

By Mr. STEVENS, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1080. A bill to amend chapter 84 of title 5, United States Code, to provide additional investment funds for the Thrift Savings Plan (Rept. No. 104-274).

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

S. 1635. A bill to establish a United States policy for the deployment of a national missile defense system, and for other purposes.

S. 1762. An original bill to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1763. An original bill to authorize appropriations for fiscal year 1997 for defense activities of the Department of Energy, and for other purposes.

S. 1764. An original bill to authorize appropriations for fiscal year 1997 for military construction, and for other purposes.

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. THURMOND:

S. 1762. An original bill to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1763. An original bill to authorize appropriations for fiscal year 1997 for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1764. An original bill to authorize appropriations for fiscal year 1997 for military construction, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. COVERDELL:

S. 1765. A bill to authorize substitution for drawback purposes of certain types of fibers and yarns for use in the manufacture of carpets and rugs; to the Committee on Finance.

By Mr. BENNETT:

S. 1766. A bill to amend the Utah School and Lands Improvement Act of 1993 to provide for lands for the Goshute Indian Reservation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 1767. A bill to harmonize the application of the antitrust laws to professional sports, and for other purposes; to the Committee on the Judiciary.

By Mr. GLENN:

S. 1768. A bill to suspend temporarily the duty on certain fatty acid esters; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1769. A bill to amend the Harmonized Tariff Schedule of the United States to provide for duty-free treatment for certain inorganic products used as luminophores; to the Committee on Finance.

By Mr. SANTORUM (for himself, Mr. SPECTER, Mr. DOLE, Mr. CRAIG, Mr. HELMS, and Mr. THURMOND):

S. 1770. A bill for the relief of Wayne T. Alderson; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SANTORUM (for himself, Mr. SPECTER, Mr. DOLE, Mr. CRAIG, Mr. HELMS, and Mr. THURMOND):

S. Con. Res. 59. A concurrent resolution expressing the sense of the Congress that the President should award a medal of honor to Wayne T. Alderson in recognition of acts performed at the risk of his life and beyond the call of duty while serving in the United States Army during World War II; to the Committee on Armed Services.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT:

S. 1766. A bill to amend the Utah School and Lands Improvement Act of 1993 to provide for lands for the Goshute Indian Reservation, and for other purposes; to the Committee on Energy and Natural Resources.

THE GOSHUTE INDIAN RESERVATION BOUNDARY ADJUSTMENT ACT OF 1996

Mr. BENNETT. Mr. President, I am introducing a bill to amend the 1993 Utah School and Lands Improvement Act, Public Law 103-93. The purpose of this legislation is to correct boundary problems on the Goshute Indian Reservation in Utah.

The Goshute Tribe is a federally recognized tribe whose reservation is located on the western border of Utah. Approximately one-half of the Goshute Reservation is in Utah, the other half is in Nevada. This legislation would transfer about 8,000 acres of state land to the Tribe along with about 400 acres of public land administered by the BLM.

The public law to be amended by this bill was enacted without opposition in 1993. This law transferred approximately 200,000 acres of Utah state lands to the federal government with the understanding that the federal government would compensate the state in an amount equal to the appraised value of the transferred land. When the law was passed, it was done so with the understanding that state lands located within the reservation boundaries of both the Navajo and Goshute Tribes would be transferred to the United States to be held in trust for the respective tribes.

At that time, the Goshute tribe requested that the Utah delegation address a boundary issue on the reservation. After some initial negotiation, the Tribe agreed to withdraw their request to address the boundary issue, contingent upon a commitment that we would resolve the issue at a later date. Mr. President, I want to follow through on that commitment now.

The "southern boundary issue" refers to a block of land which consists of 8,000 acres in a very irregular shape. Because of the remoteness and the configuration of the tract of land, it is al-

most impossible to properly manage and as a result, there have been several instances of poaching and trespassing. This legislation seeks to create a much clearer and more definitive boundary. The lands would be held in trust by the Federal Government for the benefit of the Goshute Tribe, which with the help of the BIA will be able to regulate grazing and other uses in the area. The Tribe has agreed to be responsible for the cost of appraisal of the additional lands in the bill. This is quite a commitment, given the limited resources of the Tribe. I appreciate their willingness to assume such a commitment.

The legislation is supported by the State of Utah, Juab County, and the Board of Trustees of the School and Institutional Trust Lands Administration. From what I understand, the Department of Interior does not oppose the bill. Perhaps most surprisingly, the Utah Wilderness Coalition does not oppose it either. The Goshute Tribe has met at length with representatives from this very vocal group and have obtained their support.

