

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 3, 1996.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget, U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The attached report, my first for fiscal year 1997, shows the effects of Congressional action on the 1997 budget and is current through August 2, 1996. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 1997 Concurrent Resolution on the Budget (H. Con. Res. 178). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended.

Sincerely,

JUNE E. O'NEILL,
Director.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1997, 104TH CONGRESS, 2D SESSION, AS OF CLOSE OF BUSINESS AUGUST 2, 1996

(In billions of dollars)

	Budget resolution H. Con. Res. 178	Current level	Current level over/under resolution
ON-BUDGET			
Budget Authority	1,314.8	844.5	-470.2
Outlays	1,311.0	1,032.0	-279.0
Revenues:			
1997	1,083.7	1,101.6	17.8
1997-2001	5,913.3	6,012.7	99.4
Deficit	227.3	-69.6	-269.9
Debt Subject to Limit	5,432.7	5,041.5	-391.2
OFF-BUDGET			
Social Security Outlays:			
1997	310.4	310.4	0.0
1997-2001	2,061.3	2,061.3	0.0
Social Security Revenues:			
1997	385.0	384.7	-0.3
1997-2001	2,121.0	2,120.6	-0.4

Note.—Current level numbers are the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE 104TH CONGRESS, 2D SESSION SENATE SUPPLEMENTING DETAIL FOR FISCAL YEAR 1997, AS OF CLOSE OF BUSINESS AUGUST 2, 1996

(In millions of dollars)

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			1,100,355
Permanents and other spending legislation	843,212	804,226	
Appropriation legislation		238,509	
Offsetting receipts	-199,772	-199,772	
Total previously enacted	643,440	842,963	1,100,355
ENACTED THIS SESSION			
Appropriations Bills:			
Agriculture (P.L. 104-180) ...	52,345	44,936	
Authorization Bills:			
Taxpayer Bill of Rights 2 (P.L. 104-168)			-15
Federal Oil & Gas Royalty Simplification & Fairness Act of 1996 (P.L. 104-185)	-2	-2	
Small Business Job Protection Act of 1996 (P.L. 104-188)	-76	-76	579
An Act to Authorize Voluntary Separation Incentives at A.I.D. (P.L. 104-190)	-1	-1	
Health Insurance Portability & Accountability Act of 1996 (P.L. 104-191)	305	315	590
Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193)	-2,341	-2,934	60
Total enacted this session	50,230	42,238	1,214

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE 104TH CONGRESS, 2D SESSION SENATE SUPPLEMENTING DETAIL FOR FISCAL YEAR 1997, AS OF CLOSE OF BUSINESS AUGUST 2, 1996—Continued

(In millions of dollars)

	Budget authority	Outlays	Revenues
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	150,853	146,763	
Total Current Level ¹	844,523	1,031,964	1,101,569
Total Budget Resolution	1,314,760	1,311,011	1,083,728
Amount remaining:			
Under Budget Resolution	470,237	279,047	
Over Budget Resolution			17,841

¹In accordance with the Budget Enforcement Act, the total does not include \$37 million in outlays for funding of emergencies that have been designated as such by the President and Congress.

SOUTHERN MARYLAND'S HISTORY—THE 100TH ANNIVERSARY OF THE CHARLES COUNTY COURTHOUSE

• Mr. SARBANES. Mr. President, Southern Maryland is rich in history—a history that has helped make our State and our Nation great. Southern Maryland is also the fastest growing part of the State of Maryland with thousands of jobs coming into the area as a result of the favorable recommendations of the Base Realignment and Closure Commission.

On September 8 in Charles County, the region pauses from the hustle and bustle in the area to mark a milestone in Southern Maryland's history with the 100th anniversary celebration of the Charles County Courthouse in the Town of LaPlata.

The Maryland Independent on September 4 included a supplement to its newspaper on the history of the Charles County Courthouse and its initiation through construction and subsequent additions.

Mr. President, I ask that the article be printed in the RECORD.

The article follows:

[From the Maryland Independent, Sept. 4, 1996]

ONE HUNDRED YEARS OF COURTHOUSE HISTORY

The 1896 courthouse is the last of four structures the county judicial and administrative bodies have occupied in the county's 338 years. In 1674, a building was erected at Moore's Lodge about one mile from La Plata. This building was abandoned in 1728, and the Charles County Court moved to Port Tobacco where the Maryland State Assembly authorized the building of a jail and a new courthouse.

