

personal struggle against breast cancer, Sarah Cannon was awarded the American Cancer Society's 1987 National Courage Award.

The Cancer Center at Centennial Medical Center, where she died this week, was named for her—the Sarah Cannon Cancer Center. That same year, she received the Roy Acuff Humanitarian Award for Community Service. The Nashville Network also created the Minnie Pearl Award in her honor, which is an annual community service award given to members of the country music industry for their dedication and commitment to their community.

As I traveled across the State of Tennessee, so many entertainers and so many artists would come forward and recount stories about how they, when they first came to Nashville to break in but when nobody knew them, would be pulled over to the side by this legendary figure, Minnie Pearl, and Minnie Pearl would give them those words of encouragement and inspiration to plug ahead.

Mr. President, I knew Minnie Pearl personally because my father was her family physician for about 35 years. Whether she was in character as Minnie Pearl or whether she was simply living in her own private life, or whether she was encouraging aspiring young artists upon their arriving in Nashville, Sarah Cannon touched the hearts and souls of all with whom she came into contact. It was her warm smile, her folksy humor, her words of encouragement, her tales, and most of all her famous "How-dee" greeting—these will all be missed by those whom Minnie Pearl had entertained for years.

Her kind and loving character will be missed by those across the State of Tennessee and across this country. Mr. President, today I thank Minnie Pearl and Sarah Cannon for all that "they" have given to their community, to their State, and to their country.

Mr. President, I yield the floor.

MINNIE PEARL

Mr. THOMPSON. Mr. President, I want to recognize the passing this week of a great entertainer and citizen, Sarah Ophelia Colley Cannon. Mrs. Cannon, better known as Minnie Pearl, was a tribute to the entertainment industry and to our community. She graced the stage of the Grand Ole Opry in Nashville, TN, with her animated humor for 51 years. Who could forget the stories of Grinders Switch, her straw hat with the \$1.98 price tag still attached, and her well-known and beloved "How-dee!"

Minnie Pearl made many contributions off-stage as well. She was a humanitarian who contributed much to her community. Many of her efforts were focused on fighting cancer. In 1987, President Ronald Reagan presented Mrs. Cannon with the American Cancer Society's Courage Award. In 1991, the Sarah Cannon Cancer Center

at Centennial Medical Center in Nashville was dedicated in her name. I know that I join all Tennesseans and all Americans in saying that Sarah Cannon and Minnie Pearl will be sadly missed.

TRIBUTE TO DONALD DOWD OF WEST SPRINGFIELD

Mr. KENNEDY. Mr. President, I am delighted that the John F. Kennedy Library is honoring Donald Dowd of West Springfield, MA with its 1996 Irishman of the Year Award. It is a privilege to take this opportunity to pay tribute to Don for his commitment and dedication to the people of Massachusetts and the Nation.

The Irishman of the Year Award was established in 1986 by the Friends of the Kennedy Library to pay tribute to unsung leaders of Irish heritage. This award honors individuals for their outstanding contributions to their communities and it honors President Kennedy's great love for his Irish heritage and his belief that "each one of us can make a difference and all of us must try."

Few have done more for their community or for Massachusetts than Don Dowd. Don is currently vice president and Northeast manager of government affairs for the Coca-Cola Co. He also serves as a member of the Board of Directors of the New England Council, the Adopt-A-Student Program for Cathedral High School in Boston, the Armed Services YMCA in Charlestown, and the board of trustees of the Eastern States Exposition in West Springfield. Don's commitment to his community and our Commonwealth is further exemplified by his work with the Massachusetts Chapter of the Special Olympics and his work with the New England Governors' Conference.

Don eminently deserves this year's Irishman of the Year Award. Massachusetts is proud of Don's outstanding leadership, and we are proud of his friendship as well. I commend him for his many achievements, and I wish him continued success in the years ahead.

ADVANCE NOTICE OF PROPOSED RULEMAKING

Mr. THURMOND. Mr. President, pursuant to section 304(b) of the Congressional Accountability Act of 1995 (2 U.S.C. 1384(b)), an advance notice of proposed rulemaking was submitted by the Office of Compliance, U.S. Congress. This advance notice seeks comment on a number of regulatory issues arising under section 220 of the Congressional Accountability Act. Section 220 applies to covered congressional employees and employing offices the rights, protections, and responsibilities established under chapter 71 of title V, United States Code, related to Federal service labor-management relations.