Mr. President, I hope my colleagues will support me in this effort to assist the Goshute Tribe in creating a more manageable border to their reservation.

By Mr. HATCH:

S. 1767. A bill to harmonize the application of the antitrust laws to professional sports, and for other purposes.

THE PROFESSIONAL SPORTS PROTECTION ACT

Mr. HATCH. Mr. President, I like almost all Americans, am a fan of professional sports. We all enjoy following the competition on the field and on the hardwood and watching the performances of our favorite players. Even as I make this statement today, my fingers are crossed for the Utah Jazz in this evening's playoff game.

But professional sports is not just a game, it is a business, and it is the future of professional sports as a business that my bill, the Professional Sports Protection Act, seeks to address. I am afraid that the current rash of franchise relocations is only the symptom of larger economic trends in professional sports. If these trends are allowed to continue, we will see the same fan disaffection that has occurred in Major League baseball, with the result that professional sports—one of our growing national industries—will suffer.

My bill will protect professional sports by permitting the leagues—the National Football League, the National Basketball Association, and the National Hockey League—to review and, if necessary block, franchise relocation decisions. Under some interpretations of the antitrust laws, the professional sports leagues may be liable for treble damages for blocking franchise relocations. This prevents leagues from preventing moves that are not in the best long-term economic interests of the sport because they have the threat of billions of dollars in damages hanging over them.

As chairman of the Judiciary Committee, I am concerned about sports not just because I am a sports fan, but because I want to make sure that the antitrust laws are properly applied to professional sports—just as they should be to any other business—to ensure healthy competition and economic growth. I am concerned that the current ambiguous application of the antitrust laws to franchise relocation decisions actually may suppress the healthy competition and economic growth that has characterized professional sports in our nation. My bill will permit leagues to make these franchise relocation decisions—which seem to me to be, in this case, the decisions of a single joint venture rather than of economic competitors—without fear of antitrust liability.

I understand that some fear that the leagues might use their antitrust immunity in franchise relocation as leverage in other, unrelated areas. Some think that the leagues might block a franchise move unless the franchise favors certain policies and decisions in, say, revenue sharing. I have addressed this concern by providing for specific standards that leagues are to consider when reviewing a franchise move. If a league considers a factor that is unrelated to the franchise move, then it will be in violation of the law, and it will not receive antitrust protection. My bill also provides for judicial review of these decisions, with proper deference given to the league's business decisions, to ensure that the league has not used the antitrust immunity to abuse its authority.

Let me be clear that this is a narrow bill. It does not contain several provisions that were included in a House bill reported out of the House Judiciary Committee a few weeks ago. In particular, I am opposed to any provisions that would force the sports league to create new expansion franchises to replace teams that relocate. I do not believe that the Federal Government should nationalize professional sports, and I do not believe that it is in the national interest to take such intrusive steps into the internal operations of an industry such as professional sports. My bill intends only to codify what I believe is the proper interpretation of existing antitrust law: that franchise relocation decisions are not violations of the antitrust laws, but instead are the decisions of team owners who are collaborating in the joint venture of a sports league.

Some might question why Congress needs to turn to this subject. Shouldn't we concern ourselves in Congress with more important matters? Professional sports is important to our nation. According to some estimates, the professional sports leagues, in the form of Major League Baseball, the National Football League, the National Hockey League, and the National Basketball Association, generate more than \$5 billion in annual revenues in the United States. There are literally tens of thou-

sands of people whose jobs depend on professional sports. Professional sports is one of America's fastest growing industries, with numerous teams being established in new cities, both in the United States and overseas. Professional sports also generates billions of dollars in revenue for other industries, such as advertising, telecommunications, construction, and sports equipment. And let us not forget the fun and pleasure healthy professional sports leagues bring to millions of fans both in America and abroad.

But the improper application of Federal antitrust law to franchise relocation may end the rapid economic growth in professional sports. I have held hearings on this issue, as has my good friend and colleague, Senator THURMOND of South Carolina. According to the league officials, sports agents and businessmen, economists and law professors who testified, a potentially destructive economic dynamic is behind the recent spate of team moves. In order to win games, teams must hire the best players. Because of the salary cap structure in football, for example, the only way to attract the top players is to offer large bonuses and financial incentives. The only way some teams feel they can pay these salaries is to move to new cities, in return for generous stadium revenues and tax packages. This financial imperative is fed by the desire of new, up and coming cities that want the prestige and the financial benefits of having a major sports franchise located in their area. This is ironic because some economic studies indicate that major league teams do not bring a significant economic benefit to their new cities.