Over time, the 1727-30 building became old and inadequate and a new courthouse was occupied by September 1821. It is this building that was destroyed by fire in 1892 in the midst of a bitter controversy over moving the courthouse to La Plata, and in 1896 a brick Victorian Gothic edifice was built on the present site.

The front facade was renovated in 1954 as it is seen today. In the middle 1970s, the rear of the building was extended in a typical 18th-century style, completely enclosing the 1896 structure.

THE FIRST COURTHOUSE

Charles County, named for Lord Baltimore's son and heir apparent, Charles Cal-

vert, was formally established in 1658. The court sat for the first time on May 25, 1658, and it is believed its first meetings were held at what is now Port Tobacco; however, there is no indication in the earliest records that this was the case. The first two volumes of the court records covering the period 1658-66 mention the exact meeting place only twice: "At A Counties Court Held at Humphreie Atwikses the 4th of June A 1658," and "The Court is Adjourned until the 12th of March A 1660 & appoynted to bee held at Clement Theobals hows."

According to the plaque in the 1954 addition to the present courthouse, the first Charles County Courthouse was built in 1658 and it is described as "One room built of logs, located on the western shore of Port Tobacco Creek."

COURTHOUSE AT MOORE'S LODGE

It was not until 1674 that a permanent location for a courthouse and prison was decided on. In the late fall of 1674, the county entered into a contract with John Allen to purchase Moore's Lodge, a one-acre tract of land on which Allen was then building a house. For a consideration of 20,000 pounds of tobacco, Allen contracted to have both the prison, a simple building, and the courthouse, which was of the cross style, ready for use by May 1675.

The clapboard-sheathed, timber-framed structure built in 1674 was located a mile south of La Plata and eventually abandoned in 1728. The courthouse, a one-story, one-room building with two small shed rooms at the rear, a two-story porch tower centered on the front and a brick outside chimney at one end, was initially intended for use as a dwelling.

Apparently Allen found himself unable to fulfill his agreement for at the January term, 1677, Thomas Hussey was given 20,000 pounds of tobacco for finishing the courthouse and the two rooms in the shed behind, "all of this to be done by September court following."

In 1682, after eight years of service, the courthouse was lengthened by 10 feet to provide for a "seat of Judicature." In September 1692, it was noted that the 1682 addition "wherein ye seat of judicature is, is very leaky."

In 1699, 25 years after its initial construction, the courthouse had to be almost entirely rebuilt. Work included extensive repairs to the supporting frame and replacement of the original chimney, exterior sheathing, floors, stairs, doors and windows. The rear shed rooms were removed and a 20-foot square room "with an Outside Chimney & Closet" was erected in their place. Despite this extensive renovation, the courthouse required further substantial repairs by 1715.

About 10 years after the repairs, the building was again "impaired, ruined and decayed." After deciding they had spent more than enough money and effort to keep the building standing, the commissioners petitioned the Assembly to build a new courthouse and prison on a site adjacent to the port settlement known as Chandler Town, then Charles Town and later as Port Tobacco. In 1731, the courthouse at Moore's Lodge was demolished and sold for salvage.

COURTHOUSE AT CHANDLER TOWN—CHARLES TOWN—PORT TOBACCO

In 1727, permission was granted to build a new courthouse . . .

"That the Justices of Charles County-court...are hereby authorized . . . to go to such Place commonly known by the name of Chandler-Town, on the East Side of Port-Tobacco Creek . . ."

Once the site had been chosen and the courthouse was under construction, the Assembly passed another act permitting the

laying out of land and erecting a town adjacent to the new courthouse and the name was to be changed from Chandler Town to Charles Town.

There perhaps has been a settlement at Chandler Town as early as 1686, but by 1727 the buildings were in ruin or gone and titles uncertain. A commission was chosen to select three acres within the town to be surveyed for the new courthouse and to fix a fair price. The survey was completed on Dec. 20, 1727, and the price was 2,000 pounds of tobacco. The commission then contracted with Robert Hanson and Joshua Doyme to build a courthouse and prison, stocks and pillory for 122,000 pounds of tobacco. Since the specifications for the building were lost, there is no information available on the structure other than it was probably brick because of the cost.

