

I believe that these requirements, if passed, will demonstrate strong and uniform Federal leadership in response to this problem. Consequently, I ask unanimous consent that the full text of this bill be printed in the RECORD, and I urge my colleagues to support this important measure.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Police Pursuit Policy Act of 1997".

SEC. 2. FINDINGS.

Congress finds that—

- (1) in 1996—
 - (A) 377 deaths occurred in the United States as a result of high-speed motor vehicle pursuits; and
 - (B) 103 of those deaths were police officers or innocent bystanders who died as a result of high-speed motor vehicle pursuits;
- (2) in 1995, of the high-speed motor vehicle pursuits conducted during that year, approximately—
 - (A) 40 percent resulted in accidents;
 - (B) 20 percent resulted in injury; and
 - (C) 1 percent resulted in death;
- (3) a recent study found that approximately 60 percent of high-speed motor vehicle pursuits resulted from pursuits that were not related to felony offenses;
- (4) an insufficient amount of statistical data and documentation concerning high-speed motor vehicle pursuits is available;
- (5) a recent study found that although only 31 percent of law enforcement agencies maintain consistent records on motor vehicle pursuits made by law enforcement officers, 71 percent of those agencies were able to provide data on the number of high-speed motor vehicle pursuits conducted;
- (6) a recent study found that—
 - (A) 73 percent of the law enforcement officers polled had been involved in a high-speed motor vehicle pursuit during the 12-month period preceding the date of the polling; and
 - (B) 40 percent of those officers reported that an accident resulted from a high-speed motor vehicle pursuit in which the officer participated;
- (7) a recent study found that most law enforcement recruits who receive training to become law enforcement officers receive only an average of 14 hours of training for driving skills, and a majority of that time is used to provide training in the mechanics of driving instead of providing practice for safe and effective high-speed motor vehicle pursuit procedures; and
- (8) a recent study found that an increased emphasis on the high-speed motor vehicle pursuit policies, procedures, and training decreases the occurrence of high-speed motor vehicle pursuits, as the recruits who receive training that includes special training for effective high-speed motor vehicle pursuits were less likely to engage in those pursuits.

SEC. 3. MOTOR VEHICLE PURSUIT REQUIREMENTS FOR STATE HIGHWAY SAFETY PROGRAMS.

Section 402(b)(1) of title 23, United States Code, is amended—

- (1) in each of subparagraphs (A) through (D), by striking the period at the end and inserting a semicolon;
- (2) in subparagraph (E), by striking the period at the end and inserting "; and"; and
- (3) by adding at the end the following new subparagraph:

"(F) on and after January 1, 1999, have in effect throughout the State—

"(i) a law that—

"(I) makes it unlawful for the driver of a motor vehicle to increase speed or to take any other deliberately evasive action if a law enforcement officer clearly signals the driver to stop the motor vehicle; and

"(II) provides that any driver who violates that law shall be subject to a minimum penalty of—

"(aa) imprisonment for a period of not less than 3 months; and

"(bb) seizure of the motor vehicle at issue; and

"(ii) a requirement that each State agency and each agency of a political subdivision of the State that employs law enforcement officers who, in the course of employment, may conduct a motor vehicle pursuit shall—

"(I) have in effect a policy that meets requirements that the Secretary shall establish concerning the manner and circumstances in which a motor vehicle pursuit may be conducted by law enforcement officers;

"(II) train all law enforcement officers of the agency in accordance with the policy referred to in subclause (I); and

"(III) for each fiscal year, transmit to the chief executive officer of the State a report containing information on each motor vehicle pursuit conducted by a law enforcement officer of the agency."

SEC. 4. REPORTING REQUIREMENT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General of the United States, the Secretary of Agriculture, the Secretary of the Interior, the Secretary of the Treasury, the Chief of the Capitol Police, and the Administrator of General Services shall each transmit to Congress a report containing—

(1) the policy of the department or agency headed by that individual concerning motor vehicle pursuits by law enforcement officers of that department or agency; and

(2) a description of the procedures that the department or agency uses to train law enforcement officers in the implementation of the policy referred to in paragraph (1).

(b) REQUIREMENT.—Each policy referred to in subsection (a)(1) shall meet the requirements established by the Secretary of Transportation pursuant to section 402(b)(1)(F)(ii)(I) of title 23, United States Code, concerning the manner and circumstances in which a motor vehicle pursuit may be conducted.

ADDITIONAL COSPONSORS

S. 627

At the request of Mr. JEFFORDS, the name of the Senator from Illinois [Ms. MOSELEY-BRAUN] was added as a cosponsor of S. 627, a bill to reauthorize the African Elephant Conservation Act.