Congress must address this dynamic because it will injure interests of the industry and of the fans. I was convinced during my hearings that short-sighted franchise relocations eventually will hurt professional sports. Professional sports, after all, is a product that is consumed by all of us, the sports fans. If teams move around too often, the fans will lose their enthusiasm and support for their teams. If the fans lose interest, eventually the overall economic pie created by the sports will begin to decrease. Fewer fans will attend the games or watch them on television; fewer fans will purchase merchandise; fewer children will want to play the sport.

We have already seen a similar phenomenon occur in major league baseball. After the strike, which canceled the World Series and shortened the following season, fans began to lose interest in baseball. Much of this was the result of the owners, whose actions against the players during collective bargaining have shown an utter disregard for the best interests of the game and of the fans. The owners were able to engage in their practices in part because they benefit from a judicially created immunity from the antitrust laws that has no basis in the law.

Accordingly, I have introduced legislation, which has passed the Judiciary Committee, to remove baseball's antitrust exemption, except in regard to franchise relocation.

I intend that this bill will not move forward until the problems in baseball are addressed. Since it appears that the same economic trends are affecting all of the professional sports, then it makes sense to provide the same antitrust standard to all of the leagues. It also makes no sense for the other leagues to operate under the rules of the antitrust laws, while baseball can operate in an anticompetitive fashion free from the rule of law. The antitrust exemption for baseball has been an embarrassing anomaly in antitrust law—one that has led to profound distortions in the sport. In the near future, I will take action to ensure that baseball and the other professional sports leagues receive the same treatment. Either this bill must be merged with my baseball legislation, or baseball legislation must be added to this bill. Either way, the professional sports soon will operate under a uniform antitrust standard.

I believe that the time for Congress to act is now. We have already seen several teams move in recent years, and even more moves—the Cleveland NFL franchise to Baltimore being the most noteworthy example—are planned. Professional sports should not be a game of musical chairs, and fans deserve better than to have their loyalties treated with disrespect. As importantly, the sports industry deserves the right to have a say in its destiny. Congress has the chance now to address this problem in its early stages, before even greater dislocation, fan unhappiness, and industry losses, occur. For this reason, Congress should pass the Professional Sports Protection Act in 1996, not years from now when it may be too late.

By Mr. GLENN:

S. 1768. A bill to suspend temporarily the duty on certain fatty acid esters.

LEGISLATION TO SUSPEND THE DUTY ON IMPORTS OF CERTAIN METHYL ESTERS

Mr. GLENN. Mr. President, I rise today to introduce a bill to temporarily suspend the duty on imports of certain methyl esters. These methyl esters are used by Procter & Gamble in the production of shampoo and other personal care products. Formerly, these products were eligible for the Generalized System of Preferences [GSP] program. However, as of January 1, 1997 Malaysia will no longer be eligible for GSP.

My legislation is drafted very narrowly to cover only those very specific methyl ester mixtures which P & G imports from Malaysia. P & G's methyl ester imports are produced by a relatively recent joint venture. The first full year of the joint venture's production was 1994. The fact that there was duty free treatment under GSP was an important part of the decision to undertake the joint venture. The joint

venture located production at the source of the raw material (palm kernel oil) and results in a cost efficient production process.

While there are several companies in the U.S. that manufacture relatively small amounts of similar methyl esters, this production is almost entirely consumed in the manufacture of their own personal care products. Hence no opposition to the proposed duty suspension is anticipated.

By Mr. SANTORUM (for himself, Mr. SPECTER, Mr. DOLE, Mr. CRAIG, Mr. HELMS and Mr. THURMOND):

S. 1770. A bill for the relief of Wayne T. Alderson; to the Committee on Armed Services.

PRIVATE RELIEF LEGISLATION

Mr. SANTORUM. Mr. President, today I am introducing a bill and submitting a concurrent resolution, Senate Concurrent Resolution 59, that are identical to legislation I introduced in the House of Representatives in both the 102d and 103d Congresses. As this particular issue remains unresolved, I again urge my colleagues' consideration and support.

The legislation I introduce today is an effort to secure the Congressional Medal of Honor for a Pennsylvania resident, Mr. Wayne T. Alderson. The legislation itself speaks to the background and experiences of Wayne Alderson and equally to the need and merit in extending the Congressional Medal of Honor.

As you can see from a review of the bill, Mr. Alderson acted meritoriously in the line of duty as a private in Germany during World War II and was recommended by his commander for a Medal of Honor. Unfortunately, his papers were destroyed in a fire. The Department of Defense has said that since the statute of limitations expired in 1952, and that without a statement from one of Mr. Alderson's commanders, they cannot award him the medal. An affidavit by Pfc. Daniel Parisi, which verifies that Mr. Alderson's commanders did indeed recommend him for the medal, was not considered by the Department as sufficient for them to act.