Section 304 requires this notice to 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

ADVANCE NOTICE OF PROPOSED RULEMAKING

Summary: The Board of Directors of the Office of Compliance ("Board") invites comments from employing offices, covered employees and other interested persons on matters arising in the issuance of regulations under section 220 (d) and (e) of the Congressional Accountability Act of 1995 ("CAA" or "Act") Pub. L. 104-1, 109 Stat. 3.

The provisions of section 220 are generally effective October 1, 1996. 2 U.S.C. section 1351. Section 220(d) of the Act directs the Board to issue regulations to implement section 220. The Act further provides that, as to covered employees of certain specified employing offices, the rights and protections of section 220 will be effective on the effective date of Board regulations authorized under section 220(e). 2 U.S.C. section 1351(f). Section 304 of the CAA prescribes the procedure applicable to the issuance of substantive regulations by the Board.

The Board issues this Advance Notice of Proposed Rulemaking (ANPR) to solicit comments from interested individuals and groups in order to encourage and obtain participation and information as early as possible in the development of regulations. In particular, the Board invites and encourages commentors to address certain specific matters and to submit reporting background information and rationale as to what the regulatory guidance should be before proposed rules are promulgated under section 220 of the Act. In addition to receiving written comments, the Office will consult with interested parties in order to further its understanding of the need for and content of appropriate regulatory guidance.

Dates: Interested parties may submit comments within 30 days after the date of publication of this Advance Notice in the Congressional Record.

Addresses: Submit written comments (an original and 10 copies) to the Chair of the Board of Directors, Office of Compliance, Room LA 200, John Adams Building, 110 Second Street, S.E., Washington, DC 20540-1999. Those wishing to receive notification of receipt of comments are requested to include a self-addressed, stamped post card. Comments may also be transmitted by facsimile ("FAX") machine to (202) 426-1913. This is not a toll-free call. Copies of comments submitted by the public will be available for review at the Law Library Reading Room, Room LM-201, Law Library of Congress, James Madison Memorial Building, Washington, DC, Monday through Friday, between the hours of 9:30 a.m. and 4:00 p.m.

For Further Information Contact: Executive Director, Office of Compliance at (202) 724-9250. This notice is also available in the following formats: large print, braille, audio tape, and electronic file on computer disk. Requests for this notice in an alternative format should be made to Mr. Russell Jackson, Director, Service Department, Office of the Sergeant at Arms and Doorkeeper of the Senate, 202-224-2705.

Background

The Congressional Accountability Act of 1995 applies the rights and protections of eleven federal labor and employment law statutes to covered Congressional employees

and employing offices. The Board of Directors of the Office of Compliance established under the CAA invites comments before promulgating proposed rules under section 220 of that Act, the section which applies to covered Congressional employees and employing offices the rights, protections and responsibilities established under chapter 71 of title 5, United States Code, relating to Federal service labor-management relations ("chapter 71").

Section 220(d) authorizes the Board to issue regulations to implement section 220 and further states that such regulations "shall be the same as substantive regulations promulgated by the Federal Labor Relations Authority ["FLRA"] to implement . . . [the referenced statutory provisions] . . . except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; or . . . as the Board deems necessary to avoid a conflict of interest or appearance of a conflict of interest."

Section 220(e) further authorizes the Board to issue regulations "on the manner and extent to which the requirements and exemptions of chapter 71 . . . should apply" to covered employees who are employed in offices listed in paragraph 2 of that subsection and provides that such regulations shall, "to the greatest extent practicable, be consistent with the provisions and purposes of chapter 71 . . . and of this Act, and shall be the same as substantive regulations issued by the [FLRA] under such chapter, except . . . [for good cause] . . . and that the Board shall exclude from coverage under [section 220] any covered employees who are employed in offices listed in paragraph (2) [of section 220(e)] if the Board determines that such exclusion is required because of (i) a conflict of interest or appearance of a conflict of interest; or (ii) Congress' constitutional responsibilities."

The provisions of section 220 are effective October 1, 1996, except that, "[w]ith respect to the offices listed in subsection (e)(2), to the covered employees of such offices, and to representatives of such employees, [the provisions of section 220] shall be effective on the effective date of regulations under subsection (e)."

