S. Res. 50. A resolution to express the sense of the Senate regarding the correction of cost-of-living adjustments; to the Committee on Finance.

By Mr. ROTH (for himself, Mr. LIEBERMAN, Mr. LUGAR, Ms. MIKULSKI, Mr. HAGEL, Mr. MCCAIN, Mr. COCHRAN, Mr. ENZI, and Ms. MOSELEY-BRAUN):

S. Con. Res. 5. A concurrent resolution expressing the sense of Congress that the extension of membership in the North Atlantic Treaty of 1949 to certain democracies of Central and Eastern Europe is essential to the consolidation of enduring peace and stablity in Europe; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN:

S. 264. A bill to amend title XI of the Social Security Act to provide an incentive for the reporting of inaccurate Medicare claims for payment, and for other purposes; to the Committee on Finance.

THE MEDICARE WHISTLEBLOWER ACT

Mr. McCAIN. Mr. President, I am proud to be introducing legislation today which will significantly reduce fraud and abuse by providers in the Medicare program. The Medicare Whistleblower Act of 1997 will provide strong incentives for Medicare beneficiaries to identify provider fraud in the Medicare system.

As I travel around my home State of Arizona, seniors keep telling me about the fraudulent and negligent billings which are rampant throughout the Medicare Program. Over and over again, they tell me about their personal experiences with fraud and overbillings in the Medicare system. Many of the seniors say that their Medicare bills frequently include charges for medical services which they never received, double billings for a specific treatment, or charges which are disproportionate and severely marked up. Usually, most of these seniors have no idea what Medicare is being billed on their behalf and they have no way to obtain a detailed explanation from the Medicare providers.

These personal stories from senior citizens are confirmed by analyses and detailed studies. According to the General Accounting Office, fraud and abuse in our Nation's health care system costs taxpayers as much as $100 billion each year. Medicare fraud alone costs about $17 billion per year which is about 10 percent of the program's costs.

This is quite disconcerting, especially in light of the financial problems facing our Medicare system. Currently, the Medicare system is expected to run out of funds in the year 2001.

A fundamental problem with the Medicare system is that most beneficiaries are not concerned with the costs of the program because the Government is responsible for them. One of my constituents shared with me an experience he had when his provider double-billed Medicare for his treatment and the provider told him not to be concerned about it because, ''Medicare is paying the bill.'' This is an outrage and we cannot allow this flagrant abuse of taxpayers dollars to continue. Remember, when Medicare overpays, we all overpay, and costs to beneficiaries and the taxpayers spiral while the financial sustainability of the program is violated.

My bill, the Medicare Whistleblower Act addresses this fundamental problem in the Medicare Program. This legislation strengthens the procedures for detecting and identifying fraud and waste in the Medicare system. This bill provides beneficiaries with incentives for carefully scrutinizing their bills and actively pursuing corrections when they believe there has been an inappropriate or unjustified charge made to the Medicare Program. The beneficiaries would be financially rewarded if they detect negligent or fraudulent charges in their Medicare bill.

I recognize that provider fraud is not the sole source of waste and abuse in the Medicare system, and I wholeheartedly support other initiatives which address beneficiary fraud. However, studies indicate that provider fraud is most prevalent and the greatest concern for the system, making initiatives such as this one which specifically target provider fraud very important.

The Medicare Whistleblower Act will give beneficiaries the right to request and receive a written itemized copy of their medical bill from their Medicare health care provider. This itemized bill should be provided to the beneficiary within 30 days of the provider's receipt of their request. Once the beneficiary receives the itemized bill they would have 90 days to report any inappropriate billings to Medicare. The Medicare intermediaries and carriers would then have to review the bills and determine whether an inappropriate payment has been made and what amount should be reimbursed to the Medicare system.

If the Secretary of Health and Human Services confirms that the charges were either negligent or fraudulent, the beneficiary would receive an award equal to 1 percent of the overpayment reimbursed up to $10,000. The financial awards given to the beneficiaries would not increase costs to the Federal Government since they would be paid directly from the overpayment. In cases of fraud, the rewards would be paid directly by the fraudulent provider as a penalty, and would therefore not even reduce the amount of the overpayment reimbursed to the Federal Treasury.

Several important safeguards have been built into this legislation. First, the Secretary of Health and Human Services would be required to establish appropriate procedures to ensure that the incentive system is not abused by overzealous beneficiaries. Second, an incentive payment would be awarded only to the extent that the Health Care Financing Administration HCFA is able to recover the overpayment from the provider. Finally, there would be no incentive payment if HCFA can demonstrate that it had identified the overpayment prior to receiving the beneficiary's complaint.

Some may argue that seniors and other beneficiaries should not receive financial rewards for fighting fraud—that it should be their civic responsibility. While I may agree with this contention, I also recognize that these seniors would not be able to detect and report fraud or abuse without having access to the itemized bills that this legislation provides. Besides, I do not see anything wrong with providing beneficiaries with a financial incentive for fighting waste. After all, we currently pay Federal employees for suggestions which result in savings for the taxpayers, and we pay private citizens for identifying fraud by defense contractors.

It is imperative that we put an end to the rampant abuse and fraud in the Medicare system. This bill would contribute significantly to this effort.

Mr. President, I believe that a very effective approach for detecting and fighting fraud is to provide individuals with a personal financial interest in the process. By passing this legislation, Congress would be empowering over 36 million Medicare beneficiaries to protect their program from fraud, waste, and abuse. I ask unanimous consent that the following letters of support from the Seniors Coalition and the National Committee to Preserve Social Security and Medicare be included in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE,
Washington, DC, January 27, 1997.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: On behalf of the 5.5 million members and supporters of the national Committee to Preserve Social Security and Medicare, we offer our endorsement of the Medicare Whistleblower Act of 1997, legislation to strengthen procedures for identifying fraud and waste in the Medicare program.

A major effort to prevent fraud and abuse is essential and appropriate—particularly at a time when Congress is considering ways to ensure the solvency of the Medicare program for current and future beneficiaries. It is essential that we enlist the cooperation of the public, beneficiaries, providers and carriers to curb fraud and waste in the Medicare program and ensure that Medicare funds go toward patient care. As you know, major and increasingly complex patterns of fraud and abuse have infiltrated many health sectors.

Your legislation will strengthen the role of beneficiaries in detecting and reporting fraud and waste. Of particular importance are the provisions ensuring that beneficiaries be provided, upon request, copies of itemized bills submitted on their behalf. Beneficiaries must have accurate information about bills submitted on their behalf in order to meaningfully participate in this

program. It is also important for the Secretary to establish procedures to prevent abuse or over-use of the reporting system.

Seniors thank you for your help in combating this growing problem.

Sincerely,

MARTHA A. MCSTEEN,
President.

THE SENIORS COALITION,
Fairfax, VA, January 30, 1997.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: The Seniors Coalition, representing 2.4 million senior citizens nationwise, is pleased to support the legislation you have recently introduced to reduce waste and fraud in the Medicare system. Our members report to us the same kinds of experiences as your constituents do to you, and we are certain that your legislation will help.

However, I must note that while these are desirable reforms, they do not correct the basic flaws in the Medicare program, and it is these flaws which make Medicare ultimately unsustainable.

By separating those who receive benefits from those who pay, Medicare encourages overuse, waste, fraud, abuse, and cheating. Passage of legislation such as yours, which creates some incentives to discover fraud and abuse, can never substitute for the self-policing systems of true free markets, where every patient has an incentive to find the least expensive, most cost-effective treatment, and to monitor for double-billing, mistakes, and fraud in a way no artificial system can ever re-create.

The Seniors Coalition is happy to support your efforts, but we urge you to undertake a thorough and long-overdue revamping of the entire program, before its internal contradictions bring it crashing down on the heads of seniors who deserve better treatment.

