

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3833. A communication from the Acting Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a notice of the intent to exempt all military personnel accounts from sequester for fiscal year 1997; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, Committee on the Budget, and Committee on Armed Services.

EC-3834. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals dated August 1, 1996; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, Committee on the Budget, Committee on Agriculture, Nutrition, and Forestry, Committee on Armed Services, Committee on Finance, Committee on Foreign Relations, and the Committee on Governmental Affairs.

EC-3835. A communication from the Director of the Congressional Budget Office, transmitting, pursuant to law, the Sequestration Update Report for fiscal year 1997; referred jointly, pursuant to the order of August 4, 1977, to the Committee on the Budget, and to the Committee on Governmental Affairs.

EC-3836. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report relative to the eighth special impoundment message for fiscal year 1996; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, Committee on the Budget, and the Committee on Finance.

EC-3837. A communication from the Secretary of Defense, transmitting, pursuant to law, the second semi-annual report on program activities to facilitate weapons destruction and nonproliferation in the Former Soviet Union for fiscal year 1995; referred jointly, pursuant to Section 1208 of Public Law 103-160, to the Committee on Appropriations, to the Committee on Armed Services, and to the Committee on Foreign Relations.

EC-3838. A communication from the Secretary of Education, transmitting, pursuant to law, the third biennial report on vocational education data the performance standards and measurement systems developed by States for their vocational education programs; to the Committee on Labor and Human Resources.

EC-3839. A communication from the Commissioner of the National Center For Education Statistics, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, a report entitled "Quality and Utility: The 1994 Trial State Assessment in Reading"; to the Committee on Labor and Human Resources.

EC-3840. A communication from the Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the rule entitled "Indian Fellowship and Professional Development Programs," (RIN1810-AA79) received on August 27, 1996; to the Committee on Labor and Human Resources.

EC-3841. A communication from the Assistant Secretary for Occupational Safety and

Health, Department of Labor, transmitting, pursuant to law, the rule entitled "Scaffolds Used in the Construction Industry," (RIN1218-AA40) received on August 28, 1996; to the Committee on Labor and Human Resources.

EC-3842. A communication from the Office of the Pension and Welfare Benefits Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Class Exemption To Permit Certain Authorized Transaction Between Plans and Parties in Interest," received on August 1, 1996; to the Committee on Labor and Human Resources.

EC-3843. A communication from the Administrator of the Wage and Hour Division, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Regulations to Implement Amendments to Federal Contract Labor Laws by the Federal Acquisition Streamline Act of 1994," (RIN 1215-AA96) received on July 30, 1996; to the Committee on Labor and Human Resources.

EC-3844. A communication from the Assistant Secretary for Pension and Welfare Benefits, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Regulations Relating to Definition of 'Plan Assets'—Participant Contributions," (RIN1210-AA53) received on August 19, 1996; to the Committee on Labor and Human Resources.

EC-3845. A communication from the Assistant Secretary for Pension and Welfare Benefits, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Class Exemption to Permit the Restoration of Delinquent Participant Contributions to Plans," received on August 8, 1996; to the Committee on Labor and Human Resources.

EC-3846. A communication from the Assistant Secretary for Pension and Welfare Benefits, Department of Labor, transmitting, pursuant to law, the report of a rule relative to affirmative action and nondiscrimination obligations of contractors and subcontractors, (RIN1210-AA62, 1215-AA76) received on August 7, 1996; to the Committee on Labor and Human Resources.

EC-3847. A communication from the Assistant Secretary for Employment Standards, Department of Labor, transmitting, pursuant to law, the report of a rule relative to Job Training Partnership Act intertitle transfer of funds, received on August 27, 1996; to the Committee on Labor and Human Resources.

EC-3848. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling; Nutrition Labeling, Small Business Exemption," (RIN0910-AA19) received on August 7, 1996; to the Committee on Labor and Human Resources.

EC-3849. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling; Nutrient Content Claims and Health Claims; Restaurant," (RIN0910-AA19) received on August 7, 1996; to the Committee on Labor and Human Resources.

EC-3850. A communication from the Director of the Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Medical Device Reporting; Baseline Reports; Stay of Effective Date," (RIN0919-AA19) received on August 8, 1996; to the Committee on Labor and Human Resources.

EC-3851. A communication from the Director of the Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, Department of Health and

Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Standards: Amendment of Standards of Identity for Enriched Grain Products to Require Addition of Folic Acid; Correction," (RIN0919-AA19) received on August 12, 1996; to the Committee on Labor and Human Resources.