The date it was completed is confirmed by a note in the court proceedings of Aug. 11, 1730:

"The Court adjourns til tomorrow morning Eight o'clock to meet at the new Court house in Charles Town."

SECOND COURTHOUSE AT CHARLES TOWN—PORT TOBACCO

The 1727-30 building became old and inadequate, and the effort to replace it began with the demand for a new jail. In 1811, an act was passed to permit the Levy Court of Charles County to raise \$2,000 for this purpose.

Four years later, the commissioners, who had been appointed to build the jail, were authorized to levy an additional \$3,000 in the same manner and to devote the entire sum to the building of a new courthouse at Charles Town, and nothing more is mentioned about the jail. The courthouse could not be finished for the amount estimated, and the General Assembly had to be petitioned for a revision upward. In 1818, the Assembly authorized the levying of an additional sum not to exceed \$15,000.

The new courthouse was occupied by the county in September 1821 and is generally associated with Port Tobacco, since it is the only one of which there is any type of pictorial representation. It was often confused as the first courthouse of the county. Also about this time, public sentiment succeeded in having the name Charles Town changed officially to Port Tobacco.

This courthouse continued in service until the fire of Aug. 3, 1892, when it was completely destroyed.

The circumstances surrounding the fire are curious. The town of La Plata, three miles north of Port Tobacco, began around 1873. Soon thereafter, the Popes Creek Railroad established a line of communication (railroad and telegraph station) between the village and the rest of the state. As a result it grew, and Port Tobacco declined. Sentiment grew to remove the county seat to La Plata, and a bill was passed in the General Assembly in 1882 for this purpose. The move was defeated by referendum and no further action was attempted until 1890 when a similar bill was introduced. The bill was passed, but was vetoed by the governor.

At the next session, a bill was introduced and approved by the governor which provided for a special referendum to be held May 7, 1892, to decide the issue between the two towns. The proposal was defeated by a vote of 995-1,329. During the night of Aug. 3 the courthouse burned. The cause of the fire was undetermined, but fortunately all the records had been carefully removed before the fire. No one was ever prosecuted and no one ever admitted to knowledge of the deed.

Whatever the cause, the fire did settle the issue for Port Tobacco. Feelings ran high that it was impractical to rebuild the court-

house at Port Tobacco since it had long since lost its entrance to the sea because of silting and had been bypassed by the railroad.

When the question was brought before the General Assembly in 1894, the rivals for the county seat were La Plata and Chapel Point. Subsequently, a special election was held, and at midnight on June 4, 1895, La Plata became the county seat. Provision was also made for a \$20,000 bond issue for a new courthouse and jail.

FIRST COURTHOUSE AT LA PLATA

The same law empowered the building commissioners to sell the old courthouse and jail lots and to apply the proceeds to the cost of the new buildings. This was done, and Port Tobacco rapidly declined. It was taken in hand again 50 years later by the Society for the Restoration of Port Tobacco with little left but the memory of the public buildings.

The courthouse in La Plata was built of red brick in a rather imposing, but unattractive Victorian style. The architect of the building, completed in 1896, was Joseph C. Johnson, and the contractor was James Haislip. They worked under the supervision of a building committee including Dr. James J. Smoot, William Wolfe, J. Hubert Roberts, John H. Mitchell, John W. Waring, Adrian Posey and George W. Gray.

The general style of architecture was Romanesque and was finished in pressed brick with slate roofing. It was 90 feet long, 52 feet wide and 30 feet high with a 70-foot tower in the front.

There were five offices on the first floor. The county commissioners shared a large office with the school superintendent. The clerk of court's office included a vault for court records and a working area. The county treasurer and register of wills occupied offices on each side of the main entrance. The state's attorney and sheriff shared a small office in the rear of the building. Each office was equipped with a cuspidor to accommodate the tobacco-chewing occupants and visitors.

A large rope hung from the belfry to the second floor landing which was used to ring the courthouse bell. The bell was tolled each day at 10 a.m. by the clerk of the court or a bailiff to announce the beginning of a session.