Please let us know what we can do to help you with your efforts.

Sincerely,

THAIR PHILLIPS,
Chief Executive Officer.

By Mr. REID:

S. 265. A bill to provide off-budget treatment for the highway trust fund; to the Committee on the Budget and the Committee on Government Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one committee reports, the other committee have 30 days to report or be discharged.

THE HIGHWAY TRUST FUND PROTECTION ACT OF 1997

Mr. REID. Mr. President, I have just come from my office where I had a number of meetings. I met with a group of lawyers this morning. They were talking about issues that are going to come before the Congress that are important to them. But in the course of the conversation, I talked to them about the days when I was an attorney and practiced law.

One of the things that has been brought to my mind as a result of my meeting with those lawyers today is how important it is to protect your client's assets. If you had a case for a client, any money that came in that was that client's property, you had to put that money in a trust account. None of that money in that trust account could be used to make a house payment or make a car payment of yours. Those moneys could only be used for the benefit of your client. If a lawyer violated the trust that he or she had with his client, you could lose your license to practice law. You could, in fact, be prosecuted criminally and go to jail.

It seems around here that we handle people's trust accounts, the taxpayers' trust accounts in a very cavalier fashion. Today I want to talk about one of those trust funds. I want to talk about the highway trust fund. It is coincidental that I am here introducing legislation after having met in my office just a short time ago with Nevada's head of the department of transportation, a man by the name of Tom Stephens. He was back here with other Nevadans to tell me the problems that the State of Nevada has. I am a member of the Environment and Public Works Committee and we will have to address the problems of this entire country when we reauthorize the highway transportation bill this year. The people from Nevada were telling me about the problems we have in Nevada. They are significant. We are the most rapidly growing State in the Union. We have traffic jams where we never had them before, especially in the southern part of the State. He proceeded to tell me about five projects that will cost about $1 billion—extension of Highway 95, I–15 to the California border, in the Reno-Carson City area we have to get the freeway completed between Carson City and Reno, and a number of other very difficult projects that cost a lot of money. He was looking to me for guidance and direction as to how some of these very difficult projects could be directed—how moneys in the bill could be directed toward the State of Nevada.

There is no question, Mr. President, that this is going to be a busy legislative year. As I have indicated, one of the things we will work on is the Intermodal Surface Transportation Efficiency Act, what we call ISTEA, reauthorization of the highway bill. This legislation plays an integral role in the financing of our Nation's transportation infrastructure. It is a bill that will receive bipartisan support, I hope, for a number of reasons. Most recognize the need to invest in our transportation infrastructure. It is that way all over the country.

The Presiding Officer of this body today is from a very sparsely populated State, but it is a big State and covers a lot of area. I have driven much of the State of Wyoming. The State of Wyoming has, like Nevada but in a more exaggerated sense, a very small population base. However, the people of Wyoming travel these long distances and they want to travel these distances on good roads. Not only do the people that live in Wyoming need those good roads, but the State of Wyoming is surrounded by States that people are trying to get to. Wyoming is a bridge State. Thousands and thousands of people come to Wyoming every year to go to Yellowstone National Park. Should the people of Wyoming alone be responsible for those roads? Well, the answer is no, we have a Federal policy that helps the State of Wyoming in the road construction. You have demand in the State of Wyoming that cannot be met by the State of Wyoming. Your transportation director, I am sure, will come and visit the Presiding Officer, just like my State of Nevada head of transportation came and visited me, to talk about particular specific problems that you have in the State of Wyoming which are compounded by the bad weather that you have there.

I am sure a lot of people do not know that this money we collect in the highway trust fund is not used for highway construction. What is it used for? It is used to mask the Federal deficit to the tune of about $20 billion. All of us agree that we need to invest in our highway transportation system. We all agree that there is a need to provide a safe, efficient, and modern transportation infrastructure, and most agree that too little is being spent on this important investment. The biggest reason, though, we are spending too little on this investment is we are not spending the money we have in trust to spend. Just like the example I gave earlier where I, as an attorney, would take my client's money, just as we as a Federal Government take our client's money, the taxpayer, every time a gallon of gas is purchased, we take approximately 19 cents. Most of that money is required by law to be spent on the infrastructure of this country and it is not. That is what is wrong. Finances that should go to the highway construction is being use for other purposes. The money collected is not being used, I repeat, for its intended purpose. It is a perversion of the whole notion of how a trust fund should operate.

There have been earlier attempts to end this misspending by taking the transportation trust fund moneys off budget. In the House it has been successful. I am going to initiate an effort here in the Senate too to do likewise. They have not only gotten it out of committee in the House, they passed it on the floor. I support these efforts that they have initiated in the House because I believe we need to protect the integrity of these trust funds. I believe we should attempt to get these funds off budget and we should do it now.

That is why I am introducing this bill, the Highway Trust Fund Protection Act of 1997. It is very straightforward. It is a short bill. By taking the highway trust fund off budget we will be fulfilling our commitment to the taxpayer. We will be spending the revenues on the specific activities identified as the purpose of these trust funds. Mr. President, the trust fund is financed by sales taxes on tires, trucks, buses, trailers, as well as truck usage taxes. But about 90 percent of the trust fund revenue comes from excise taxes

on motor fuels. As I have indicated earlier, the majority of the motor fuel revenue dedicated to the trust fund is derived from 18.4 cents per gallon tax on gasoline. Of this, 14 cents is dedicated directly to the highway trust fund. Of the remaining 4.5 cents, 4.3 cents go to deficit reduction and one-tenth of 1 percent goes to the leaky underground storage fund.

Mr. President, there are many arguments for taking these trust funds off budget. I will talk about a few. First of all, it represents a contract with the people of this country. We pass legislation that tells someone when they buy a gallon of gasoline, part of that money is going to go into a trust fund to improve the roads—the roads in Wyoming, the roads in Nevada, and all over this country. If the highway trust funds are not going to be used for their stated purpose, we should eliminate the tax, or part of it.

According to the Federal Highway Administration there are significant infrastructure needs not being met. We do not need to go to the Highway Administration. We know by our own individual experiences in our individual States that it is important we spend more money on this construction. The trust fund inclusion in the unified budget subjects our outlays to the budget process. As a result, they are liable to legislative spending limitations. These limits are not based on analysis of national transportation spending need. Not once in the 5 years since ISTEA was enacted have Federal highway programs been funded at their authorized levels; this, despite the fact that the Department of Transportation has identified billions of dollars in need.

Remember, Mr. President, we have approximately $20 billion in excess funds not being spent and going into our infrastructure needs. The balances we run in the transit highway accounts makes no sense. This money should and could be invested in our Nation's highway system. It is estimated that to maintain—not improve, just maintain—our current highway system would cost over $200 billion. Taking the highway trust funds off budget will have limited effect on the deficit. The highway trust fund is user fee supported. The highway trust fund is deficit proof and has never contributed a single penny to the budget deficit. The highway trust fund supports long-term capital investments that produce economic benefits, which in turn generate increased revenue for the Federal Government.

This bill is about protecting the integrity of the highway trust fund. All taxpayers have an interest in this. We are told when we pay taxes at the pump that this money goes toward maintaining and improving our roads. I wish that were so. It is a myth. It is a myth of the highway trust fund. My legislation provides truth and budgeting and would simply do away with this myth.

It is unfair that we take a trust fund and use it for purposes other than for which the trust fund moneys were dedicated. I ask all of my colleagues to follow the example of the other body, the House of Representatives, and join me in supporting this legislation, which would take these moneys off budget and would allow us to spend the money that is so badly needed for highway construction in the United States.

By Mr. ROTH:

S. 266. A bill to establish the Government 2000 Commission to increase the efficiency and effectiveness of the Government, and for other purposes; to the Committee on Governmental Affairs.