S. 887

At the request of Ms. MOSELEY-BRAUN, the names of the Senator from Maine [Ms. SNOWE] and the Senator from Maine [Ms. COLLINS] were added as cosponsors of S. 887, a bill to establish in the National Service the National Underground Railroad Network to Freedom program, and for other purposes.

S. 981

At the request of Mr. THOMPSON, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 981, a bill to provide for analysis of major rules.

S. 1052

At the request of Mr. FAIRCLOTH, his name was added as a cosponsor of S. 1052, a bill to amend the Andean Trade Preference Act to prohibit the provision of duty-free treatment for live plants and fresh cut flowers described in chapter 6 of the Harmonized Tariff Schedule of the United States.

S. 1056

At the request of Mr. BURNS, the names of the Senator from Kansas [Mr. BROWNBACK], the Senator from Kansas [Mr. ROBERTS], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Iowa [Mr. HARKIN], and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of S. 1056, a bill to provide for farm-related exemptions from certain hazardous materials transportation requirements.

S. 1081

At the request of Mr. LEAHY, the names of the Senator from Hawaii [Mr. INOUE] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 1081, a bill to enhance the rights and protections for victims of crime.

S. 1105

At the request of Mr. COCHRAN, the names of the Senator from Virginia [Mr. WARNER] and the Senator from Tennessee [Mr. FRIST] were added as cosponsors of S. 1105, a bill to amend the Internal Revenue Code of 1986 to provide a sound budgetary mechanism for financing health and death benefits of retired coal miners while ensuring the long-term fiscal health and solvency of such benefits, and for other purposes.

SENATE CONCURRENT RESOLUTION 48

At the request of Mr. KYL, the names of the Senator from Utah [Mr. HATCH] and the Senator from Michigan [Mr. ABRAHAM] were added as cosponsors of Senate Concurrent Resolution 48, a concurrent resolution expressing the sense of the Congress regarding proliferation of missile technology from Russia to Iran.

SENATE RESOLUTION 119

At the request of Mr. FEINGOLD, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of Senate Resolution 119, a resolution to express the sense of the Senate that the Secretary of Agriculture should establish a temporary emergency minimum milk price that is equitable to all producers nationwide and that provides price relief to economically distressed milk producers.

AMENDMENTS SUBMITTED

THE BIPARTISAN CAMPAIGN REFORM ACT OF 1997

LOTT (AND WARNER) AMENDMENT NO. 1258

Mr. LOTT (for himself and Mr. WARNER) proposed an amendment to the

bill (S. 25) to reform the financing of Federal elections; as follows:

Strike all of section 501, and insert the following:

SEC. 501. PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

LOTT AMENDMENT NO. 1259

Mr. LOTT proposed an amendment to amendment No. 1258 proposed by him to the bill, S. 25, supra; as follows:

In lieu of the matter proposed to be inserted insert the following:

SEC. 501. PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

LOTT AMENDMENT NO. 1260

Mr. LOTT proposed an amendment to amendment No. 1258 proposed by him to the bill, S. 25, supra; as follows:

Strike all after the word “SEC.” in the pending amendment and insert the following:

501. PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

(b) EFFECTIVE DATE.—This section shall take effect two days after enactment of this Act.

LOTT AMENDMENT NO. 1261

Mr. LOTT proposed an amendment to the bill, S. 25, supra; as follows:

On page 42, in the language proposed to be stricken, strike all after “SEC. 501.” through the end of the page, and insert the following:

PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

(b) EFFECTIVE DATE.—This section shall take effect three days after enactment of this Act.

LOTT AMENDMENT NO. 1262

Mr. LOTT proposed an amendment to amendment No. 1261 proposed by him to the bill, S. 25, supra; as follows:

Strike all after the first word in the pending amendment and insert the following:

PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

(b) EFFECTIVE DATE.—This section shall take effect four days after enactment of this Act.

LOTT AMENDMENT NO. 1263

Mr. LOTT proposed an amendment to the motion to recommit the bill, S. 25, supra; as follows:

At the end of the instructions add the following:

“with an amendment as follows:

Strike all of section 501 and insert the following:

SEC. . PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

LOTT AMENDMENT NO. 1264

Mr. LOTT proposed an amendment to amendment No. 1263 proposed by him to the bill, S. 25, supra; as follows:

In lieu of the matter proposed to be inserted insert the following:

SEC. . PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

“(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

LOTT AMENDMENT NO. 1265

Mr. LOTT proposed an amendment to amendment No. 1264 proposed by him to the bill. S. 25, supra; as follows:

Strike all after the word “section” in the first-degree amendment and insert the following:

PAYCHECK PROTECTION ACT.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding the following new subsection:

“(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

“(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activities in which the national bank or corporation, as the case may be, is engaged; and

“(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activities.