In order to promulgate regulations that properly fulfill the directions and intent of these statutory provisions, the Board needs comprehensive information and comment on a wide range of matters and issues. The Board has determined that, before publishing proposed regulations for notice and comment, it will provide all interested parties and persons with this opportunity to submit comments, with supporting data, authorities and argument, as to the content of and bases for any proposed regulations. The Board wishes to emphasize, as it did in the development of the regulations issued to implement sections 202, 203, 204 and 205 of the CAA, that commentators who propose a modification of the regulations promulgated by the FLRA, based upon an assertion of "good cause," should provide specific and detailed information and rationale necessary to meet the statutory requirements for good cause to depart from the FLRA's regulations. It is not enough for commentators simply to propose a revision to the FLRA's regulations or to request guidance on an issue, rather, if commentators desire a change in the FLRA's regulations, commentators must explain the legal and factual basis for the suggested change. Similarly, commentators are urged to provide information with sufficient specificity and detail to support (1) any proposed modification of the FLRA's regulations

based upon an asserted conflict of interest or appearance of a conflict of interest, (2) any claim that the manner and extent of the application of the requirements and exemptions of chapter 71 should differ for certain employees or covered employing offices, or (3) exclusion of any covered employees from coverage of section 220 because of an asserted conflict of interest or appearance thereof, or because of Congress' constitutional responsibilities. The Board must have these explanations and information if it is to be able to evaluate proposed regulations and make proposed regulatory changes. Failure to provide such information and authorities will greatly impede, if not prevent, adoption of proposals by commentators.

So that it may make more fully informed decisions regarding the promulgation and issuance of regulations, in addition to inviting and encouraging comments on all relevant matters, the Board specifically requests comments on the following issues:

I. Regulations Promulgated by the Federal Labor Relations Authority

As noted above, except as otherwise specified, section 220 (d) and (e) of the CAA, among other things, directs the Board to issue regulations that are "the same as substantive regulations promulgated by the Federal Labor Relations Authority to implement the [applicable] statutory provisions" (emphasis added).

The Board has reviewed the body of regulations promulgated by the FLRA and published at 5 C.F.R. sections 2411-2416 (Subchapter B), 2420-2430 (Subchapter C), and 2470-2472 (Subchapter D), as amended, effective March 15, 1996 (See Vol. 60 Federal Register 67288, December 29, 1995) Subchapter B of the FLRA regulations treats the implementation and applicability of the Freedom of Information Act, the Privacy Act and the Sunshine Act in the FLRA's processes; internal matters including delegations of authority, FLRA employee conduct and anti-discrimination policies; and procedural issues such as ex parte communications and subpoenas of FLRA personnel. As the regulations contained in Subchapter B of the FLRA's regulations do not appear to have been "promulgated to implement the statutory provisions" applied by section 220, it is the Board's preliminary view that they should not be proposed for adoption under the CAA.

With respect to the rest of the FLRA's regulations, section 2420.1, "Purpose and scope", states in pertinent part that "the regulations contained in this subchapter [Subchapter C relating to the FLRA and the General Counsel of the FLRA] are designed to implement the provisions of chapter 71 . . . They prescribe the procedures, basic principles or criteria under which the [FLRA] or the General Counsel of the [FLRA], as applicable, will" carry out their functions, resolve issues and otherwise administer chapter 71. Section 2470.1 in turn provides that the "regulations contained in this Subchapter [D] are intended to implement the provisions of section 7119 of title 5 . . . They prescribe procedures and methods which the Federal Service Impasses Panel may utilize in the resolution of negotiation impasses . . ." Thus, a review of Subchapters C and D reveals that certain of the regulations relate to processes that implement chapter 71, while others relate to principles or criteria for making decisions that implement chapter 71. Thus, with respect to all of these provisions, there is a question as to which, if any, are "substantive regulations" within the meaning of section 220(d) and (e) of the Act.