THE GOVERNMENT 2000 COMMISSION ACT

Mr. ROTH. Mr. President, today I am introducing a bill which would establish a bipartisan Government 2000 Commission, charged with developing a comprehensive legislative proposal to reorganize, consolidate, and streamline Federal departments, agencies, and activities.

Mr. President, this Commission is very similar to the one that was included in S. 929 in the 104th Congress which was reported out of the Senate Governmental Affairs Committee under my chairmanship.

To make clear our objectives, this legislation includes specific goals for reducing costs and improving the performance.

These goals include: a 35-percent reduction in the costs of administration, a tenfold increase in the timeliness of service delivery, a compound annual improvement in productivity of 6 percent, and customer service levels comparable to the private sector.

The Commission's reorganization plan must include no more than 10 Cabinet Departments—a reduction from 14—and a substantial reduction in the number of agencies and subdepartmental bureaus, offices, divisions, and other program operating units to eliminate duplication and fragmentation. It is also required to achieve a reduction in the layers of organizational hierarchy and a substantial reduction in the total number of midlevel supervisory, administrative, and political positions.

The Commission is charged with considering the consolidation of program service delivery functions into operating units that are independent of individual executive departments, to maximize service coordination, and whether the heads of such program operating units should be nonpolitical, noncareer appointments hired for a fixed-term under an employment contract with specific, measurable program performance goals, to maximize accountability.

There will be nine Commission members: Two each appointed by the President, the Speaker of the House, and the Senate majority leader, and one each by the House and Senate minority leaders. The Chairman shall be appointed by agreement of the President, the Speaker, and the Senate majority leader. The Commission is authorized an appropriation of $5 million for fiscal year 1998.

The Commission shall report its recommendations in a single legislative package by June 1, 1998. The act provides for fast-track consideration of this legislation. In the Senate, there is no time limit on debate, and only germane amendments will be order. In the House, there will be 10 hours of general debate followed by 20 hours of debate on all amendments.

By Mr. MCCAIN:

S. 267. A bill to provide for the imposition of administrative fees for medicare overpayment collection, and to require automated prepayment screening of Medicare claims, and for other purposes; to the Committee on Finance.

THE MEDICARE OVERPAYMENT REDUCTION ACT OF 1997

Mr. MCCAIN. Mr. President, today I am introducing legislation which addresses a very serious problem in the Medicare system—Medicare overpayments. Medicare overpayments are costing the Medicare trust funds billions of dollars each year.

This bill imposes an administrative fee on providers who submit inaccurate Medicare claims and are overpaid by the Health Care Financing Administration [HCFA]. The purpose of the fee is to discourage overpayments and to offset the costs which HCFA incurs while recovering overpayments.

In addition, this bill requires HCFA to screen claims for accuracy, paying particular attention to procedures and services which have high rates of overbillings and inaccurate billings.

Under Medicare part A, hospitals and providers are prepaid annually by HCFA for expected Medicare expenditures. Currently, many hospitals grossly overestimate their Medicare funding needs and use the overpayment to subsidize services delivered at their facility which are not Medicare related. This is an abuse which must be stopped. This legislation will impose an administrative fee if a hospital overestimates its Medicare needs by more than 30 percent and does not repay the overpayment to HCFA within 30 days.

Unlike hospitals, doctors must submit claims for payment to Medicare part B after they provide services to beneficiaries. However, these claims sometimes are submitted for services that were never provided or that are incorrectly coded. The fee which this bill would impose will discourage physicians from submitting false or misleading claims and will help HCFA cover the costs incurred while recovering overpayments to providers.

Most importantly, prepayment screening will help eliminate overpayments in the first place. The technology for prescreening is available and already used extensively in the private sector. I believe that it is imperative that we start using prescreening

to improve Medicare payment accuracy.

As my colleagues know, the Medicare system is in serious financial condition and will be bankrupt in 2001 if we do not make necessary reforms. We have an obligation to take every possible step to protect the Medicare trust funds and preserve them for current beneficiaries and future generations.

I recognize that overpayments are not the only financial problem with Medicare, but they are a significant problem within the system. GAO reported that over $4.1 billion was overpaid from the trust funds in 1995. Had this legislation been in place, I believe that we could have prevented a large portion of these overpayments if not prevented we could have at least imposed the administrative fee and recouped a significant amount.

This bill is not the cure for what ails our Medicare system, but it is a step in the right direction. Overpayments are costly and contribute to the Medicare solvency problem. This legislation will help stop them.

I ask unanimous consent a letter of support from the National Committee to Preserve Social Security and Medicare be included in the RECORD.

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

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE,
Washington, DC; January 23, 1997.

Hon. JOHN MCCAIN,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR MCCAIN: The national Committee to Preserve Social Security and Medicare, on behalf of our 5.5 million members and supporters, endorses the ''Medicare Overpayment Reduction Act.'' This important legislation will improve the Medicare program by encouraging greater care in claim submission and reducing the incentive to overbill the Medicare program.

The ''Medicare Overpayment Reduction Act'' addresses the significant problem of waste and abuse in the Medicare program by restoring to the Medicare program expenditures that were the result of overpayments to providers. The bill imposes a one percent administration fee on overpayments not returned within 30 days by Medicare providers. By encouraging a careful review of Medicare claims submissions by providers, this legislation is an important step toward preserving the Medicare program for current and future beneficiaries.

Thank you, Senator McCain, for your outstanding work on behalf of older Americans.

Sincerely,

MARTHA A. MCSTEEN,
President.

By Mr. MCCAIN (for himself and Mr. FRIST):

S. 268. A bill to regulate flights over national parks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE NATIONAL PARKS OVERFLIGHTS ACT OF 1997

Mr. MCCAIN. Mr. President, I rise today to introduce legislation to promote safety and quiet in our national parks. I want to thank Senator FRIST for joining me as an original cosponsor of this bill.

Under this legislation, the Secretary of the Interior would develop recommendations which may include flight-free zones, curfews, and other flight restrictions for aircraft operating over certain national parks. The Federal Aviation Administrator would then develop a plan, based upon these recommendations, to promote quiet and safety in our parks. Under the bill, the entire process would be completed within months after enactment of this legislation.

To ensure that we take immediate action in those parks experiencing the greatest threats to their natural resources from aircraft noise, this bill requires the Secretary of the Interior to recommend a proposal for prioritizing the implementation of appropriate flight restrictions at certain parks. The bill also requires the Secretary and the Administrator to work together on recommendations that propose methods to encourage the use of quiet aircraft in our parks, unless such proposals are not needed to meet the goals of protecting quiet and promoting safety.

This bill promotes safety in our national parks by allowing the FAA Administrator, in consultation with the Secretary, to set minimum altitudes for overflights in certain parks and to prohibit flights below those minimum altitudes where necessary to meet safety goals. The bill makes safety the paramount concern for the Administrator in developing an overflight plan for a national park. Under the bill, the Administrator may revise the Secretary of the Interior's recommendations to ensure public health and safety goals are met.

Mr. President, this bill is intended to begin a dialog on how we can best promote safety and quiet in our national parks. I am sure that this legislation can be refined to better meet its essential goals and I am eager to start that process.

I also want to make clear that I fully appreciate that air tourism provides a legitimate way for visitors to see national parks and also provides an important opportunity for disabled persons to view certain parks. I want to ensure that this legislation provides a balanced and fair approach to solving safety and noise problems in our national parks.

I believe this bill takes a crucial first step toward restoring and preserving a vital resource within many national parks—natural quiet. The natural ambient sound conditions found in a park, or natural quiet, as it is commonly called, is precisely what many Americans seek to experience when they visit some of our most treasured national parks. Natural quiet is as crucial an element of the natural beauty and splendor of certain parks as those resources that we visually observe and appreciate.