The second floor included a court room in the center to accommodate 250 persons, with a law library to the rear and rooms for the grand and petit juries. There were two restrooms in the basement adjacent to the furnace room. There were four fireplaces in the courthouse, and, though not used, existed until the 1954 addition.

The first meeting of the county commissioners in their new quarters in the courthouse was on Jan. 5, 1897, and the first-ever term of the circuit court in the new courthouse began in February 1897.

The jail built in the courtyard behind the courthouse was two stories high and made of stone, brick and cement. There were rooms on the first floor for the jailor and cells on the second floor for the prisoners. Its cost was \$2,500 and considered fireproof. Criminals condemned to death were hanged from a gallows just outside its walls.

ADDITIONS TO THE COURTHOUSE AT LA PLATA

The first addition to the 1896 courthouse was in 1949. It consisted of two restrooms and an office for the clerk of the court on the first floor. The second floor of this addition provided for an addition to the law library and an office and restroom for the country's newly appointed judge, J. Dudley Digges, who at age 37 was the youngest circuit judge in the state. The addition was made to the rear of the courthouse, and the contractor was Cleveland Herbert of Hughesville.

The courthouse changed little inwardly and not at all outwardly until 1954. In 1953,

the Greek Revival facade of the building was added as the south addition to the original. The architect was Frederick Tilp (who also designed the county seal), and the contractor was Kahn Engineering Co. of Washington, D.C.

Dedicated on Oct. 2, 1954, the renovations had been sponsored by county commissioners William Boone, Bernard Perry and Calvin Compton. The building committee was chaired by Judge John Dudley Digges, with DeSales Mudd, Patrick Mudd, Calvin Compton and J. Hampton Elder as members. The cost was around \$300,000. The commissioners to whom the building was turned over were John Sullivan, W. Edward Berry and Lemuel W. Wilmer.

The 1954 addition created much needed space for all courthouse occupants. The new front provided offices for the county commissioners in the east wing. The register of wills, trial magistrate and sheriff occupied the west wing. The county treasurer and assessor took over the west wing of the old building along with the state's attorney. The clerk of court's office was extended to include the entire east wing of the old building. The east wing of the second floor of the new front was occupied by the superintendent of schools and the entire staff of the board of education.

In addition to the planned office space, rooms were added by means of temporary partitions to make space for probation, county roads superintendent and town commission officials. The new library occupied a wing of the courthouse.

Two of the old, high desks used in the last Port Tobacco courthouse were saved, like the records, from the fire. One is in the trial magistrate's office and the other is in the office of the supervisor of assessments.

The former jail, occupied for a time by the library and county agent's office, housed the Children's Aid Society and possibly the surveyor's office. In later years, the former local jail became home to the county's parks and recreation department, Economic Development Commission and currently houses a division of the sheriff's office.

The first fence around the courthouse yard was a wooden board fence which was replaced by a black pipe fence until 1954 when a brick serpentine wall was erected duplicating the one Thomas Jefferson designed for the University of Virginia at Charlottesville.

In 1974, the center section and north addition was completed in Georgian design and added an additional 35,000 square feet to the building. Baltimore architects Wrenn, Lewis and Jencks designed the addition. Renovation was directed by county commissioners James C. Simpson, Michael J. Sprague and Eleanor Carrico. The building committee was chaired by Judge James C. Mitchell with Judge George Bowling, J. Douglas Lowe, John McWilliams, Thomas F. Mudd, and Gertrude Wright assisting. The construction, begun in 1973, was by the Davis Corp. of La Plata, with the cost at \$2,038,238.

In 1965, plans for the addition were halted when the voters failed to give the county bonding authority to finance the project.

During the renovation, court was conducted in the social hall of Christ Church, and the treasurer's office was in the basement of Sacred Heart Catholic Church.

In 1988, county government offices moved from the courthouse to the former Milton Somers Middle School building. Now the courthouse includes the circuit and district courts, and offices of the state's attorney, clerk of the circuit court and register of wills.