EC-3852. A communication from the Director of the Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule relative to current good manufacturing practices, received on July 25, 1996; to the Committee on Labor and Human Resources.

EC-3853. A communication from the Director of the Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule relative to medical device distributor and manufacturer reporting, (RIN0919-AA09) received on July 26, 1996; to the Committee on Labor and Human Resources.

EC-3854. A communication from the Director of the Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling: Health Claims; Sugar Alcohols and Dental Caries," received on August 23, 1996; to the Committee on Labor and Human Resources.

EC-3855. A communication from the Director of the Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule relative to food labeling guidelines, (RIN0919-AA19) received on August 27, 1996; to the Committee on Labor and Human Resources.

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 Mrs. BOXER:

S. 2052. A bill to provide for disposal of certain public lands in support of the Manzanar National Historic Site in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mr. D'AMATO, and Mr. SHELBY):

S. 2053. A bill to strengthen narcotics reporting requirements and to require the imposition of certain sanctions on countries that fail to take effective action against the production of and trafficking in illicit narcotics and psychotropic drugs and other controlled substances, and for other purposes; read the first time.

By Mr. COCHRAN:

S. 2054. A bill to amend the Higher Education Act of 1965 to exempt certain small lenders from the audit requirements of the guaranteed student loan program; to the Committee on Labor and Human Resources.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

THE OWENS RIVER VALLEY ENVIRONMENTAL RESTORATION AND MANZANAR LAND TRANSFER ACT OF 1996

By Mrs. BOXER:

S. 2052. A bill to provide for disposal of certain public lands in support of the

Manzanar National Historic Site in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

• Mrs. BOXER. Mr. President, I am pleased to introduce legislation that would allow the Federal Government to obtain expeditiously the lands designated as the Manzanar National Historic Site.

As we look back in United States history, we see many triumphs, as well as many failures. We must be humble about our successes and apologetic for our errors. One of those mistakes was committed during World War II when 11,000 Japanese-Americans were held at the Manzanar Internment Camp. These individuals were some of the over 120,000 Japanese-Americans interned at 10 sites throughout the United States.

While we revel in the victory of World War II, we also make redress for the suffering that Japanese-Americans endured as a result of the internment. Legislation passed in 1988 directed an official apology by the Federal Government and symbolic payments to Japanese Americans that were interned. This legislation also included efforts to educate Americans about the internment.

The National Park Service determined in the 1980's that, of the 10 former internment camps, Manzanar was best suited to be preserved as a reminder to Americans of the blatant violation of civil rights that the internment represented. As a result, Congress passed legislation in 1992 to establish a national historic site at Manzanar.

My legislation will allow us to finish the process of creating the Manzanar national historic site and complete a necessary acknowledgment of mistaken practices. The bill will make it possible for the Federal Government to obtain the Manzanar site through a land exchange with the Los Angeles Department of Water and Power [LADWP], which currently owns the property. The LADWP, the National Park Service, the Bureau of Land Management, and Inyo County have agreed to a land exchange that can occur rapidly once our legislation is passed. I commend these parties, as well as the Manzanar National Historic Site Advisory Commission and the Japanese-American community, for their work in bringing us to this stage in the process. I also deeply appreciate the commitment of my colleagues in the House, Congressman BOB MATSUI and Congressman JERRY LEWIS.

In addition to the cultural significance of this legislation, the land transfer will allow for the completion of a necessary environmental restoration project. Through an agreement between the LADWP and Inyo County, 60 miles of the Owens River Valley will be revived—wetlands will be restored, riparian areas will be renewed, and wildlife will again thrive.

The injustice that occurred at Manzanar should not be forgotten.

Manzanar should be preserved as a reminder of a terrible mistake—one which should never have been committed and one we should never repeat. I urge my colleagues to support this bill, so that we can quickly make the Manzanar national historic site a reality and instill in our citizens a high level of public awareness about the internment. •

By Mr. GRASSLEY (for himself, Mr. D'AMATO, and Mr. SHELBY):

S. 2053. A bill to strengthen narcotics reporting requirements and to require the imposition of certain sanctions on countries that fail to take effective action against the production of and trafficking in illicit narcotics and psychotropic drugs and other controlled substances, and for other purposes; read the first time.