I also believe that this bill provides important safety protections. As the air tour industry in many parks continues to grow, safety concerns also increase. By addressing safety now, before tragic accidents occur, we can assure the public that we have taken every precaution to protect visitors in our parks.

Ten years ago, legislation I authored to promote safety and provide for the substantial restoration of natural quiet in the Grand Canyon was signed into law. This year, the Federal Aviation Administration [FAA] issued a final rule which modifies and expands flight-free zones in the canyon. The final rule is scheduled to go into effect on May 1, 1997. But lawsuits threaten to further delay implementation of additional measures to meet the goals of the 1987 law.

Moreover, the final rule does not contain incentives for operators to convert to quiet aircraft, although the FAA recognizes that moving to quiet aircraft technology offers the most promising approach to providing for the substantial restoration of natural quiet in the Canyon. Rather, a notice of proposed rulemaking was issued outlining a proposal for mandating conversion to quiet aircraft. This proposed rulemaking must now undergo public comment and agency review of those comments before it becomes final. In the meantime, natural quiet still has not been restored at the Grand Canyon.

There are many lessons to be learned from our efforts to restore natural quiet in the Grand Canyon. The Grand Canyon experience teaches us that we cannot afford to wait until natural quiet has been lost before we take steps to protect and preserve that resource. Simply put, we have found that it is very difficult to undo what has already been done. Thus, wherever possible, we must strive to prevent the impairment of natural resources in our national parks. To that end, this bill sets up a process for achieving balanced and fair approach to resolving noise concerns in other national parks before any problems get out of hand in those parks, too.

In addition, as a result of the Grand Canyon experience, we have learned some very valuable lessons about what we can and must do to ensure safety in the air above our national parks. Providing for public health and safety in our national parks must always be a foremost concern in our minds when developing any park overflight plan.

Finally, I expect the administration, in exercising its authority under this bill, to meet with interested groups and affected communities, including local chambers of commerce. These groups should be involved in the process before implementing any flight restrictions in order to ensure that proposed actions are appropriate and necessary and that all important issues have been thoroughly considered and addressed.

Again, Mr. President, this bill is intended to begin an open dialog on how we can best achieve our safety and natural quiet goals. Many parks throughout America are now being threatened

by the same kind of air pollution problems and noise pollution problems that we had over the Grand Canyon. I believe we can begin to work on ways in which we can protect and preserve one of the most precious natural resources within many of our national parks—natural quiet. At the same time, the bill seeks to ensure that public health and safety is not compromised as a result of increasing park overflights. I urge my colleagues to join me in this effort to reach an important balance and preserve our natural heritage while we provide for the safe and continued enjoyment of our parks.

By Mr. ABRAHAM:

S. 269. A bill to provide that the Secretary of the Senate and the Clerk of the House of Representatives shall include an estimate of Federal retirement benefits for each Member of Congress in their semiannual reports, and for other purposes; to the Committee on Rules and Administration.

THE CONGRESSIONAL PENSION DISCLOSURE ACT

● Mr. ABRAHAM. Mr. President, I rise today to introduce S. 269 which would require the Secretary of the Senate and the Clerk of the House of Representatives to disclose information relating to the pensions of Members of Congress. This legislation would require these officers to include in their semiannual reports to Congress detailed information relating to the Members pensions. The semiannual reports would then be available to the public for inspection.

The reports would include the individual pension contributions of Members; an estimate of annuities which they would receive based on the earliest possible date they would be eligible to receive annuity payments by reason of retirement; and any other information necessary to enable the public to accurately compute the Federal retirement benefits of each Member based on various assumptions of years of service and age of separation from service by reason of retirement.

The purpose of this legislation is to afford citizens their rightful opportunity to learn how public funds are being utilized. The taxpayers are not only entitled to know the various forms of compensation their elected officials are being paid, they are also entitled to make decisions about the reasonableness of such compensation.

My bill, S. 269, would make this information conveniently available to the public. I believe that this bill would eliminate the present shroud of secrecy which has surrounded the congressional pension system and give the public better access to information regarding their representatives in Congress.●

By Ms. SNOWE:

S. 271. A bill to require the Secretary of Commerce to ensure that at least an equivalent level of service will be supplied to the public and affected agencies before closing National Weather Service field stations; to the Committee on Commerce, Science, and Transportation.

THE NATIONAL WEATHER SERVICE OFFICE CLOSURE CRITERIA ACT OF 1997

● Ms. SNOWE. Mr. President, today I am introducing legislation to create additional office closure certification criteria for National Weather Service offices located in geographical areas of concern designated by the National Research Council. The amendment is designed to guarantee that weather services will be fully maintained in these areas after the National Weather Service completes its modernization plan.

My bill adds a new paragraph to section 706(e) of the Weather Service Modernization Act of 1992. This section deals with ''special circumstances'' under which the Secretary may not close or relocate a NWS field office unless he meets certain specified certification criteria in addition to the standard certification criteria that apply to all field offices.

This legislation would create another special circumstance category for offices that serve parts of the country identified as ''areas of geographic concern'' in the National Research Council's June 1995, report on the modernization program. The NRC identified 32 such areas of concern across the country, including Caribou, ME, Williston, ND, Baton Rouge, LA, and Kalispell, MT, in which a National Weather Service field office has been proposed for closure under the modernization plan and the people who live in the area have expressed serious concerns about the impacts of it.

My bill would prohibit the Secretary from closing or relocating these offices unless he first evaluates the effect of a closing or relocation on all weather information and services provided to local users; and, second, he includes in the standard certification required under section 706(b), a determination that at least an equivalent level of weather services will be provided in the future.

This amendment provides an additional but very important layer of scrutiny to NWS plans to close field offices in areas of the country—a number of which are sparsely populated and rural—specified in the NRC report. It provides an extra safeguard for these communities to ensure that they will continue to receive at least the same level of weather information and services that they currently receive. Without adequate safeguards, the rural communities described in the amendment will face greater threats to public safety, infrastructure, private property, agricultural production, and the economy generally when a local weather office closes.

As experience shows, the rural field offices, in particular, play a special role in gathering weather information from diverse and disparate locales across a large region, and in disseminating this information, along with standard NWS forecasts and flood warnings, to all citizens of the region. Field offices located outside these service areas may not be able to devote the same level of comprehensive, real-time attention to weather events affecting these areas. Given the importance of accurate and timely weather information to rural areas subject to severe weather conditions, we cannot let the quality of weather services for these areas diminish. My legislation will help to prevent that from happening.

Mr. President, this is good-government legislation. It helps to ensure that an essential Federal agency makes very well-informed and prudent decisions, and it enhances the protection of our citizens' lives and property.

I introduced this legislation as an amendment to the NOAA reauthorization bill in the Commerce Committee last year. The amendment was adopted unanimously, but unfortunately the full Senate did not have an opportunity to consider the bill before adjournment. I intend to resume my efforts on this issue at the earliest opportunity in the new Congress. I hope other Senators will join me in cosponsoring this bill and in working toward its enactment.●

By Ms. SNOWE:

S. 272. A bill to amend the Internal Revenue Code of 1986 to allow defense contractors a credit against income tax for 20 percent of the defense conversion employee retraining expenses paid or incurred by the contractors; to the Committee on Finance.

By Ms. SNOWE:

S. 273. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives relating to the closure, realignment, or downsizing of military installations; to the Committee on Finance.

DEFENSE CONVERSION TAX CREDIT LEGISLATION

● Ms. SNOWE. Mr. President, I am introducing two bills today to assist workers who have lost their jobs as a result of closure or cutbacks at defense installations or the loss of defense contracts by private industry. The first bill extends the existing targeted jobs tax credit to employers who hire individuals who have lost their jobs at a Federal military installation through a closing, realignment or reduction in force. The credit equals 40 percent of the first $6,000 in wages paid to each newly hired worker. The second bill I am introducing provides defense contractors with an income tax credit for 20 percent of costs incurred in retraining employees for nondefense-related jobs.