Therefore, I am introducing legislation today that Mr. Alderson should receive a Medal of Honor. I am joined by several of my colleagues in calling for the extension of congressional recognition to Wayne for his service, valor, and commitment to defending our country in time of war and acting meritoriously in the line of duty. I appreciate Senators SPECTER, DOLE, CRAIG, HELMS, and THURMOND joining with me as sponsors of this legislation.

I thank my colleagues for their attention and consideration of this legislation.

ADDITIONAL COSPONSORS

S. 288

At the request of Mr. WELLSTONE, his name was added as a cosponsor of S.

288, a bill to abolish the Board of Review of the Metropolitan Washington Airports Authority, and for other purposes.

S. 309

At the request of Mr. BENNETT, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 309, a bill to reform the concession policies of the National Park Service, and for other purposes.

S. 948

At the request of Mr. DORGAN, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 948, a bill to encourage organ donation through the inclusion of an organ donation card with individual income refund payments, and for other purposes.

S. 984

At the request of Mr. GRASSLEY, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 984, a bill to protect the fundamental right of a parent to direct the upbringing of a child, and for other purposes.

S. 1233

At the request of Ms. MIKULSKI, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 1233, a bill to assure equitable coverage and treatment of emergency services under health plans.

S. 1401

At the request of Mr. BENNETT, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1401, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to minimize duplication in regulatory programs and to give States exclusive responsibility under approved States program for permitting and enforcement of the provisions of that Act with respect to surface coal mining and reclamation operations, and for other purposes.

S. 1578

At the request of Mr. FRIST, the names of the Senator from Wisconsin [Mr. FEINGOLD], and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of S. 1578, a bill to amend the Individuals with Disabilities Education Act to authorize appropriations for fiscal years 1997 through 2002, and for other purposes.

S. 1660

At the request of Mr. GLENN, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1660, a bill to provide for ballast water management to prevent the introduction and spread of nonindigenous species into the waters of the United States, and for other purposes.

S. 1661

At the request of Mr. CONRAD, his name was added as a cosponsor of S. 1661, a bill to specify that States may waive certain requirements relating to commercial motor vehicle operators under chapter 313 of title 49, United States Code, with respect to the operators of certain farm vehicles, and for other purposes.

S. 1688

At the request of Mr. BUMPERS, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1688, a bill to establish a National Center for Rural Law Enforcement, and for other purposes.

S. 1714

At the request of Mr. BURNS, the names of the Senator from Mississippi [Mr. LOTT], the Senator from Mississippi [Mr. COCHRAN], the Senator from Oklahoma [Mr. NICKLES], the Senator from Georgia [Mr. COVERDELL], the Senator from Indiana [Mr. COATS], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Montana [Mr. BAUCUS] were added as cosponsors of S. 1714, a bill to amend title 49, United States Code, to ensure the ability of utility providers to establish, improve, operate and maintain utility structures, facilities, and equipment for the benefit, safety, and well-being of consumers, by removing limitations on maximum driving and on-duty time pertaining to utility vehicle operators and drivers, and for other purposes.

S. 1715

At the request of Mr. SPECTER, the names of the Senator from Wyoming [Mr. SIMPSON], and the Senator from Illinois [Mr. SIMON] were added as cosponsors of S. 1715, a bill to amend the Internal Revenue Code of 1986 to provide a credit for adoption expenses, to allow penalty-free IRA withdrawals for adoption expenses, and to allow tax-free treatment for employer provided adoption assistance.

S. 1735

At the request of Mr. PRESSLER, the names of the Senator from Maine [Ms. SNOWE], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Florida [Mr. GRAHAM] were added as cosponsors of S. 1735, a bill to establish the United States Tourism Organization as a nongovernmental entity for the purpose of promoting tourism in the United States.

SENATE CONCURRENT RESOLUTION 59—RELATIVE TO A MEDAL OF HONOR

Mr. SANTORUM (for himself, Mr. SPECTER, Mr. DOLE, Mr. CRAIG, Mr. HELMS, and Mr. THURMOND) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 59

Resolved by the Senate (the House of Representatives concurring),

Whereas Wayne T. Alderson served as a private first class in the United States Army in Germany during World War II;

Whereas, during the Rhineland Campaign of such war, which was 4 days of close, fierce combat from March 15 to March 18, 1945, Private First Class Alderson singlehandedly killed 43 enemy soldiers;

Whereas, according to The History of the Third Infantry Division, Private First Class Alderson was the 1st soldier from the United States to cross into Germany on March 15, 1945;