

under-keel clearance for each port in which a single-hull vessel operates. It is unclear if this provision would result in more or less stringent requirements than the 0.5 meter uniform under-keel clearance in the Coast Guard's proposed rule. The effect of this requirement would be to impose operational restrictions on such vessels not meeting the port's established under-keel clearance when entering or departing from the port and when operating in an inland or coastal waterway. If the effect of the under-keel clearance provision in the bill is to provide greater flexibility than the 0.5 meter uniform under-keel clearance in the proposed rule, then this provision of the bill would result in lower private-sector costs compared to the costs associated with the current proposed operational rule. However, if the bill leads to more stringent under-keel clearance requirements relative to current practice, this provision would result in increased costs to the private sector since vessels would have to lighter cargo or use alternative ports.

Section 103 would require that the final navigational rule include a provision requiring a towing vessel to have a fire-suppression system or other equipment to suppress an onboard fire. Based on information provided by the Coast Guard and the private sector, CBO estimates that this provision would result in costs to the private sector between \$6 million and \$18 million during the first year for installation and a minimal amount for operating costs thereafter.

Advertising Requirements. S. 1730 would impose an additional mandate concerning the advertising requirements in the Oil Pollution Act of 1990. Currently, the responsible party or guarantor of an incident must advertise the designation and the procedures by which claims may be presented. Section 201 would require that such advertisements must also announce that claimants may present interim claims for short-term damages. CBO estimates that the additional advertising requirement would impose minimal costs on the private sector.

7. Previous CBO estimate: None.

8. Estimate prepared by: Amy Downs (226-2940)

9. Estimate approved by: Jan Acton, Assistant Director for Natural Resources and Commerce.●

"CAN DOLE ESCAPE SENATE LEADERS' POOR PRESIDENTIAL RECORD?"

Mr. LEAHY. Mr. President, Prof. Garrison Nelson is one of our country's foremost experts on Congress and the Presidency, and Vermont has been lucky to call him our own during his tenure at the University of Vermont. He recently wrote an interesting column for Roll Call about the historical record of Senate leaders who run for president. It is an entertaining and informative analysis that I hope other Senators will have a chance to read.

I ask that an article entitled "Can Dole Escape Senate Leaders' Poor Presidential Record?" be printed in the RECORD.

The article follows:

CAN DOLE ESCAPE SENATE LEADERS' POOR PRESIDENTIAL RECORD?

Senate Majority Leader Bob Dole's (R-Kan) decision to resign from office in the midst of his presidential campaign isn't so surprising when you take into account the history of Republican Senate leaders in presidential contests.

That's because, almost without exception, a Congressional leadership post has been the kiss of death for White House aspirants.

Dole is the latest of several Congressional leaders throughout the nation's history who have sought the presidency. Whether he, by abandoning his post, will have more success than others did remains to be seen.

In a recent assessment, I found some 112 broadly defined "blips" made by Congressional leaders on the presidential radar screen from 1856 through 1966. These "blips" represent instances of Congressional leaders who appeared anywhere on the presidential (or vice presidential) charts—whether in delegate votes at the nominating conventions, or popular votes during the presidential primaries, or in discernible mentions in public opinion speculations about candidacies.

Some of these "blips" were trivial: "favorite son" votes at the convention or passing mentions in the opinion polls. But others had real meaning.

Prior to the passage in 1912 of the 17th Amendment, which instituted direct election of Senators, House leaders had a clear edge over Senate counterparts in the presidential calculus of the party kingmakers who put tickets together. This was particularly true to Republican conventions, which gave House leaders 20 considerations to only six for Senate leaders during the selections made in some 15 conventions.

While the Democratic conventions in the 1856-1912 era may have divided their presidential and vice presidential considerations for Congressional leaders between the two chambers equally—11 to 11—the point was relatively moot because Republican nominees won 11 of the 15 presidential contests.

Not until 1964 was a Democratic Congressional leader nominated for president: Lyndon Johnson (Texas), who had begun his executive service as vice president and was already seated as president at the time of the convention.

Republican Congressional leaders have been more successful at gaining the presidential brass ring. The first Republican Congressional leader to be nominated for the top executive post was House Speaker Schuyler Colfax (Ind), who was nominated and elected as Ulysses S. Grant's first vice president in 1868.

Four times in the 20 years between 1880 and 1900, past and present House floor leaders were nominated for president by Republican conventions.

Since then, almost a century has passed, and only one House Republican leader has been nominated for either post and that was Gerald Ford's 1976 selection as president. But Ford was already president at the time, albeit unelected, and had not made it onto the presidential screen at any time during his nine-year stint as House Republican floor leader.

Senate leaders have been slow to develop as nominees. While two sitting Senators were nominated and elected—Ohio's Warren Harding in 1920 and Massachusetts's John Kennedy in 1960—it is important to remember that neither held a leadership post.