Since 1988, the Department of Defense has undertaken four base realignment and closure [BRAC] rounds—in 1988, 1991, 1993, and 1995. In total the BRAC process has authorized the closing of 261 military facilities, including 98 major defense installations where 300 or more civilian and/or military jobs were eliminated. Many base closings and realignments under the BRAC

process are still in progress and their full impact has not yet been felt. In addition, reductions in force continue to be the order of the day at the Pentagon. In December, the Navy announced plans to reduce civilian employment by 11,000 positions at 240 facilities.

The economic impact of defense downsizing on the affected individuals and surrounding communities can be devastating. In my own State of Maine, the closure of Loring Air Force Base in 1994 resulted in the loss of nearly 20 percent of the jobs in Aroostook County, affecting 3,000 military personnel, 900 civilians and an additional 6,000 private sector jobs which were dependent on the air base. The annual loss of income to Maine's economy from the Loring closure totaled more than $370 million.

At the other end of the State, Kittery-Portsmouth Naval Shipyard has seen its workforce cut from 8,600 employees in 1989, when the Berlin wall fell, to 3,600 today with another reduction of 454 Navy civilian jobs planned for 1997. And Bath Iron Works, Maine's largest defense contractor, has seen its employment level drop from a high of 12,000 in 1990 to 7,500 today. Smaller defense contractors in Maine have experienced similar job losses.

Mr. President, defense downsizing and economic conversion can be an excruciatingly slow and painful process for those households and communities in Maine and across the country who are going through it. I feel strongly that our obligation to the military and civilian workers who, after all, helped win the cold war, does not end with adoption of the BRAC recommendations. Successful defense conversion is a long-term process requiring a multipronged strategy that must include coordinated Government assistance to affected communities, workers, and businesses.

The two tax credit proposals I am introducing today form an essential part of that strategy. They will encourage the private sector to hire workers whose jobs have been lost from Federal defense facilities and will encourage defense contractors to retrain workers for employment in nondefense areas. I urge my Senate colleagues to join me in supporting these important legislative initiatives.●

By Ms. SNOWE:

S. 274. A bill to establish a Northern Border States-Canada Trade Council, and for other purposes; to the Committee on Finance.

THE NORTHERN BORDER STATES COUNCIL ACT

● Ms. SNOWE. Mr. President, today I am introducing legislation that would establish a Northern Border States Council on United States-Canada Trade.

The purpose of this Council is to oversee cross-border trade with our Nation's largest trading partner—an action that I believe is long overdue. The Council will serve as an early warning system to alert State and Federal trade officials to problems in cross-border traffic and trade. The Council will enable the United States to more effectively administer trade policy with Canada by applying the wealth of insight, knowledge and expertise that resides in our northern border States on this critical policy issue.

Within the U.S. Government we already have the Department of Commerce and a U.S. Trade Representative. But the fact is that both are Federal entities, responsible for our larger, national U.S. trade interests. Too often, such entities fail to give full consideration to the interests of the 12 northern States that share a border with Canada, the longest demilitarized border between 2 nations anywhere in the world. The Northern Border States Council will provide State trade officials a mechanism to share information about cross-border traffic and trade. The Council will then advise the Congress, the President, the U.S. Trade Representative, the Secretary of Commerce, and other Federal and State trade officials on United States.-Canada trade policies, practices, and problems.

Canada is America's largest and most important trading partner. Canada is by far the top purchaser of U.S. export goods and services, as it is the largest source of U.S. imports. With an economy one-tenth the size of our own, Canada's economic health depends on maintaining close trade ties with the United States. While Canada accounts for about one-fifth of U.S. exports and imports, the United States is the source of two-thirds of Canada's imports and provides the market for fully three-quarters of all of Canada's exports.

The United States and Canada have the largest bilateral trade relationship in the world, a relationship that is remarkable not only for its strength and general health, but also for the intensity of the trade and border problems that do frequently develop. Over the last decade, Canada and the United States have signed two major trade agreements—the United States-Canada Free Trade Agreement in 1989, and the North American Free Trade Agreement in 1993. Notwithstanding these trade accords, numerous disagreements have caused trade negotiators to shuttle back and forth between Washington and Ottawa. Most of the more well-known trade disputes with Canada have involved agricultural commodities such as durum wheat, peanut butter, dairy products, and poultry products, and these disputes have impacted more than just the 12 northern border States.

Each and every day, however, an enormous quantity of trade and traffic crosses the United States-Canada border. There are literally thousands of businesses, large and small, that rely on this cross-border traffic and trade for their livelihood.

My own State of Maine has had a long-running dispute with Canada over that nation's unfair policies in support of its potato industry. Specifically, Canada protects its domestic potato growers from United States competition through a system of nontariff trade barriers, such as setting container size limitations and a prohibition on bulk imports from the United States. This bulk import prohibition effectively blocks United States potato imports into Canada. At the same time, Canada artificially enhances the competitiveness of its product through domestic subsidies for potato growers.

Another trade dispute with Canada, specifically with the province of New Brunswick, served as the inspiration for this legislation. In July 1993, Canadian federal customs officials began stopping Canadians returning from Maine and collecting from them the 11-percent New Brunswick Provincial Sales Tax [PST] on goods purchased in Maine. Canadian Customs Officers had already been collecting the Canadian federal sales tax all across the United States-Canada border. The collection of the New Brunswick PST was specifically targeted against goods purchased in Maine—not on goods purchased in any of the other provinces bordering New Brunswick.

After months of imploring the U.S. Trade Representative to do something about the imposition of the unfairly administered tax, Ambassador Kantor agreed that the New Brunswick PST was a violation of NAFTA, and that the United States would include the PST issue in the NAFTA dispute settlement process. But despite this explicit assurance, the issue was not, in fact, brought before NAFTA's dispute settlement process, prompting Congress last year to include an amendment I offered to immigration reform legislation calling for the U.S. Trade Representative to take this action without further delay.

Throughout the early months of the PST dispute, we in the State of Maine had enormous difficulty convincing our Federal trade officials that the PST was in fact an international trade dispute that warranted their attention and action. We had no way of knowing whether problems similar to the PST dispute existed elsewhere along the United States-Canada border, or whether it was a more localized problem. If a body like the Northern Border State Trade Council had existed when the collection of the PST began, it could have immediately started investigating the issue to determine its impact and make recommendations on how to deal with it.

In short, the Northern Border States Council will serve as the eyes and ears of our States that share a border with Canada, and are most vulnerable to fluctuations in cross-border trade and traffic. The Council will be a tool for Federal and State trade officials to use in monitoring their cross-border trade. It will help ensure that national trade policy regarding America's largest trading partner will be developed and

implemented with an eye towards the unique opportunities and burdens present to the northern border States.

The Northern Border States Council will be an advisory body, not a regulatory one. Its fundamental purpose will be to determine the nature and cause of cross-border trade issues or disputes, and to recommend how to resolve them.

The duties and responsibilities of the Council will include, but not be limited to, providing advice and policy recommendations on such matters as taxation and the regulation of cross-border wholesale and retail trade in goods and services; taxation, regulation and subsidization of food, agricultural, energy, and forest-products commodities; and the potential for Federal and State/provincial laws and regulations, including customs and immigration regulations, to act as nontariff barriers to trade.

As an advisory body, the Council will review and comment on all Federal and/or State reports, studies, and practices concerning United States-Canada trade, with particular emphasis on all reports from the dispute settlement panels established under NAFTA. These Council reviews will be conducted upon the request of the United States Trade Representative, the Secretary of Commerce, a Member of Congress from any Council State, or the Governor of a Council State.