“(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time.

“(3) For purposes of this subsection, the term ‘political activities’ includes communications or other activities which involve carrying on propaganda, attempting to influence legislation, or participating or intervening in any political campaign or political party.”

(b) EFFECTIVE DATE.—This section shall take effect two days after enactment of this Act.

NOTICE OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information

of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Tuesday, September 30, 1997, 10 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is Tobacco Settlement part III. For further information, please call the committee, 202/224-5375.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Wednesday, October 1, 1997, 10 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is Voluntary Initiatives to Expand Health Insurance Coverage. For further information, please call the committee, 202/224-5375.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry has changed the hearing schedule for October. The committee will meet on the following days:

Tuesday, October 7, 1997 in SR-328A at 9 a.m. To consider the nomination of Sally Thompson to be the Chief Financial Officer for the U.S. Department of Agriculture. The committee will also consider other recently announced nominations whose paperwork is received in a timely manner.

Wednesday, October 8, 1997 in SR-328A at 9 a.m. The purpose of this hearing is to examine food safety issues and recent food safety legislation proposed by the U.S. Department of Agriculture.

AUTHORITY FOR COMMITTEE TO MEET

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. BENNETT. Mr. President, I ask unanimous consent that the subcommittee on Administrative Oversight and the Courts, of the Senate Committee on the Judiciary, be authorized to meet during the session of the Senate on Monday, September 29, 1997, at 2 p.m. to hold a hearing in room 226, Senate Dirksen Building, on: A Review of the FBI Crime Laboratory.

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

ADDITIONAL STATEMENTS

WHAT NEXT, MR. PRIME MINISTER? DEMOCRACY HANGS IN THE BALANCE IN SLOVAKIA ON CONSTITUTION'S FIFTH ANNIVERSARY

• Mr. D'AMATO. Mr. President, 5 years ago, the speaker of the Slovak Parliament, Ivan Gasparovic, described his country's new constitution as “an expression of centuries-old emancipation efforts of the Slovak people to have a

sovereign state of their own.” He also spoke of its “supreme binding force.” Since then, the people who present themselves as the guardians of Slovakia's statehood have undermined Slovakia's constitution.

This is what they have done.

This May, the Ministry of Interior ignored the Constitutional Court's ruling and altered an important referendum on NATO and on the direct election of the President, effectively denying the people of Slovakia their constitutionally guaranteed right to register their views through a referendum. Defending its actions, members of the Prime Minister's party insisted that they acted in conformity with the constitution—as they interpreted it—and that they were justified in placing their views ahead of the ruling of the highest court in the land.

The actions of the ruling coalition in the case of Frantisek Gaulieder makes clear that the Meciar government has a profound and fundamental disregard for the constitution of Slovakia.

Then there is the case of Frantisek Gaulieder.

Frantisek Gaulieder is a member of the Slovak Parliament who was removed from office because he renounced his membership in Prime Minister Vladimir Meciar's party, the Movement for a Democratic Slovakia. On July 25, the Constitutional Court confirmed that the ruling coalition's action which deprived Gaulieder of his seat was unconstitutional and violated Gaulieder's rights. But members of the Prime Minister's coalition again claimed that they, and not the Constitutional Court, have the right to determine what the constitution means, and have declined to act to restore Gaulieder to his seat in Parliament.

In short, the “supreme binding force” that Ivan Gasparovic spoke of 5 years ago no longer flows from the constitution, but from the will of Vladimir Meciar.

When there are differences of opinion as to what a constitution means, whether those differences arise between branches of government or between the government and its citizens, in a state operating under the rule of law, it is the job of a constitutional court to interpret what the constitution means—not the Prime Minister or Parliament. Although this principle is taken for granted in many parts of Europe, and was established early in American history by the famous Supreme Court case of Marbury versus Madison, it has apparently not yet been accepted in Slovakia.

Mr. President, the Slovak Democratic Coalition has moved, four times, to convene a special session of the Parliament in order to implement the decision of the Constitutional Court and restore Frantisek Gaulieder to his seat. Four times, however, Prime Minister Meciar's coalition has boycotted their own Parliament rather than face the following dilemma: restore Gaulieder to his seat—consistent with the Constitutional Court's decision—and risk