When promulgating regulations to implement section 203 of the CAA, the Board noted

that, under principles of administrative law, a distinction is generally made between "substantive" regulations and "interpretive" regulations or guidelines. "Substantive" regulations are issued by a regulatory body pursuant to statutory authority and implement the underlying statute. Such rules have the force and effect of law. The Board also notes that the term "substantive," when describing regulations, might be used to distinguish such regulations from those that are "procedural" in nature or content. In this regard, section 304 of the CAA sets forth the procedures applicable to the issuance of "substantive" regulations. In contrast, section 303 of the CAA sets forth different procedures for the issuance of "procedural rules." Both sections 303 and 304 require adherence to the principles and procedures set forth in section 553 of title 5, United States Code, and provide for the publication of a general notice of proposed rulemaking in accordance with section 553(b) of title 5, United States Code (to be published in the Congressional Record instead of the Federal Register) and a comment period of at least 30 days. In light of these statutory provisions, the use of the phrase "substance regulations," in the context of sections 220 and 304 of the CAA, could be intended to further distinguish such regulations from the purely procedural regulations to be issued under section 303 of the Act.

The Board invites comment on the meaning of the term "substantive regulations" under sections 220 and 304 of the CAA.

The Board further invites comment on which of the regulations promulgated by the FLRA should be considered substantive regulations within the meaning of section 220 of the CAA, and specifically invites comment on whether, and if so, to what extent the Board should propose the adoption of the regulations set forth in 5 C.F.R. sections 2411-2416.

II. Modifications of FLRA Regulations under Section 220(d) of the CAA

As noted above, section 220(d) provides that the Board shall issue regulations that are the same as substantive regulations of the FLRA "except to the extent that the Board may determine, for good cause shown and stated together with the regulations, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section" (emphasis added). Section 220(d) also provides that the Board may modify the FLRA's substantive regulations "as the Board deems necessary to avoid a conflict of interest or appearance of a conflict of interest." Thus, there is an issue as to what modifications, if any, should be made to the FLRA's regulations pursuant to these authorities.

Commentators who, based upon an assertion of "good cause," propose modifications of any identified substantive regulations promulgated by the FLRA should state, with specificity and detail, how such modifications would be "more effective" for the implementation of the rights and protections applied under the CAA. Commentators are reminded that proposed modifications for good cause must meet the statutory requirements quoted above; commentators are also reminded that any proposed modifications in regulations should be supported by appropriate legal and factual materials.

Similarly, the Board further requests commentators to identify, where applicable, why a proposed modification of the FLRA regulations is necessary to avoid a conflict of interest or an appearance of a conflict of interest. In this regard, commentators should not only fully and specifically describe the

conflict of interest or appearance thereof that they believe would exist were the pertinent FLRA regulations not modified, but also explain the necessity for avoiding the asserted conflict or appearance of conflict and how any proposed modification would avoid the identified concerns. Indeed, commentors should explain how they interpret this statutory provision and, in doing so, identify the interpretive materials upon which they are relying.

In addition, the Board requests that commentors identify any provisions within Subchapters C and D of the FLRA's regulations which, although promulgated to implement chapter 71, were not in the commentors' view promulgated to implement a statutory provision of chapter 71 that was incorporated by section 220 into the CAA or are otherwise inconsistent with the provisions of the CAA. Also, commentors are requested to suggest technical changes in nomenclature or other matters that may be deemed appropriate.

The Board invites comment on whether and to what extent it should, pursuant to section 220(d) of the CAA, modify the substantive regulations promulgated by the FLRA.

III. Questions arising under section 220(e)

A. The Manner and Extent of the Application of Chapter 71 to Specific Employees

Section 220(e)(1) provides that the "Board shall issue regulations pursuant to section 304 on the manner and extent to which the requirements and exemptions of chapter 71 . . . should apply to covered employees who are employed in offices listed in paragraph (2)." Section 220(e) further states that the "regulations shall, to the greatest extent practicable, be consistent with the provisions and purposes of chapter 71 and shall be the same as substantive regulations issued by the [FLRA] under such chapter," except for "good cause." The offices referred to in section 220(e)(2) include:

(A) the personal office of any Member of the House of Representatives or of any Senator;

(B) a standing, select, special, permanent, temporary, or other committee of the Senate or other committee of the Senate or House of Representatives, or a joint committee of Congress;

(C) the Office of the vice President (as President pro tempore of the Senate), the Office of the Majority Leader of the Senate, the Office of the Minority Leader of the Senate, the Office of the Majority Whip of the Senate, the Office of the Minority Whip of the Senate, the Conference of the Majority of the Senate, the Conference of the Minority of the Senate, the Office of the Secretary of the Conference of the Majority of the Senate, the Office of the Secretary of the Conference of the Minority of the Senate, the Office of the Secretary for the Majority of the Senate, the Office of the Secretary for the Minority of the Senate, the Majority Policy Committee of the Senate, the Minority Policy Committee of the Senate, and the following offices within the Office of the Secretary of the Senate: Offices of the Parliamentarian, Bill Clerk, Legislative Clerk, Journal Clerk, Executive Clerk, Enrolling Clerk, Official Reporters of Debate, Daily Digest, Printing Services, Captioning Services, and Senate Chief Counsel for Employment.

