''(B) It shall not constitute or be evidence of an unfair labor practice under section 8(a)(2) for an employer to assign employees to work units and to hold regular meetings of the employees assigned to a work unit to discuss matters relating to the work responsibilities of the unit. The meetings may, on occasion, include discussions with respect to the conditions of work of the employees assigned to the unit.

''(C) It shall not constitute or be evidence of an unfair labor practice under section 8(a)(2) for an employer to establish a committee composed of employees of the employer to make recommendations or determinations on ways of improving the quality of, or method of producing and distributing, the employer's product or service and to hold regular meetings of the committee to discuss matters relating to the committee. The meetings may, on occasion, include discussions with respect to any directly related issues concerning conditions of work of the employees.

''(2) The provisions of paragraph (1) shall not apply if—

''(A) a labor organization is the representative of the employees as provided in section 9(a);

''(B) the employer creates or alters the work unit or committee during any organizational activity among the employer's employees or discourages employees from exercising the rights of the employees under section 7;

''(C) the employer interferes with, restrains, or coerces any employee because of the employee's participation in or refusal to participate in discussions with respect to conditions of work, which otherwise would be permitted by subparagraphs (A) through (C) of paragraph (1); or

''(D) an employer establishes or maintains a group, unit, or committee authorized by subparagraph (A), (B), or (C) of paragraph (1) that discusses conditions of work of employees who are represented under section 9 without first engaging in the collective bargaining required by this Act.

''(3) An employee who participates in a group, unit, or committee described in subparagraph (A), (B), or (C) of paragraph (1) shall not be considered to be a supervisor or manager because of the participation of the employee in the group, unit, or committee.''.

KASSEBAUM AMENDMENT NO. 4438

Mrs. KASSEBAUM proposed an amendment to the bill, S. 295, supra; as follows:

Strike all after first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Teamwork for Employees and Managers Act of 1995''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the escalating demands of global competition have compelled an increasing number of employers in the United States to make dramatic changes in workplace and employer-employee relationships;

(2) such changes involve an enhanced role for the employee in workplace decisionmaking, often referred to as ''Employee Involvement'', which has taken many forms, including self-managed work teams, quality-of-worklife, quality circles, and joint labor-management committees;

(3) Employee Involvement programs, which operate successfully in both unionized and nonunionized settings, have been established by over 80 percent of the largest employers in the United States and exist in an estimated 30,000 workplaces;

(4) in addition to enhancing the productivity and competitiveness of businesses in the United States, Employee Involvement programs have had a positive impact on the lives of such employees, better enabling them to reach their potential in the workforce;

(5) recognizing that foreign competitors have successfully utilized Employee Involvement techniques, the Congress has consistently joined business, labor and academic leaders in encouraging and recognizing successful Employee Involvement programs in the workplace through such incentives as the Malcolm Baldrige National Quality Award;

(6) employers who have instituted legitimate Employee Involvement programs have not done so to interfere with the collective bargaining rights guaranteed by the labor laws, as was the case in the 1930's when employers established deceptive sham ''company unions'' to avoid unionization; and

(7) Employee Involvement is currently threatened by legal interpretations of the prohibition against employer-dominated ''company unions''.

(b) PURPOSES.—The purpose of this Act is—

(1) to protect legitimate Employee Involvement programs against governmental interference;

(2) to preserve existing protections against deceptive, coercive employer practices; and

(3) to allow legitimate Employee Involvement programs, in which workers may discuss issues involving terms and conditions of employment, to continue to evolve and proliferate.

SEC. 3. EMPLOYER EXCEPTION.

Section 8(a)(2) of the National Labor Relations Act is amended by striking the semicolon and inserting the following: '': *Provided further*, That it shall not constitute or be evidence of an unfair labor practice under this paragraph for an employer to establish, assist, maintain, or participate in any organization or entity of any kind, in which employees who participate to at least the same extent practicable as representatives of management participate, to address matters of mutual interest, including, but not limited to, issues of quality, productivity, efficiency, and safety and health, and which does not have, claim, or seek authority to be the exclusive bargaining representative of the employees or to negotiate or enter into collective bargaining agreements with the employer or to amend existing collective bargaining agreements between the employer and any labor organization, except that in a case in which a labor organization is the representative of such employees as provided in section 9(a), this proviso shall not apply;''.

SEC. 4. LIMITATION ON EFFECT OF ACT.