If the Council determines that the origin of a cross-border trade dispute resides with Canada, the Council would determine, to the best of its ability, if the source of the dispute is the Canadian Federal Government or a Canadian provincial government.

The goal of this legislation is not to create another Federal trade bureaucracy. The Council will be made up of individuals nominated by the Governors and approved by the Secretary of Commerce. Each northern border State will have two members on the Council. The Council members will be unpaid, and serve a 2-year term.

The Northern Border States Council on United States-Canada Trade will not solve all of our trade problems with Canada. But it will ensure that the voices and views of our northern border States are heard in Washington by our Federal trade officials. For too long their voices were ignored, and the northern border States have had to suffer severe economic consequences at times because of it. This legislation will bring our States into their rightful position as full partners in issues that affect cross-border trade and traffic with our country's largest trading partner.

I urge my colleagues to join me in supporting this important legislation. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 274

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 ''Northern Border States Council Act''.

SEC. 2. ESTABLISHMENT OF COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Northern Border States-Canada Trade Council (hereafter in this Act referred to as the ''Council'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of 24 members consisting of 2 members from each of the following States:

(A) Maine.
(B) New Hampshire.
(C) Vermont.
(D) New York.
(E) Michigan.
(F) Minnesota.
(G) Wisconsin.
(H) North Dakota.
(I) Montana.
(J) Idaho.
(K) Washington.
(L) Alaska.

(2) APPOINTMENT BY STATE GOVERNORS.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Commerce (hereafter in this Act referred to as the ''Secretary'') shall appoint 2 members from each of the States described in paragraph (1) to serve on the Council. The appointments shall be made from the list of nominees submitted by the Governor of each such State.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for terms that are coterminous with the term of the Governor of the State who nominated the member. Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Council have been appointed, the Council shall hold its first meeting.

(e) MEETINGS.—The Council shall meet at the call of the Chairperson.

(f) QUORUM.—A majority of the members of the Council shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—The Council shall select a Chairperson and Vice Chairperson from among its members. The Chairperson and Vice Chairperson shall each serve in their respective positions for a period of 2 years, unless such member's term is terminated before the end of the 2-year period.

SEC. 3. DUTIES OF THE COUNCIL.

(a) IN GENERAL.—The duties and responsibilities of the Council shall include—

(1) advising the President, the Congress, the United States Trade Representative, the Secretary, and other appropriate Federal and State officials, with respect to—

(A) the development and administration of United States-Canada trade policies, practices, and relations,

(B) taxation and regulation of cross-border wholesale and retail trade in goods and services between the United States and Canada,

(C) taxation, regulation, and subsidization of agricultural products, energy products, and forest products, and

(D) the potential for any United States or Canadian customs or immigration law or policy to result in a barrier to trade between the United States and Canada,

(2) monitoring the nature and cause of trade issues and disputes that involve one of the Council-member States and either the Canadian Government or one of the provincial governments of Canada; and

(3) if the Council determines that a Council-member State is involved in a trade issue or dispute with the Government of Canada or one of the provincial governments of Canada, making recommendations to the President, the Congress, the United States Trade Representative, and the Secretary concerning how to resolve the issue or dispute.

(b) RESPONSE TO REQUESTS BY CERTAIN PEOPLE.—

(1) IN GENERAL.—Upon the request of the United States Trade Representative, the Secretary, a Member of Congress who represents a Council-member State, or the Governor of a Council-member State, the Council shall review and comment on—

(A) reports of the Federal Government and reports of a Council-member State government concerning United States-Canada trade,

(B) reports of a binational panel or review established pursuant to chapter 19 of the North American Free Trade Agreement concerning the settlement of a dispute between the United States and Canada,

(C) reports of an arbitral panel established pursuant to chapter 20 of the North American Free Trade Agreement concerning the settlement of a dispute between the United States and Canada, and

(D) reports of a panel or Appellate Body established pursuant to the General Agreement on Tariffs and Trade concerning the settlement of a dispute between the United States and Canada.

(2) DETERMINATION OF SCOPE.—Among other issues, the Council shall determine whether a trade dispute between the United States and Canada is the result of action or inaction on the part of the Federal Government of Canada or a provincial government of Canada.

(c) COUNCIL-MEMBER STATE.—For purposes of this section, the term ''Council-member State'' means a State described in section 2(b)(1) which is represented on the Council established under section 2(a).

SEC. 4. REPORT TO CONGRESS.

Not later than 2 years after the date of the enactment of this Act and at the end of each 2-year period thereafter, the Council shall submit a report to the President and the Congress which contains a detailed statement of the findings, conclusions, and recommendations of the Council.

SEC. 5. POWERS OF THE COUNCIL.

(a) HEARINGS.—The Council may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Council considers advisable to carry out the provisions of this Act. Notice of Council hearings shall be published in the Federal Register in a timely manner.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Council may secure directly from any Federal department or agency such information as the Council considers necessary to carry out the provisions of this Act. Upon the request of the Chairperson of the Council, the head of such department or agency shall furnish such information to the Council.

(c) POSTAL SERVICES.—The Council may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

SEC. 6. COUNCIL PERSONNEL MATTERS.

(a) MEMBERS TO SERVE WITHOUT COMPENSATION.—Except as provided in subsection (b), members of the Council shall receive no compensation, allowances, or benefits by reason of service to the Council.

(b) TRAVEL EXPENSES.—The members of the Council shall be allowed travel expenses,

including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Council may, without regard to the civil service laws, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Council to perform its duties. The employment of an executive director shall be subject to confirmation by the Council and the Secretary.

(2) COMPENSATION.—The Chairperson of the Council may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Council without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Council may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) OFFICE SPACE.—The Secretary shall provide office space for Council activities and for Council personnel.

SEC. 7. TERMINATION OF THE COUNCIL.

The Council shall terminate on the date that is 54 months after the date of the enactment of this Act and shall submit a final report to the President and the Congress under section 4 at least 90 days before such termination.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated from amounts made available by appropriations to the Department of Commerce an amount not to exceed $250,000 for fiscal year 1996 and for each fiscal year thereafter to the Council to carry out the provisions of this Act.

(b) AVAILABILITY.—Any sums appropriated under the authorization contained in this section shall remain available, without fiscal year limitation, until expended.●

By Mr. CHAFEE (for himself, Mr. WARNER, Mr. MOYNIHAN, and Mr. BOND):

S. 275. A bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt financing of private sector highway infrastructure construction; to the Committee on Finance.

THE HIGHWAY INFRASTRUCTURE PRIVATIZATION ACT

Mr. CHAFEE. Mr. President, today, I am introducing legislation which will allow the private sector to take a more active role in building and operating our Nation's highway infrastructure. The Highway Infrastructure Privatization Act will allow the private sector to gain access to tax-exempt bond financing for a limited number of highway projects. I am pleased that my distinguished colleagues, Senators WARNER, MOYNIHAN, and BOND, have agreed to join me in this effort.

One needs only to venture a few blocks from here to see the terrible condition of many of the Nation's roads and bridges. Regrettably, the United States faces a significant shortfall in funding for our highway and bridge infrastructure needs.

The investment need comes at a time when we in Congress are desperately looking for ways to reduce spending to balance the budget. State governments face similar budget pressures. It is incumbent upon us to look at new and innovative ways to make the most of limited resources to address significant needs.

In the United States, highway and bridge infrastructure is the responsibility of the Government. Governments build, own, and operate public highways, roads, and bridges. In many other countries, however, the private sector, and private capital, construct and operate important facilities. These countries have found that increasing the private sector's role in major highway transportation projects offers opportunities for construction cost savings and more efficient operation. They also open the door for new construction techniques and technologies.

To help meet the Nation's infrastructure needs, we must take advantage of private sector resources by opening up avenues for the private sector to take the lead in designing, constructing, financing, and operating highway facilities.