(D) the Office of the Speaker of the House of Representatives, the Office of the Majority Leader of the House of Representatives, the Office of the Minority Leader of the House of Representatives, the Offices of the Chief Deputy Majority Whips, the Offices of the Chief Deputy Minority Whips and the following offices within the Office of the Clerk

of the House of Representatives: Offices of Legislative Operations, Official Reporters of Debate, Official Reporters to Committees, Printing Services, and Legislative Information;

(E) the Office of the Legislative Counsel of the Senate, the Office of the Senate Legal Counsel, the Office of the Legislative Counsel of the House of Representatives, the Office of the General Counsel of the House of Representatives, the Office of the Parliamentarian of the House of Representatives, and the Office of the Law Revision Counsel;

(F) the offices of the caucus or party organization;

(G) the Congressional Budget Office, the Office of Technology Assessment, and the Office of Compliance; and

(H) such other offices that perform comparable functions which are identified under regulations of the Board.

These statutory provisions raise a number of interpretive and factual questions that must be considered in the rulemaking process.

Although section 220(e)(1)(A) directs that any regulations issued by the Board on the manner and extent of application of chapter 71's requirements and exemptions shall generally be the same as the FLRA's substantive regulations, the regulations promulgated by the FLRA only generally govern the manner in which chapter 71 is implemented. The specific application of both the requirements of chapter 71 and the exemptions delineated in sections 7103 and 7112 of that chapter has been developed through the case precedents of the FLRA and the courts; the FLRA regulations generally do not set forth, with any specificity, the manner and extent of the application of chapter 71's requirements and exemptions. An initial question arises as to whether and to what extent the regulations promulgated by the FLRA should be modified for application to covered employees of the offices identified in section 220(e)(2) so as to specify in greater detail the manner and the extent of chapter 71's application. In addressing this question, commentors are reminded that any suggested modifications of the FLRA's regulations should be supported with a detailed explanation of the factual and legal reasons that demonstrate how such modification would meet the "good cause" standard of the CAA (see Section II, *supra*).

In addition, the Board notes that section 220(e) further requires that any regulations issued on the manner and extent of chapter 71's application to employees in the referenced offices shall, to the greatest extent practicable, be consistent with the provisions and purposes of chapter 71. In the latter regard, Section 7101 of chapter 71 sets forth the following "Findings and purpose".

(a) The Congress finds that—

(1) experience in both private and public employment indicates that the statutory protection of the right of employees to organize, bargain collectively, and participate through labor organizations of their own choosing in decisions which affect them—

(A) safeguards the public interest,

(B) contributes to the effective conduct of public business, and

(C) facilitates and encourages the amicable settlements of disputes between employees and their employers involving conditions of employment; and

(2) the public interest demands the highest standards of employee performance and the continued development and implementation of modern and progressive work practices to facilitate and improve employee performance and the efficient accomplishment of the operations of the Government. Therefore, labor organizations and collective bargain-

ing in the civil service are in the public interest.

(b) It is the purpose of this chapter to prescribe certain rights and obligations of the employees of the Federal Government and to establish procedures which are designed to meet the special requirements and needs of the Government. The provisions of this chapter should be interpreted in a manner consistent with the requirement of an effective and efficient Government.

There thus is immediately a question whether and to what extent these findings and purposes apply in interpreting section 220 of the CAA, and, if these findings and purposes do not apply, the question arises as to how the Board should define the phrase "provisions and purposes of chapter 71."

The Board invites comment on whether and to what extent it should, pursuant to section 220(e)(1)(A), modify the regulations promulgated by the FLRA for application to covered employees of the offices identified in section 220(e)(2). Commentors are reminded that any suggested modifications of the FLRA's regulations should be supported with a detailed explanation of the factual and legal reasons that demonstrate how such modification would meet the "good cause" standard of the CAA, as well as an explanation of how such proposed modifications are "to the greatest extent practicable consistent with the provisions and purposes of chapter 71."