Mr. SARBANES. Mr. President, in closing, I ask my colleagues to join me and the citizens of southern Maryland

in celebrating the 100th anniversary of the Charles County Courthouse. Steeped in the rich history of southern Maryland, this structure serves as a bridge from the past to the emerging hi-tech area that southern Maryland is rapidly becoming. •

TRIBUTE TO CONSTITUTION WEEK

• Mr. BOND. Mr. President, I rise today to pay a special tribute to Constitution Week and Citizenship Day. It is a great pleasure to recognize these two events as annual occasions that will continue to remind our Nation's future generations of the importance of constitutional government.

In 1952, to commemorate the signing of the Constitution, the U.S. Congress authorized an annual Presidential proclamation designating September 17 as Citizenship Day. Later, on August 2, 1955, the Daughters of the American Revolution proposed and Congress approved a second resolution authorizing the President to designate annually the week of September 17-23 as Constitution Week.

I believe that both of these occasions provide the American people with the opportunity to learn about and reflect upon the rights and privileges of citizenship which are protected by the Constitution. This year, as we celebrate Constitution Week and Citizenship Day, I invite every citizen and institution to join in the national commemoration. •

THE 50TH ANNIVERSARY OF JUNIOR ACHIEVEMENT OF WESTERN CONNECTICUT

• Mr. LIEBERMAN. Mr. President, I rise today to honor the Junior Achievement of Western Connecticut as it celebrates its 50th anniversary this year.

For the past 50 years, Junior Achievement has been dedicated to serving over 5,000 children in my home State of Connecticut. It gives me great pleasure to acknowledge the accomplishments of an organization that recognizes the needs of today's youth.

I am especially proud of the Junior Achievement Program's ability to motivate over 2,000 volunteers to participate in this year's event. We share the sentiment that by educating our children now, they will be better prepared to enter the workplace in the future.

Again, Mr. President, I would like to congratulate Junior Achievement of Western Connecticut on the occasion of its 50th anniversary. Junior Achievement has served the people of Connecticut through organized events such as their annual Bowl-A-Thon, which will celebrate its 11th anniversary on November 2. I thank Chairman Ronald J. Martin, his staff, and the thousands of Junior Achievement volunteers for their service, dedication, and contribution to the Connecticut community. •

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 104-31; TREATY DOCUMENT NO. 104-32; AND TREATY DOCUMENT NO. 104-33

Mr. BOND. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following three treaties transmitted to the Senate on September 4, 1996, by the President of the United States:

Taxation Convention with Austria; Taxation Protocol Amending Convention with Indonesia; and Taxation Convention with Luxembourg.

I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification the Convention Between the United States of America and the Republic of Austria for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Vienna May 31, 1996. Enclosed is an exchange of notes with an attached Memorandum of Understanding, which provides clarification with respect to the application of the Convention in specified cases. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Convention.

This Convention, which is similar to tax treaties between the United States and other OECD nations, provides maximum rates of tax to be applied to various types of income and protection from double taxation of income. The Convention also provides for exchange of information to prevent fiscal evasion and sets forth standard rules to limit the benefits of the Convention to persons that are not engaged in treaty shopping.

I recommend that the Senate give early and favorable consideration to this Convention and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 4, 1996.

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification a Protocol, signed at Jakarta July 24, 1996, Amending the Convention Between the Government of the United States of America and the Government of the Republic of Indonesia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, with a Related Protocol and Exchange of Notes Signed at Jakarta on the 11th Day of July, 1988. Also transmitted for the information of

the Senate is the report of the Department of State with respect to the Protocol.

This Protocol reduces the rates of tax to be applied to various types of income earned by U.S. firms operating in Indonesia.

I recommend that the Senate give early and favorable consideration to this Protocol and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 4, 1996.

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification the Convention Between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Luxembourg April 3, 1996. Accompanying the Convention is a related exchange of notes providing clarification with respect to the application of the Convention in specified cases. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Convention.

This Convention, which is similar to tax treaties between the United States and other OECD nations, provides maximum rates of tax to be applied to various types of income and protection from double taxation of income. The Convention also provides for exchange of information to prevent fiscal evasion and sets forth standard rules to limit the benefits of the Convention to persons that are not engaged in treaty shopping.

I recommend that the Senate give early and favorable consideration to this Convention and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 4, 1996.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 104-30

Mr. BOND. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on September 3, 1996, by the President of the United States:

Taxation Agreement with Turkey.

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith for Senate advice and consent to ratification the Agreement Between the Government of the