It was not until 1928 that the nominating conventions took serious note of sitting Senate floor leaders. That year, both parties chose their respective Senate floor leaders as vice presidential candidates. Republican Charles Curtis of Kansas ran with Commerce Secretary Herbert Hoover while Democrat Joseph Robinson of Arkansas ran with New York Gov. Al Smith.

House Democrats were the least likely to be nominated, with their 18 considerations generating only two vice presidential nominations—both for Speaker "Cactus" Jack Garner of Texas in 1932 and 1936. But both nominations were successful. Running with

FDR made the cantankerous former Speaker electable.

House Republicans picked off six nominations for their 26 considerations—double the rate of the House Democrats. But only one occurred in the past 90 years.

Senate Democratic leaders garnered the most considerations (41), as well as the most presidential and vice presidential nominations (seven). All four of their victories came after World War II. Among them were: Majority Leader Alben Barkley (Ky.) for vice president in 1948; Majority Leader Johnson for vice president in 1960 and president in 1964; and Whip Hubert Humphrey for vice president in 1964.

But it is Senate Republican leaders who seem to have encountered the most difficulty. They received 27 considerations, but only five nominations—only one of which was for president (Dole, this year, which has yet to be officially confirmed).

Their four vice presidential nominations produced only one victory—Curtis in 1928. So the 26 considerations which the Senate Republican leaders received prior to 1996 produced one vice presidential victory—a success rate of 4 percent, the lowest for any of the four Congressional leadership categories.

Even though it was a fellow Kansan who earned the lone victory by a Senate Republican leader, clearly Dole made the right move in getting out of the Senate. He has escaped the Temple of Presidential Doom.

Now if he can just convince voters that he never held a leadership post there, he might be able to move up in the polls and avoid the kiss of death that those posts seem to be in presidential politics.●

TRIBUTE TO TIMOTHY MARQUIS, JOANNE MILLETTE, SYMA MIRZA, AND KENNETH JOHNSON ON BEING SELECTED AS PRESIDENTIAL SCHOLARS FROM NEW HAMPSHIRE

● Mr. SMITH. Mr. President, I rise today to pay tribute to Timothy Marquis, Joanne Millette, Syma Myrza, and Kenneth Johnson and congratulate them on being named White House Presidential Scholars. These students were among the 141 students chosen for this prestigious award from more than 2,600 high school seniors. Last month, these New Hampshire students were in Washington to participate in special events highlighting Presidential Scholars National Recognition Week.

The Presidential Scholars Program was created by President Lyndon B. Johnson in 1964 to honor our Nation's most outstanding students. In 1979, the program was expanded to include accomplished students from the visual, creative, and performing arts. This year, the General Motors and Saturn companies sponsored the Presidential Scholars Program and the events in Washington.

Timothy, Joanne, Syma, and Kenneth are four outstanding New Hampshire students who have worked very hard to achieve academic excellence. Their dedication deserves this special recognition. They were selected as Presidential scholars on the basis of academic success, essays, school recommendations, leadership, character, and commitment to high ideals. One of the primary goals of this program is to

help young people recognize the value of their accomplishments. In addition to receiving this award, each student was asked to name the teacher who most influenced them during their high school career. These teachers are named as a National Distinguished Teacher and are invited to participate in the National Recognition Week.

These students have worked hard to achieve excellence and this award honors their hard work and perseverance. These students are remarkable because they have achieved not only academic excellence, but are also leaders in their schools and dedicated to community service. Each student has given back to the community that nurtured them. I am proud to recognize these four outstanding young people as New Hampshire's finest and congratulate them on the receipt of the White House Presidential Scholars Award.●

HENRY PESTKA

● Mr. LEVIN. Mr. President, I rise today to honor a man who has overcome great adversity to become a pillar of his community, Henry Pestka of Grand Rapids, MI.

Henry Pestka was born in Poland on July 29, 1922, the son of Saul and Marie Pestka. Saul Pestka was a builder and developer who taught his son his craft. After the Nazi occupation of Poland, Henry was interned in a number of concentration camps, including the notorious Auschwitz Death Camp.

In 1944, Pestka and two other prisoners escaped during a forced death march, and were found by members of the Free French Army. Henry joined the Polish Battalion of the Free French Army. He has the unique distinction of being not only one of the few survivors of Auschwitz Death Camp, but also a decorated combat veteran of the Allied cause in the Second World War. Tragically, both his parents and siblings perished. Henry was the only survivor.

In 1946, at the urging of his only living relatives, Henry immigrated to the United States and settled in Grand Rapids, MI. When Henry arrived, he could not speak English. He enrolled in night classes at Union High School and was given employment by a friend of his father's from Poland. In short, Henry came to the United States without money, with a very limited family, and unable to speak English.

In December 1948, Henry married Beatrice Bergman. Prior to the marriage, Henry had started working at Bergman Auto Supplies, selling auto parts and installing seat covers. In the late 1950's, Henry and his partner, Herman Bergman, began purchasing and developing property using the lessons gleaned from his father as a boy in Poland. For the past 40 years, Henry has developed shopping centers, office buildings, restaurants, apartment complexes, and industrial buildings. He has worked with major companies, both in the Grand Rapids area and across the United States.