NARCOTICS TRAFFICKING LEGISLATION

Mr. GRASSLEY. Mr. President, I am introducing legislation today to revise the annual certification process for drugs. It is called the International Narcotics Control Act of 1996.

Ten years ago, Congress passed bipartisan legislation in the Foreign Assistance Act that requires the President to report annually on international illegal drug production. That legislation also requires him to certify annually to the American public what major drug producing and transiting countries are doing to cooperate with international efforts to stop the production and transit of illegal drugs.

Virtually all the illegal drugs that come to the United States reach our shores from overseas. These drugs—particularly heroin and cocaine—are illegal to grow and produce in their countries of origin. In addition, these same major producers of illegal drugs are also signatories to various international agreements that commit them to stop this terrible trade. The certification legislation has the practical goal of giving us a realistic gauge by which to determine whether others are doing their fair share in stopping illegal drugs.

The legislation of 10 years ago also encourages U.S. administrations to make stopping illegal drugs a foreign policy priority. It has also been instrumental in encouraging greater cooperation by other countries in taking meaningful steps to deal with illegal drug production and transportation.

We and others in the international community expect each nation—producer or consumer—to take serious measures to stop the flow or use of illegal drugs. Unfortunately, not all countries have undertaken such efforts.

When these countries fall short of reasonable standards, the certification legislation requires the President to take note of this. In serious cases, it requires him to decertify a country if that country's efforts fall short of meaningful, credible cooperation.

It also requires the imposition of sanctions on countries that fail to take effective action against the production

and trafficking of illegal drugs. These sanctions, however, have no real teeth. They are mainly an embarrassment.

Although there are tough sanctions available, in the Narcotics Control Trade Act, these are optional and have never been used. This is true even though some of the decertified countries, like Burma, have been on the list almost since the list was started. To many decertified countries, then, embarrassment is hardly a serious concern. For others, once they learn how limited the practical effects are, embarrassment soon disappears. It is time, therefore, to update the present legislation and to give it more realistic measures to encourage serious cooperation. This is even more important at a time when illegal drug production is growing overseas and teenage use in this country is on the rise.

The legislation I am proposing today puts more force behind our policy. It introduces serious sanctions for non-cooperation. These sanctions would not take effect until the third year of decertification. They are, therefore, not arbitrary. It allows ample time for a country to improve its record. In addition, the proposed sanctions are more flexible than the present ones, which means they are more realistic. They give the President greater ability to use meaningful sanctions against countries that he determines are not living up to reasonable standards. If the administration has seen fit to decertify a country for 3 consecutive years, it is fitting that we take steps to support that judgment. This legislation does that.

In an effort to strengthen the reporting and certification process, this legislation would require the President to include information on the bilateral trade relationship between the United States and each country. This information will be necessary to evaluate the potential effect of various sanctions. Trade sanctions are perhaps one of the most powerful tools we have to put pressure on foreign governments, and also one of the least used. This legislation, however, gives us an effective tool for the future.

In addition, this legislation will require an update from the president on the status of cooperation of any country that did not receive full certification. As this information is already gathered throughout the year, and would only apply to a small number of countries—nine from 1996—this should not be a significant additional burden for the State Department.

This legislation also would codify additional items that should be taken into consideration regarding cooperation.

These cover changes in the drug trafficking industry that have occurred since certification was enacted in 1986. It also considers additional cooperation benchmarks that were unnecessary 10 years ago: such as, the better inspection of loaned or leased U.S. equipment; certification of the destruction of confiscated illegal drugs; and,

enforcement of adequate confinement so that narco-traffickers cannot continue their activities from inside prisons.

The present legislation also contains a provision for reporting on extraditions. Congress has had considerable difficulty in getting information from the State Department or the Justice Department on pending extraditions. Often, the first notice that an extradition has been agreed to is discovered in the morning paper, weeks after the extradition occurred. In an effort to shed more light on extraditions, this legislation would require a notice to Congress of any extradition agreement that has been reached. It has very simple requirements. And it will increase information on what the United States is giving up in order to reach these extradition agreements.

This legislation also expands the trade sanctions that are available for the President to choose from to penalize countries that do not adequately participate in drug efforts. Presently, there are five sanctions which the President may implement. This legislation adds five more sanctions to this list, both more and less severe than those presently available.

These sanctions include withdrawal of U.S. personnel and resources from participation in any Customs preclearance; denial of trade benefits under any existing free-trade area agreements; refusal to begin or continue negotiations on the establishment of a free trade area; denial or restriction of applications for immigrant or nonimmigrant visas; increased inspection standards to at least 35 percent for goods coming in; and denial of export of U.S. products or importation from that country.

