

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

the chance that others will follow Gaulieder's example and defect from the Prime Minister's party, or vote down the Slovak Democratic Coalition's proposal to restore Gaulieder to his seat and confirm that whatever form of government exists in Slovakia, it is not constitutional democracy, at least not as we understand it.

Sooner or later, the Slovak Parliament will reconvene. When it acts, or fails to act, on the Gaulieder question, we will know whether Slovakia is committed to becoming a functioning constitutional democracy. If it is not, what it will become is an isolated State under constant international pressure and scrutiny, cut off from a promising and prosperous future by the arrogance and greed of its own leaders.

As Vladimir Meciar is asked in his weekly news show, what next, Mr. Prime Minister?•

TRIBUTE TO GEN. JOHN M. SHALIKASHVILI

• Mr. LEVIN. Mr. President, I rise today to pay tribute to Gen. John M. Shalikashvili on the occasion of his retirement after serving on active duty for more than 39 years, the last 4 years of which he has served as the Chairman of the Joint Chiefs of Staff.

General Shalikashvili's life is a marvelous American success story. Many people are aware that he was born in Warsaw, Poland of stateless parents and came to Peoria, IL, at the age of 16. What is not generally known, however, is that when he became a naturalized American citizen shortly before he graduated from Bradley University, it was the first nation of which he was a citizen, and that he was drafted into the U.S. Army shortly after graduation. He is the only Chairman of the Joint Chiefs of Staff who is a naturalized American citizen and the only Chairman who was drafted into the military.

Mr. President, I won't attempt to describe all of General Shalikashvili's military achievements, but I would like to include a few of his experiences that I believe molded his outlook and enabled him to perform in such a superb fashion as our Nation's senior military officer.

General Shali, as he likes to be called, served in Vietnam during the Tet offensive and in Korea in the early 1970's. His experience in combat and in a theater in which U.S. forces faced a strong and unpredictable military foe undoubtedly prepared him to be the strong spokesman for the men and women in uniform and a strong advocate for maintaining our Nation's military might second to none.

I have been struck by General Shali's frequent reference to his experience in 1991 as the head of Operation Provide Comfort. This operation brought the Iraqi Kurds down from the mountains of northern Iraq and eastern Turkey where thousands were dying and helped them to return to their towns and vil-

lages. He has described that experience as the toughest challenge and, at the same time, one of the most gratifying things that he has done. Mr. President, it has been my experience that our finest military leaders are also people who are caring human beings. General Shali's compassion and humanity comes clearly through in his recollection of his experience with the Iraqi Kurds who suffered so much at the hands of Saddam Hussein.

General Shali also served in a number of positions in Europe both during and after the cold war. Just last week, I had an opportunity along with Senators ROTH and BIDEN and other members of the Senate NATO Observer Group to meet with General Shali and the chiefs of defense of our NATO allies. I observed with pride the respect and admiration that the senior military leaders of our NATO allies have for General Shali. I am sure that it was also evident to them that all of the Senators at that meeting have the highest regard for General Shali. With his European upbringing and his several assignments in the European area, including as NATO's Supreme Allied Commander, General Shali has been a unique leader as NATO has been carrying out its internal adaptation and its enlargement.

Mr. President, I am sure that there will be a number of tributes paid to general Shali here on the Senate floor, elsewhere in the Capital area, and around the world. Some will no doubt recount his extraordinary performance as the Chairman of the Joint Chiefs of Staff. I have chosen to highlight only a few and perhaps lesser known aspects of General Shali's career because I believe they demonstrate his qualities of leadership, compassion, humanity, and courage.

General Shali has been a superb Chairman, a true friend of the men and women who serve our Nation, and I count myself fortunate to consider him a good personal friend. I salute him for the former and cherish the latter.•

KENNETH APFEL CONFIRMATION

• Mr. GRASSLEY. Mr. President, today Mr. Ken Apfel will be sworn in for the position of Commissioner of the Social Security Administration. Mr. Apfel was confirmed earlier this month to direct the agency responsible for administering the largest domestic program in the United States. Social Security will have an impact on the life of every single American at one time or another. I support Mr. Apfel's confirmation to head this vital agency.

Mr. Apfel will guide the Social Security program into the 21st century, bringing it right up to the edge of the largest demographic shift this country has ever seen. Starting in 2010, the baby boom generation—70 million strong—will begin entering retirement. Because of the tremendous medical strides we have made in extending life expectancy, this cohort will be living

longer and collecting benefits longer. It is imperative that our Social Security program be ready to absorb such a huge influx of beneficiaries. The Commissioner must be a leader in preparing the agency and the program itself, to meet this challenge.

Preparing for the retirement of the baby boom generation is only half of the challenge. There are on-going problems that must be addressed as well. The Social Security Administration has had difficulties protecting taxpayer dollars. The General Accounting Office recently elevated the Supplemental Security Income Program to its high-risk list of Federal programs because of their inability to pay out the proper amount of money. Huge overpayments go out to beneficiaries—most of which are never collected. Additional problems exist in the Disability Insurance Program. Prisoners and legal aliens have received benefits improperly. The agency has not fulfilled its legislative mandate to refer applicants and recipients of disability benefits to appropriate rehabilitation. Addressing these issues is very important because problems in any one of the programs that the Social Security Administration operates undermines confidence in all of the programs.

I will say right now that I do not envy Mr. Apfel. He is endeavoring to take on a job with many difficult challenges. Having met with him personally, I can honestly say I believe he can do the job. It is my hope, however, that he will not fall into the practice of his predecessors of not taking a pro-active stance with regard to policy issues faced by the Social Security Administration. When he sees the need for legislative action, or he sees problems with policies that must be changed—that he communicate with Congress immediately.

I hope he will see himself, in his capacity as Commissioner, as a liaison to the public, to the President, and to Congress to resolve some of the most important challenges that will face our country and the Government over the next 6 years. Most of all, SSA, like any other Government agency, is an overseer of taxpayer dollars—our money. That responsibility must be taken with the utmost seriousness and deliberation. If he can motivate his personnel to do that—protect taxpayer dollars—he will have a successful term as Commissioner.•

BLACK CAREER WOMEN

• Mr. DEWINE. Mr. President, I rise today to recognize the achievement of a very valuable community organization in Cincinnati, OH.

The group—known as Black Career Women, or BCW—has been serving the African-American community in Cincinnati and throughout the United States for 20 years. Back in the early 1980's, BCW provided word processing assistance and office-skill development