Nothing in this Act shall affect employee rights and responsibilities contained in provisions other than section 8(a)(2) of the National Labor Relations Act, as amended.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Tuesday, July 9, 1996, in open/closed session, to receive a report on the bombing of United States military facilities in Saudi Arabia on June 25, 1996.

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

COMMITTEE ON ARMED SERVICES

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 4 p.m. on Tuesday, July 9, 1996, in open session, to consider the nomination of Mr. Andrew S. Effron to be a judge of the U.S. Court of Appeals for the Armed Services.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, July 9, 1996, at 8 a.m. to hold a closed hearing on intelligence matters and 11:30 a.m. to hold an open hearing on intelligence matters.

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

ADDITIONAL STATEMENTS

TRIBUTE TO PETER J. MORGERA AND HIS SERVICE TO THE AIR FORCE

Mr. SMITH. Mr. President, I rise today to pay tribute to A1c. Peter J. Morgera of Stratham, NH. Last Tuesday, this courageous young man fell victim to a tragic act of terrorism at the United States military complex in Dhahran, Saudi Arabia. Peter leaves behind his parents, Richard and Diane, and his two brothers, Tommy and Michael. He honored his country by serving overseas in Saudi Arabia and his family and community will miss him greatly.

Peter, a 25-year-old flight mechanic, was one of 19 American servicemen who lost their lives just 2 weeks ago when a truck bomb detonated outside military housing in Dhahran, Saudi Arabia. This blast which, in addition to taking the lives of Peter and 19 others, wounded 270 and was the worst incident of terrorism since the attack in Beirut in 1983. Peter, who was scheduled to return home on June 30, had served his country for 3 years in the Air Force.

Peter was a 1990 graduate of Exeter Area High School and is described by those who knew him as a great person, a hard worker, and someone who was always ready to lend a hand. When remembering Peter, his family and friends invariably mention his strong sense of community spirit and compassionate nature. He always did everything he could to help people when they needed it. At age 16, Peter began working with the Stratham Volunteer Fire Department and his fellow firefighters described him as extremely reliable and an excellent co-worker. One of the many ways he served the community was through teaching fire prevention at area schools. Peter had the kind of love for family and community this country is built upon, and it is individuals such as him that make this country great.

Peter's memory will be one of leadership and charity. He chose not to ignore the needs of those around him but to help meet those needs. Whether

someone needed a helping hand or just a friendly face, Peter was there. Just last week, he was honored, along with his fellow servicemen who also died in the blast, at a special funeral ceremony by President Clinton. He served not only his community but his country as well, and his country will never forget his service or his sacrifice. We should, however, look beyond the tragedy of this great loss and let Peter's sacrifice be an example for us all. Although he left this world prematurely, he touched many lives with his caring ways and his memory will endure in many hearts.

Although Peter's death weighs heavily in the hearts of his family and friends, we should not dwell in sadness, but remember his zeal for life and continue to uphold those principles which he held dear. Peter's dedication to community was the embodiment of the American ideal, people like him are the backbone of their communities and the Nation. He gave his life as a guardian of the community and the Nation he loved so well. Therefore, let us mark this tragedy and remember what we have lost, but let us also celebrate Peter's life and the light he gave to those around him. His family and community will miss him dearly and honor him as a valiant American.

PASSAGE OF H.R. 3121

• Mr. SARBANES. Mr. President, today by unanimous consent the House approved H.R. 3121, a bill that will make a real contribution to increasing transparency and improving congressional oversight over arms transfers. In taking this action, the House accepted the Senate-passed amendments, obviating the need for a conference and clearing the bill for signature by the President. Since no report was filed with the bill in the Senate, I would like to take this opportunity to explain some of the changes that were made in the Foreign Relations Committee, and the rationale behind them.

First, we deleted a section that would have raised the thresholds above which arms sales must be notified to Congress. The current levels—$14 million for major defense equipment, $50 million for any defense articles or services, and $200 million for design and construction services—cannot be raised without reducing effective oversight, particularly since many of the most serious abuses of human rights take place with less sophisticated weapons systems.

Second, we lengthened the notification period for grant transfers of excess defense articles to 30 days, which is the current standard under section 516 of the Foreign Assistance Act of 1961. H.R. 3121 streamlines the existing excess defense article authorities, giving the administration added flexibility in many areas in exchange for a tight cap on the value of weapons that are provided to foreign countries without cost. Although it would have been preferable that this new cap of $350 million be calculated according to original acquisition cost rather than current value, the important point is that the cap is a firm one.