Implementation of these sanctions are at the President's discretion for the first 2 years that a country is decertified. If a country is fully decertified or receives a national interest waiver for 3 consecutive years, then the President must choose and implement at least one of the listed sanctions. These sanctions will remain in effect until a country receives full certification.

The third change to the certification process that this legislation would make are changes in the international narcotics control strategy report.

These added reporting requirements identify what action the United States has taken under section 487—official corruption—of the Foreign Assistance Act and how the country has been affected by its implementation. Also, the report should indicate how a country has been affected economically by the production and trafficking in illegal drugs, and how and where U.S. equipment are being used. And finally, any country that is defined as a major money laundering country will be treated as a major drug transit or drug producing country.

These proposed changes enhance the ability of the United States to encourage full international cooperation in

dealing with the illegal drug trade. The provisions are fully in keeping with reasonable standards of international conduct. They are a serious part of making the stopping illegal drugs an important part of our foreign policy. There are fewer more direct and dangerous threats to our citizens today than that posed by illegal drugs. It is time to take the next step in ensuring that we are taking the responsible measures to control international drug trafficking.

That's why I am introducing this legislation today. I urge my colleagues to review this legislation and support this change.

By Mr. COCHRAN:

S. 2054. A bill to amend the Higher Education Act of 1965 to exempt certain small lenders from the audit requirements of the guaranteed student loan program; to the Committee on Labor and Human Resources.

THE HIGHER EDUCATION ACT OF 1965 AMENDMENT
ACT OF 1996

• Mr. COCHRAN. Mr. President, today I am introducing legislation to provide regulatory relief to small-and medium-sized financial institutions and protect the availability of student loans.

In the Higher Education Amendments of 1992, Congress required financial institutions participating in the Federal Family Education Loan [FFEL] Program to audit their student loan portfolios.

Unfortunately, this change did not take into account the impact this audit requirement would have on lenders with small student loan portfolios. These small lending institutions earn only a few thousand dollars annually, while the audit costs as much or more.

As a result of this prohibitively expensive and unnecessary audit requirement, many lenders are selling off their portfolios and leaving the FFEL Program altogether.

The Department of Education has indicated they do not have the authority to waive the audit requirement. Further, the Department has informed those with loan portfolios of less than \$10 million that, while they must perform the audits annually, the audit results shall be submitted to the Department only upon request. Thus, much of the time and money spent on these audits will be wasted.

The inspector general indicated in its semiannual report that they were concerned that the costs of legislatively required annual audits may outweigh the benefits. The inspector general has recommended that the Department take steps to establish in legislation a threshold for requiring these audits.

My legislation would eliminate the lender audit on institutions with portfolios equaling \$10 million or less. Without the change in current law lending institutions will continue to sell off their portfolios, leave the FFEL Program, and reduce the opportunities for our Nations' students.

I urge my colleagues to support this much needed reform. •

ADDITIONAL COSPONSORS

S. 706

At the request of Mr. HARKIN, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 706, a bill to prohibit the importation of goods produced abroad with child labor and for other purposes.

S. 1417

At the request of Mr. HELMS, his name was added as a cosponsor of S. 1417, a bill to assess the impact of the NAFTA, to require further negotiation of certain provisions of the NAFTA, and to provide for the withdrawal from the NAFTA unless certain conditions are met.

S. 1660

At the request of Mr. GLENN, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Minnesota [Mr. WELLSTONE], and the Senator from Idaho [Mr. KEMPTHORNE] were added as cosponsors 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. 1712

At the request of Mr. DORGAN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1712, a bill to provide incentives to encourage stronger truth in sentencing of violent offenders, and for other purposes.

S. 1797

At the request of Mr. ABRAHAM, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 1797, a bill to revise the requirements for procurement of products of Federal Prison Industries to meet needs of Federal agencies, and for other purposes.

S. 1954

At the request of Mr. HATCH, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 1954, a bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment.

S. 1984

At the request of Mr. GRAHAM, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1984, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to require a 10-percent reduction in certain assistance to a State under such title unless public safety officers who retire as a result of injuries sustained in the line of duty continue to receive health insurance benefits.

S. 1987

At the request of Mr. FAIRCLOTH, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 1987, a bill to amend titles II and XVIII of the Social Security Act to prohibit the use of Social Security and