on our tourism industry. But, to no one's surprise, there are always those out there who cannot leave a perfectly good thing alone. William Shakespeare said it well in "King Lear": "Striving to better, oft we mar what's well."

According to a July 17, 1996 release by the U.S. Board of Geographic Names, the National Park Service has advised the Board that several native American groups intend to submit a proposal—it may already have been submitted—to change the name of the monument. The intention—and a perfectly worthy one—is to find a name that is less offensive to native Americans, many of whom regard the monument as sacred.

Mr. President, I am fully sensitive to the feelings of those involved with this initiative. My great-grandfather, Finn Burnett, was asked to be the "boss farmer" for Chief Washaki of the Shoshone Tribe. And my great uncle Deck married a full-blooded Shoshone. However, I do join my House counterpart, Congresswoman BARBARA CUBIN, in earnestly believing that little will be gained from a name change, and much history and tradition could be lost.

Be aware that there is no obvious traditional Indian name standing as the obvious alternative designation. The disparate native American groups behind this proposal cannot even agree on what the proper name should be. They seem only to agree on what it should not be—Devils Tower.

The number of suggested "aboriginal names" is as numerous as the number of different groups clamoring for the change. Among the candidates are Bear's Lodge, Grizzly Bear's Lodge, Bear's Tipi, Bear's Lair, Bear Lodge,

Bear Lodge Butte, Tree Rock, and many others. So we should all understand that this is not a matter of changing the name of Devils Tower back to another which would be widely agreed upon and recognized by most native Americans. Instead, this initiative seems to accomplish little more than to dredge up age-old conflicts and divisions between descendants of European settlers and descendants of native Americans. This is most unfortunate and would result only in economic hardship for the area's citizens—"Indian" and "non-Indian" alike. My legislation would prevent such hardship and preserve the name of Devils Tower, a name widely recognized and certainly the furthest thing from being offensive to any particular ethnic group. I urge my colleagues to support this measure. •

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 2189. A bill to enhance the administrative authority of the president of Southwestern Indian Polytechnic Institute, and for other purposes; to the Committee on Indian Affairs.

## THE SOUTHWESTERN INDIAN POLYTECHNIC INSTITUTE ADMINISTRATIVE SYSTEMS ACT OF 1996

• Mr. BINGAMAN. Mr. President, today, with Senator DOMENICI, I am introducing the Southwestern Indian Polytechnic Institute Administrative Systems Act of 1996.

The Southwestern Indian Polytechnic Institute [SIPI] is a first class community college in Albuquerque, NM. It offers vocational and academic courses to Indian students from across the country and from all tribes. SIPI has recently celebrated its 25th anniversary, and has developed a long-term plan for expansion of its physical plant and its instructional program.

SIPI is currently operating as a BIA-funded organization governed by the personnel rules of a Federal agency. These rules are not appropriate for an academic institute. For the last year and a half I have been working with the Committee on Indian Affairs to find a way to give the president and board of regents of SIPI control over their own personnel policies.

The purpose of this act is to enhance the authority of the president and board at SIPI to hire and promote faculty appropriately, allowing them to function more like other academic institutions. I applaud Senator KASSEBAUM for the excellent work she has done to develop similar legislation for Haskell Indian Nations University, offering Haskell the same kind of improvements in their personnel policies. Senator DOMENICI and I hope to work with her and Senator INOUE and others to ensure that both of these institutions are provided administrative authority to operate their personnel policies well and appropriately. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2189

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Southwestern Indian Polytechnic Institute Administrative Systems Act of 1996".

### SEC. 2. FINDINGS.

The Congress finds that—

(1) the provision of culturally sensitive experiences and vocationally relevant curricula at Southwestern Indian Polytechnic Institute is consistent with the commitment of the Federal Government to the fulfillment of treaty obligations to Indian tribes through the principle of self-determination and the use of Federal resources; and

(2) giving a greater degree of autonomy to Southwestern Indian Polytechnic Institute, while maintaining the institute as an integral part of the Bureau of Indian Affairs, will facilitate the administration and improvement of the academic programs of the institute.

### SEC. 3. DEFINITIONS.

For purposes of this Act the following definitions shall apply:

(1) INSTITUTE.—The term "institute" means the Southwestern Indian Polytechnic Institute, located in Albuquerque, New Mexico.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

### SEC. 4. PERSONNEL MANAGEMENT.

(a) INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—Chapters 51, 53, and 63 of title 5, United States Code (relating to classification, pay, and leave, respectively) and the provisions of such title relating to the appointment, performance evaluation, promotion, and removal of civil service employees shall not apply to applicants for employment with, employees of, or positions in or under the institute.

(b) ALTERNATIVE PERSONNEL MANAGEMENT PROVISIONS.—

(1) IN GENERAL.—The president of the institute shall by regulation prescribe such personnel management provisions as may be necessary, in order to ensure the effective administration of the institute, to replace the provisions of law that are inapplicable with respect to the institute by reason of subsection (a).

(2) PROCEDURAL REQUIREMENTS.—The regulations prescribed under this subsection shall—

(A) be prescribed by the president of the institute in consultation with the appropriate governing body of the institute;

(B) be subject to the requirements of subsections (b) through (e) of section 553 of title 5, United States Code; and

(C) not take effect without the prior written approval of the Secretary.

(c) SPECIFIC SUBSTANTIVE REQUIREMENTS.—Under the regulations prescribed under this subsection—

(1) no rate of basic pay may, at any time, exceed—

(A) in the case of an employee who would otherwise be subject to the General Schedule, the maximum rate of basic pay then currently payable for grade GS-15 of the General Schedule (including any amount payable under section 5304 of title 5, United States Code, or other similar authority for the locality involved); or

(B) in the case of an employee who would otherwise be subject to subchapter IV of chapter 53 of title 5, United States Code (relating to prevailing rate systems), the maximum rate of basic pay which (but for this section) would then otherwise be currently payable under the wage schedule covering such employee;