I remain concerned, however, about procedures for determining the current value of excess defense articles. In January 1994, a GAO report found that ''irregularities in pricing/valuing EDA's compromise the reliability of EDA data.'' It concluded that ''the military services did not always adhere to guidelines for pricing/valuing EDA's, and as a result, the acquisition and current values of the EDA program were understated.''

According to pricing directives now in effect, equipment may be valued at anywhere between 5 and 50 percent of its original acquisition cost, depending on its age and condition. Over the past 4 years the current values have averaged about 25 percent of acquisition costs. It is the congressional expectation that, in implementing this provision, the Secretary of Defense will instruct the military services to adhere consistently to pricing directives that accurately reflect the value of the article to be transferred. Pricing decisions must be made without regard to the recipient of the article or to the amount of equipment that could be transferred within the statutory ceiling.

A third change to the initial version of the bill is a renewal of the requirement in current law that excess defense articles be offered to Greece and Turkey at the same ratio that applies to foreign military financing. The purpose of this provision is to promote peace and stability in the eastern Mediterranean by maintaining the military balance and restraining arms transfers to the region.

Fourth, we have reinstated an annual report that will show all the defense articles and services the United States provided to each foreign country in the previous fiscal year. There is growing concern about the proliferation of authorities under which the United States provides military aid, weapons and training to foreign countries. In addition to traditional sources such as grant military aid, international military education and training, leases and loans, and commercial sales, there have now been added such authorities as excess defense article transfers, drawdowns, cascading under the CFE Treaty, the defense export loan guarantee facility, and the military-to-military contacts program. Obviously it is important that, in making foreign policy decisions, we have a complete picture of all the ways in which we are providing arms or military assistance to other countries.

Fifth, a provision was added repealing the sunset clause on the Nuclear Proliferation Prevention Act. The NPPA, which refines and expands sanctions against countries and companies that help non-nuclear weapon states to acquire nuclear weapons, would otherwise expire with the enactment of the next State Department authorization bill.

Finally, two new sections increase transparency in reporting of arms sales. Section 155 requires that certifications of government-to-government arms sales, which are submitted under section 36(b) of the Arms Export Control Act, and notifications of commercial arms sales, submitted under section 36(c), are printed in the Federal Register. Section 156 ensures that at least the name of the country and the type and quantity of equipment for which commercial export licenses are issued be publicly disclosed, unless the President determines this would be contrary to the national interest. This reverses the burden of proof that applies under current law, where commercial licenses are revealed only if the Secretary of State determines it to be in the national interest to do so. Both of these provisions are of particular interest to the arms control and human rights communities, who have experienced unnecessary difficulty in obtaining information about unclassified arms sales.•

ADDITIONAL COSPONSOR—S. 1898

• Mr. DOMENICI. Mr. President, on June 24, 1996, I introduced S. 1898, the Genetic Confidentiality and Nondiscrimination Act of 1996.

Due to an inadvertent error, Senator PAUL SIMON was not identified on the text of S. 1898 as an original cosponsor. While I referred to Senator SIMON's original cosponsorship numerous times during my floor statement and it is so noted in the CONGRESSIONAL RECORD, the printed bill does not reflect my distinguished colleague's cosponsorship.

Therefore, I have requested this date that Senator SIMON be added as an original cosponsor to S. 1898. I further request that in the future this bill be known as the Domenici-Simon bill, as it was intended to be when it was introduced on June 24.

Thank you for the opportunity to clarify this issue.•

JOB PROTECTION ACT OF 1996

• Mrs. MURRAY. Mr. President, I am pleased the Senate passed the Small Business Job Protection Act of 1996. However, I am disappointed the Senate rejected the Kennedy amendment to the minimum wage increase.

I cannot sit idly by as I hear of those struggling to live on today's minimum wage. I thought, as many of you do, that the typical minimum wage earner was someone like my daughter or one of her friends: a teenager flipping burgers or taking food orders to earn some extra cash for new clothes or a movie.

That, however, is a grave misperception. The sad fact is that 73 percent of those earning between $4.25 and $5.14 an hour are over the age of 20. That means that 9 million adults this year will have to try to live on a salary of $8,840. One-third of these same