A substantial barrier to private sector participation in the provision of highway infrastructure is the cost of capital. Under current Federal tax law, highways built by Government can be financed using tax-exempt debt, but those built by the private sector, or those with substantial private sector participation, cannot. As a result, public/private partnerships in the provision of highway facilities are unlikely to materialize, despite the potential efficiencies in design, construction, and operation offered by such arrangements.

To increase the amount of private sector participation in the provision of highway infrastructure, the Tax Code's bias against private sector participation must be addressed.

The Highway Infrastructure Privatization Act creates a pilot program aimed at encouraging the private sector to help meet the transportation infrastructure needs for the 21st century. It makes tax-exempt financing available for a total of 15 highway privatization projects. The total face value of bonds that can be issued under this program is limited to $25 billion.

The 15 projects authorized under the program will be selected by the Secretary of Transportation, in consultation with the Secretary of the Treasury. To qualify under this program, projects selected must: serve the general public; be on publicly owned rights-of-way; revert to public ownership; and, come from a State's 20-year transportation plan. These criteria ensure that the projects selected meet a State or locality's broad transportation goals.

A revenue estimate for this legislation has not yet been completed, however we anticipate that the bill will not result in a revenue loss for the Federal Government. The projects that are candidates to participate in this pilot program are ones that are likely to be funded by tax-exempt bonds issued by State and local governments. Therefore, the bill should not result in an increase in the amount of tax-exempt bonds that will be issued. Furthermore, it is possible, depending on the efficiencies resulting from substantial private sector participation, that the bill actually would result in fewer bonds being issued and therefore would provide a revenue increase for the Federal Government.

The bonds issued under this pilot program will be subject to the rules and regulations governing private activity bonds. Moreover, the bonds issued under the program will not count against a State's tax-exempt volume cap.

This legislation has been endorsed by Project America, a coalition dedicated to improving our Nation's infrastructure, and the Public Securities Association.

I hope that this bill can be one in a series of new approaches to meeting our substantial transportation infrastructure needs and will be one of the approaches that will help us find more efficient methods to design and to build the Nation's transportation infrastructure.

I encourage my colleagues to join me as cosponsors of this important initiative.

By Mr. COCHRAN (for himself, Mr. COVERDELL, and Mr. HELMS):

S. 277. A bill to amend the Agricultural Adjustment Act to restore the effectiveness of certain provisions regulating Federal milk marketing orders; to the Committee on Agriculture, Nutrition, and Forestry.

FEDERAL MILK MARKETING ORDERS LEGISLATION

● Mr. COCHRAN. Mr. President, today I am introducing legislation to reauthorize seasonal base plans for Federal milk marketing orders.

This program encourages dairy farmers to stabilize their milk production seasonally. This results in more stable production in the fall and winter, when there is an economic disincentive for dairy farmers to produce milk, and thereby ensures stable milk prices to consumers.

Mr. President, this is a matter of fairness. Seasonal base plans were instituted under the Agricultural Act of 1933. Currently, seasonal base plans are included in five Federal milk marketing orders that affect producers in 25 States. Without extension of this authority expeditiously, dairy producers

in those five orders who adjusted their production last fall will receive lower average prices while those who made no adjustments will receive higher average prices.

This is not a new issue to my colleagues. In fact, during consideration of the fiscal year 1997 Agriculture Appropriations Act, the Senate approved the extension of seasonal base plan authority until the year 2002. The 1996 farm bill requires the Secretary of Agriculture to submit a reform plan for Federal milk marketing orders by 1999 and this bill reauthorizes the base excess plans until 1999. This will ensure that the market environment the Secretary was directed to reform exists until he has a chance to submit his plan.

I hope my colleagues will support this legislation.●

By Mr. GRAMM (for himself, Mrs. HUTCHISON, Mr. SESSIONS, and Mr. COVERDELL):

S. 278. A bill to guarantee the right of all active military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections; to the Committee on Rules and Administration.

THE MILITARY VOTING RIGHTS ACT OF 1997

● Mr. GRAMM. Mr. President, this bill would guarantee that active duty military personnel and their dependents have the right to vote in Federal, State, and local elections.

On December 19, 1996, Texas Rural Legal Aid [TLRA] filed suit against Val Verde County, TX, alleging that 800 military absentee ballots were improperly counted in local races. The challenge argues that the Uniformed and Overseas Absentee Voting Act was not intended to allow voting in State and local elections.

The Military Voting Rights Act of 1997 amends the Uniformed and Overseas Absentee Voting Act to make explicit the right of active duty military personnel and their dependents to vote in all Federal, State, and local elections. This change is consistent with the way the law has historically been interpreted by State election officials.

In addition, the Military Voting Rights Act of 1997 amends the Soldiers' and Sailors' Civil Relief Act of 1940 to extend additional voting rights protections to our Nation's military forces. This section guarantees that extended absences incurred as a result of service to the Nation do not result in the loss of residency for voting purposes.

The assertion of TLRA that our soldiers can lose the right to vote in State and local elections by virtue of service-connected absences is absurd and must not be allowed to go unanswered. The Military Voting Rights Act of 1997 makes it clear that those who protect our freedom should not be denied the right to exercise freedoms they protect.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

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

S. 278

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 ''Military Voting Rights Act of 1997''.

SEC. 2. GUARANTEE OF RESIDENCY.

Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. 700 et seq.) is amended by adding at the end the following:

''SEC. 704. (a) For purposes of voting for an office of the United States or of a State, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

''(1) be deemed to have lost a residence or domicile in that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become a resident in or a resident of any other State.

''(b) In this section, the term 'State' includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia.''.

SEC. 3. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973ff–1) is amended—

(1) by inserting ''(a) ELECTIONS FOR FEDERAL OFFICES.—'' before ''Each State shall—''; and

(2) by adding at the end the following:

''(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—

''(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and run-off elections for State and local offices; and

''(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.''.

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking out ''FOR FEDERAL OFFICE''.

THE RETIRED OFFICERS ASSOCIATION,
Alexandria, VA, February 5, 1997.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: On behalf of the nearly 400,000 members of the Retired Officers Association, of which 33,000 members plus their families reside in Texas, I want to express our strong support for the ''Military Voting Rights Act of 1997.'' It's a travesty that a taxpayer-funded group like the Texas Rural Legal Aid (TRLA) would represent individuals in an action to deny military members the right to vote by absentee ballot in Val Verde County, Texas.

Although TRLA has now withdrawn from the suit and deferred to a private attorney, the case remains a threat to the voting rights of active duty personnel and their families. Should the view enunciated by TRLA prevail, military personnel who were absent because of exigencies of the service would be denied a fundamental right to vote. Many of these individuals, who are daily placed in ''harms way'' in areas like Bosnia, would rightfully question why they should be treated like second class citizens and be subjected to different registration procedures than individuals who register to vote by any other means under state law.

The current practice that enables an absentee voter to submit a Federal Post Card Application has long-standing roots and should not be altered to require supplementary information and to specifically discriminate against servicemembers. Therefore, we strongly support your effort to preclude unfair sanctions from being imposed on members of the uniformed services and will do our utmost to generate strong grassroots support for the enactment of the ''Military Voting Rights Act of 1997.''

Sincerely,

PAUL W. ARCARI,
Colonel, USAF (Ret),
Director, Government Relations.

THE AMERICAN LEGION,
NATIONAL HEADQUARTERS,
Indianapolis, IN, February 5, 1997.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: On behalf of The American Legion, I want to note our appreciation and express our support for The Military Voting Rights Act of 1997 which, I understand, will soon go to the floor of the United States Senate.

One of the most important responsibilities for the people of a free nation is exercising their franchise. One of the most precious rights we have as Americans is access to the ballot box. That right and that responsibility is as important to our nation's active duty military as it is to the rest of the population.