The Board further invites comment on what regulations should be issued under section 220(e)(1)(A) concerning the manner and extent to which the requirements and exemptions of chapter 71 should apply to covered employees who are employed in the offices identified in section 220(e)(2). Commentors are requested to state on what basis they believe the Board has authority to issue such regulations, and to set forth fully and precisely the content of and necessity for any proposed regulations, as well as an explanation of how any such proposed regulations are "to the greatest extent practicable consistent with the provisions and purposes of chapter 71."

B. Exclusion from Coverage

Section 220(e)(1)(B) provides "that the Board shall exclude from coverage [under section 220] any covered employees who are employed in offices listed in paragraph (2) if the Board determines that such exclusion is required because of—

(i) a conflict of interest or appearance of a conflict of interest; or

(ii) Congress' constitutional responsibilities."

The referenced offices are set forth above. The Board seeks comment on several questions.

Under section 7103 of chapter 71, managerial and supervisory employees are excluded by law from coverage under section 220 of the CAA, and, pursuant to section 7112, other individuals such as confidential employees, employees engaged in personnel work, certain employees who conduct internal investigations and employees engaged in intelligence or national security work are precluded from inclusion in bargaining units. In addition, section 7120 of chapter 71 provides that chapter 71 "does not authorize participation in the management of a labor organization or acting as a representative of a labor organization by an employee if the participation or activity would result in a conflict or apparent conflict of interest or would otherwise be incompatible with law or with the official duties of the employee." The issue presented is which additional employees, if any, shall be excluded from coverage under section 220 based upon factors other than those already set forth under the provisions of chapter 71, as applied by the CAA.

The Board reiterates that any proposed exclusion should be supported with detailed and precise information and rationale sufficient to establish that exclusion is warranted under section 220(e)(1)(B) of the Act. For example, commentators should provide comprehensive and specific descriptions of job functions and responsibilities that they believe require exclusion of covered employees from coverage and explain precisely why the participation in an employee organization of an individual who had such tasks and responsibilities would interfere with Congress' constitutional responsibilities or present a conflict of interest. In the absence of such information and rationale, it will be difficult for the Board to determine whether covered employees in the specified offices should be excluded from enjoying the rights and protections of section 220, except as otherwise required by law or provided under any regulations issued pursuant to section 220(e)(1)(A).

The Board invites comment on the following specific questions:

1. What are the constitutional responsibilities of Congress that would require exclusion of employees from coverage under section 220 of the CAA? Similarly, what would constitute a conflict of interest or appearance of conflict that would require exclusion of employees from coverage under section 220 of the CAA?

2. Should determinations as to exclusion from coverage under section 220 be made on an office-wide basis or should they be based on performance of specified duties and functions in the referenced office?

3. In each individual office referenced in section 220(e)(2), what are the particular duties and functions of the specific positions that shall be excluded from coverage? What is the legal basis under the CAA for exclusion?

4. What exclusions, if any, are required under paragraph 220(e)(2)(H)? What are the "comparable functions" of any office so identified? What are the bases for exclusion of the specified office or of covered employees in the offices?

The Board reiterates that, in answering these questions, commentators should provide detailed legal and factual support for their proposals. Generalities and conclusory assertions will not suffice. Detailed information and authorities that address specific duties and functions of employees and offices, in rigorous and complete detail, are necessary to enable the Board to make appropriate determinations pursuant to the CAA's mandate.

GOODBYE TO THE HUNTSVILLE NEWS

Mr. HEFLIN. Mr. President, Huntsville, AL's morning newspaper, the Huntsville News, will publish its last edition on Friday, March 15, 1996. The News was founded 32 years ago by local business people as a weekly, but became a daily paper within only a few months. In 1968, it was sold by the owners to Advance Publications, which also owns Huntsville's afternoon paper, the Huntsville Times.

The Huntsville News published its first edition on January 8, 1964. It introduced itself to its Rocket City readers with the headline: "New Communications Capsule Blasts Off." The original owners were James Cleary, a Huntsville attorney; John Higdon, the former manager of a local television

station; and Thomas A. Barr, an electrical engineer. The paper was printed on its own press, an offset press which was one of the most modern in the business. Less than 2 months after it began publishing, it went to a twice-weekly schedule, and in August 1964, it became a 6-day daily, publishing every day except Sunday.