Henry's proudest achievement was his tenure as building chairman for Congregation Ahavas Israel. He devoted a year of his life to this project and served without fee. Ultimately, in 1971, the beautiful structure was completed. At the time, Henry was honored by the Grand Rapids mayor, Bob Boelens, and by the entire congregation. In the foyer of the synagogue is an affecting mural depicting the 6 million innocent victims of Nazi genocide. In his own way, Henry has contributed not only to the memory of those who perished, but also built an institution to serve future generations including his own grandchildren.

Henry's philanthropy is legendary, particularly toward those institutions fighting bigotry or helping the sick and disabled. Among the organizations which he has consistently supported are the Anti-Defamation League, the Southern Poverty Law Center, the U.S. Holocaust Museum, the American Cancer Society, the American Heart Association, the Arthritis Foundation, St. Jude's Children's Hospital, and the Salvation Army. On a local level, Henry has supported Hope Network, Project Rehab, and many, many others.

His life has been a testament to overcoming horrific adversity and prevailing. He has built a uniquely American life, for which he can be forever proud. I know that my Senate colleague will join me in honoring Henry Pestka.●

CALIFORNIA CITIES FIGHT JUNK GUNS

Mrs. BOXER. Mr. President, earlier this year, I introduced legislation to prohibit the sale and manufacture of Junk Guns, or as they are also called, Saturday Night Specials. The importation of these cheap, easily concealable, and unsafe weapons has been prohibited since 1968, but their domestic production continues to soar.

In 1995, eight of the ten firearms most frequently traced at crime scenes were junk guns. These guns are the criminals' choice, and we must act now to get them out of our schools and our communities. Nationwide, gun violence is now the second leading cause of death of among children. In California, gun violence is number one. For the sake of our children, we must pass the Junk Gun Violence Protection Act.

My bill has received strong support from California's law enforcement leaders. The California Police Chiefs Association has endorsed my bill along with more than two dozen individual police chiefs and sheriffs representing some of California's largest cities and counties.

Today, I want to report on an extraordinary event that occurred last week in Oakland. On July 8, the mayors of 15 cities in California's East Bay joined together and pledged to get junk guns off the streets of their communities. These mayors said that they were frustrated by the 104th Congress' unwillingness to enact the common

sense reforms that my bill would make. Although they acknowledge that Federal legislation would be more effective than local ordinances, they have decided not to wait until Washington gets the message that these guns must be taken off our streets.

The cities of West Hollywood, San Francisco, Oakland, and Alameda have already passed ordinances to ban the sales of junk guns. More than a dozen municipalities in Alameda and Contra Costa counties are expected to follow soon. When junk guns are banned in these East Bay communities, it will create the largest junk gun-free zone in the country.

The courageous actions taken by these East Bay mayors provides real momentum to the movement to ban junk guns nationwide. I commend these communities for their leadership, and once again, I urge my colleagues to support S. 1654, the Junk Gun Violence Protection Act.

I ask that the following articles be printed in the RECORD.

The articles follow:

[From the Oakland Tribune, July 18, 1996]

ALAMEDA JOINS EAST BAY CITIES IN SHOOTING DOWN JUNK GUNS

(By Kathleen Kirkwood)

ALAMEDA.—The City Council has joined other East Bay cities in approving an ordinance banning the sale of junk guns; the so-called Saturday night specials.

The ordinance is patterned after a similar law in West Hollywood, now facing a court challenge on the grounds it is preempted by state regulations.

Several gun owners appealed to the Alameda council Tuesday to reject the law, saying it was a sham and couldn't be enforced because of overriding state law. Even if it were imposed, it couldn't stem the tide of gun-related crimes anyway, Herb Leong of San Francisco said.

"I don't believe this is a law that's worth your effort," Leong said. "What we need to do is change people. We can't change what they do by taking away a tool."

Local gun dealer James Figone said he doesn't sell junk guns, which are usually cheap and unreliable. But he said the city would be infringing on constitutional rights to bear arms.

"The whole point of these laws is to take guns out of the public's hands," Figone said.

Figone and others also criticized the ordinance's lack of a specific list of which guns would be targeted.

Instead, it states that the police chief will issue a list of firearms, at a future date, that meets the description of guns to be banned.

Generally, they're defined as cheap, poorly-manufactured, short-barreled handguns, Police Chief Barry Matthews said.

Matthews passed around five junk guns to council members that had been confiscated by Alameda police, calling them "garbage" weapons and "messengers of death."

He said it was hard to tell what effect the junk gun ban would have if imposed in Alameda.

"There will be a difference—to what degree I can't say," Matthews said.

In 1993, he said, junk handguns accounted for 8 out of 10 firearms most frequently confiscated by police in California. An estimated 90 percent of such guns available in the United States are manufactured in California. Import of such guns into the United States is already banned.