Anyone who has served the nation in its military knows that every right enjoyed and exercised by the average American is, of necessity, not inherent in military service. The human body is a remarkable thing. When one of the senses is diminished, others increase to compensate. The loss of sight may well lead to an acute sense of hearing. This concept could be applied to military service. Forfeiting the comforts of home and family, of occupational pursuits and the protection of our borders, the opportunity to vote becomes a more cherished right, a more heightened responsibility.

Those whose lives are on the line daily will someday return to their homes. They will return to a government that shapes their community and effects the lives of all those within. It follows then that those on active duty in a foreign country should be accorded every opportunity help structure that government locally, across the state, and at the federal level.

To you and other supporters of The Military Voting Rights Act of 1997 goes the gratitude of our Organization. I believe it accurate to say that the young men and women who protect our nation and its interests through military service have the full support of our nation's people and its government. And they should have every chance to exercise their franchise in support of it.

Sincerely,

JOSEPH E. CAOUCTTE, Jr.,
Chairman, National Americanism Commission.

NATIONAL ASSOCIATION FOR UNIFORMED SERVICES,
Springfield, VA, February 5, 1997.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: The National Association for Uniformed Services thanks you for your action to ensure active duty personnel and their family members have the right to vote in federal, state, and local elections.

We support strongly your ''Military Voting Rights Act of 1997'' which amends the ''Unformed and Overseas Absentee Voting Act''. Your bill will make more explicit the right of active duty personnel and their family members to vote in federal, state, and local elections with absentee ballots as the ''Soldier's and Sailors' Civil Relief Act of 1940'' has historically been interpreted by state election officials.

Any assertion that military personnel, who are serving their country, can lose their right to vote in state and local elections because of their service-connected absences is outrageous! All the brave men and women of the armed forces serving throughout the world are grateful for your prompt, decisive action to preserve their Constitutional right to vote.

Sincerely,

J.C. PENNINGTON,
Major General, U.S. Army (Ret.),
President.

AIR FORCE ASSOCIATION
Arlington, VA, February 5, 1997.

Hon. PHIL GRAMM,
Senate Russell Building,
Washington, DC.

DEAR SENATOR GRAMM: The Air Force Association strongly endorses your sponsorship of ''The Military Voting Rights Act of 1997.'' The right of active duty military personnel and their dependents to vote in all federal, state and local elections needs to again be reemphasized to state and local election officials. Recent problems in Texas have again reminded us that the right to vote must be fought for time and time again. Your legislation, once enacted, will help to correct this inequity.

We pledge our support to assist you by seeking additional cosponsors, to inform our members nationwide of your effort and to help in any appropriate way.

Sincerely,

DOYLE E. LARSON.●

By Mrs. MURRAY (for herself, Mr. DODD, Mr. DASCHLE, Mr. KENNEDY, Mr. HARKIN, Ms. MOSELEY-BRAUN, Mr. INOUYE, Mr. LAUTENBERG, Mr. WELLSTONE, Mr. KERRY, and Mr. AKAKA):

S. 280. A bill to amend the Family and Medical Leave Act of 1993 to allow employees to take school involvement leave to participate in the school activities of their children or to participate in literacy training, and for other purposes; to the Committee on Labor and Human Resources.

THE TIME FOR SCHOOLS ACT OF 1997

Mrs. MURRAY. Mr. President, 4 years ago today, thanks to the hard work of Senator DODD, we passed the Family and Medical Leave Act. It was one of the first things I did as a newly elected Senator. And I am proud of its success. In fact, it is probably the single most effective law passed by Congress this decade.

Now I want to expand the scope of FMLA to apply to participation in our schools. The Time for Schools Act of 1997 will allow parents 24 hours per year to participate in activities in their child's school.

As the mother of two children—one a teenager in high school—I know how difficult and how important it is to participate in their education. I have been lucky to have had the opportunity to be involved in their lives. But many parents do not have the time it takes to do those little things that will assure their child's success in school.

By expanding the uses of one of the most successful laws in years, I want to give parents something they don't have enough of—time.

When I tour schools in my home State of Washington, I often hear young people say, ''Adults don't seem to care about me.'' We know that's not true, but we need to show them that adults do care. And one of the best places to start is to reaffirm the importance of their education by taking steps to help their families get more involved in schools.

These days we have many dual-income families and single parents struggling to work to make ends meet. All of these families know how important it is to be involved in their children's learning.

However, a recent study, Parents as School Partners research initiative, sponsored by the National Council of Jewish Women's Center for the Child, found that a basic lack of time was one of the main barriers to more parental involvement at schools.

Educational studies have shown that family involvement is more important to student success than family income or education. In fact, things parents control, such as limiting excess television watching and providing a variety of reading materials in the home, account for almost all the differences—nearly 90 percent—in average student achievement across States.

All sectors of our communities want more time for young people. Students, teachers, parents and businesses feel something must be done to improve family involvement. In fact, 89 percent of company executives identified the biggest obstacle to school reform as the lack of parental involvement.

And, a 1996 postelection poll commissioned by the national PTA and other organizations found that 86 percent of people favor legislation that would allow workers unpaid leave to attend parent-teacher conferences, or to take other actions to improve learning for their children.

A commitment to our children is a commitment to the future. I want to make sure all young people receive the attention they need to succeed.

My legislation will allow parents time to: First, attend a parent/teacher conference; second, interview a new school for their child; and third, participate in family literacy training.

Just last week, I talked to a woman from Bellevue who has an 11-year-old special needs daughter in school. Both she and her husband work during the day, but he cannot get away for school activities. She told me my legislation would allow her husband to attend school conferences and participate in their child's education for the first time.

I look at the Family and Medical Leave Act—which has helped one in six American employees take time to deal with serious family health problems, and which 90 percent of businesses had little or no cost implementing—and I see success. People in my State have been able to deal with urgent family needs, without having to give up their jobs.

My bill expands the uses of Family and Medical Leave to another urgent need families face—the need to help their children learn.

Now we need to grant employees the same peace of mind about preventing problems in school that can lead to bigger problems for their children later on. The time is right for the Time for Schools Act.

ADDITIONAL COSPONSORS

S. 70

At the request of Mrs. BOXER, the name of the Senator from Illinois [Ms. MOSELEY-BRAUN] was added as a cosponsor of S. 70, a bill to apply the same quality and safety standards to domestically manufactured handguns that are currently applied to imported handguns.

S. 183

At the request of Mr. DODD, the names of the Senator from Minnesota [Mr. WELLSTONE], the Senator from Hawaii [Mr. AKAKA], and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 183, a bill to amend the Family and Medical Leave Act of 1993 to apply the Act to a greater percentage of the United States workforce, and for other purposes.

S. 212

At the request of Mr. WELLSTONE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 212, a bill to increase the maximum Federal Pell Grant award in order to allow more American students to afford higher education, and to express the Sense of the Senate.

SENATE CONCURRENT RESOLUTION 5—RELATIVE TO THE NORTH ATLANTIC TREATY OF 1949

Mr. ROTH (for himself, Mr. LIEBERMAN, Mr. LUGAR, Ms. MIKULSKI, Mr. HAGEL, Mr. MCCAIN, Mr. COCHRAN, Mr. ENZI, and Ms. MOSELEY-BRAUN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 5

Whereas the North Atlantic Treaty Organization (NATO) is a community of democracies that continues to play a critical role in addressing the security challenges of the post-Cold War era and in creating an environment of enduring peace and stability in Europe;

Whereas NATO remains the only security alliance with both real defense capabilities and transatlantic membership;

Whereas the North Atlantic Council held a ministerial meeting on December 10, 1996, at NATO Headquarters in Brussels, Belgium, and—