Stoney Jackson was the first editor of the News. At one time, he was a contestant on "The \$64,000 Question" television quiz show, and became famous when he revealed cheating on the famous game show. Other editors were Sid Thomas, Hollice Smith, Dave Langford, Tom Lankford, and Lee Woodward, who has been editor since 1977. Ironically, Woodward, who first came to work for the paper in 1972, had already planned his retirement for this March before the announcement about the News.

Before he joined the News, Woodward, a native of Arab, AL, had worked for the Huntsville Times, the News Courier, Alabama Courier, and Limestone Democrat, all three newspapers published in Athens, where he grew up. He had also worked at the Gadsden Times. He is now serving as president of the Alabama Press Association and has been on the Alabama Newspaper Advertising Service Board of Directors. Altogether, he has enjoyed 42 years in the newspaper business.

I want to congratulate everyone who has been involved with the publication of the Huntsville News over the last 32 years, particularly the current editor, Lee Woodward, who has performed superbly in an exceedingly difficult position. The newspaper has been an authoritative source of information and insight into the issues and news of the day, and its loss is an extremely sad one for the Huntsville area. Its sharp writing, lucid clarity, and professional objectivity each morning will be sorely missed by its many readers. It has performed its mission well and leaves a tremendous journalistic legacy to the citizens of this vibrant area.

TRIBUTE TO MAYOR RALPH SEARS

Mr. HEFLIN. Mr. President, long-time Montevallo, AL mayor Ralph Sears passed away on February 14, 1996 at the age of 73. A native of Nebraska, the young World War II veteran had come to Montevallo in 1948 to teach broadcasting courses at Alabama College, now the University of Montevallo. It was said that he had a golden voice, and he originally was lured to the south to teach a year or so and then move on. Thankfully for Montevallo, he never got around to moving on. Instead, he went on to serve for 16 years as a member of the city council and then for 24 years as mayor.

During his nearly half-century in his adopted city, Ralph Sears and his wife, Marcia, raised three children; opened radio station WBYE, located between Calera and Montevallo; and bought and

published two weekly newspapers, one of which was the Shelby County Reporter.

As mayor, he came to be seen as an uncommon friend to his constituents. He accomplished things which had a direct impact on their daily lives. He saw that tall horse-and-buggy curbs and crumbling sidewalks were replaced by lower curbs, handicap ramps, flowering trees in planters, and litter cans. He oversaw the building of a 40-acre park with ball fields, playgrounds, picnic tables, walking trail, gazebo, recreation building, and Scout hut. He worked with black citizens to devise a district voting system that assured their representation on the council years before a Federal court decision ordered municipal governments to take such action. Mayor Sears was also credited with constructing a sewage treatment plant and modern fire station.

He spent some fairly exciting times in the Pacific theatre during World War II. He served in Tokyo and in the Philippines with General Douglas MacArthur. He and Marcia would customarily travel around the world, to wherever news was breaking or about to break. They celebrated Alaska's statehood in Juneau; visited South Africa on the brink of revolution in 1986; and saw the other side of the Iron Curtain before glasnost turned it into rust.

Mayor Sears was active in the World Council of Mayors; past chairman of the Shelby County Mayors Association; and president of the Montevallo Rotary Club, Chamber of Commerce, and board of Shelby Youth Services.

Ralph Sears was truly an institution in Montevallo; he was involved in the city's educational, religious, news media, and, of course, its governing bodies. He was a gentleman's gentleman who believed deeply in the principles set forth in the U.S. Constitution. He was an honest, fair, and moral person—a progressive and a visionary who believed the American way was the right way.

At the time of his death, one of the projects he was working on was the establishment of a section of Montevallo as an Alabama Village. The State and the University of Montevallo are trying to create a community similar to Jamestown in Williamsburg, VA, and the city has committed funds to buy 115 acres for the project. Hopefully, this village will some day stand as a monument to his life and work.

I extend my sincerest condolences to the Sears family in the wake of its tremendous loss. His legacy is one that will last for many, many decades into the future.

TRIBUTE TO CIVIC LEADER HARRY MOORE RHETT, JR.

Mr. HEFLIN. Mr. President, Harry Moore Rhett, Jr., a long-time community leader and member of one of Huntsville, Alabama's most prominent families, died on February 3, 1996 at his antebellum home in Huntsville.