

would otherwise be subject to removal from the United States.

Mack-Graham-Kennedy modified amendment No. 1253 (to amendment No. 1252), in the nature of a substitute.

#### CLOTURE MOTION

Mr. COVERDELL. Mr. President, I send a cloture motion to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Mack second-degree amendment No. 1253 to Calendar No. 155, S. 1156, the District of Columbia appropriations bill:

Connie Mack, Mike DeWine, Barbara Boxer, Bob Graham, Conrad Burns, Wayne Allard, Paul Coverdell, James M. Inhofe, John H. Chafee, Richard G. Lugar, Ted Stevens, Larry E. Craig, James M. Jeffords, Gordon Smith, R.F. Bennett, D. Nickles.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived and the cloture vote occur at a time to be determined by the majority leader after notification of the Democratic leader but not before 4 o'clock p.m. on Tuesday October 7.

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

#### MORNING BUSINESS

Mr. COVERDELL. I ask unanimous consent there be a period for morning business with Senators to speak for up to 5 minutes each.

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

#### TRIBUTE TO MICHAEL GUTOWSKI

Mr. JEFFORDS. Mr. President, I want to take a moment to remark on the passing of a valued friend of the U.S. Senate, Michael Gutowski, a specialist in private health insurance issues at the General Accounting Office. Michael died suddenly and unexpectedly on September 23 at the age of 53. He was stricken during a meeting with Labor Department officials while gathering information for a report on the implementation of the Health Insurance Portability and Accountability Act that I requested.

Over the past 10 years, Michael directed a remarkable series of studies, almost 50 in all. Many focused on gaps in private health insurance coverage, gaps that make affordable coverage under reasonable terms unavailable to many groups and individuals. Michael's reports were remarkable in a number of ways. First, they succeeded in keeping the Congress up-to-date on the evolution of the private health insurance market. Second, the reports, while based on thorough and often innovative data collection techniques, were not

just a tabulation of statistics. Michael had a remarkable gift for weaving data into a clear and articulate story, one that was immediately comprehensible and compelling.

During my tenure as chairman, the reports, testimony, and briefings Michael developed for the Labor and Human Resources Committee have consistently informed our deliberations on health care policy. We have benefited from the research he led regarding employer strategies in purchasing health insurance, children's health insurance, the role of the Employee Retirement Income Security Act and State insurance regulation, and the implementation of the Health Insurance Portability and Accountability Act of 1996. In all these areas, he drew on his wide knowledge of the real world insurance marketplace. I know that his contribution to other congressional committees and Members on a diverse range of housing, health policy, economic, and workers compensation issues both at GAO and the Congressional Budget Office have been equally valued. In 1995, Michael received the Assistant Comptroller General's award for studies related to health care reform.

Michael was an economist by training but a humanitarian by heart, warm and generous with an unquenchable sense of humor. Michael was very devoted to his wife Lois, and his children Laura and David. In extending condolences to his family, I want them and his colleagues at the General Accounting Office to know that we, too, in the Senate will miss him.

Mr. President, I ask unanimous consent that a list of GAO reports by Michael Gutowski be placed in the RECORD.

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

#### REPORTS DIRECTED BY MICHAEL GUTOWSKI

Private Health Insurance: Continued Erosion of Coverage Linked to Cost Pressures (July 1997).

Retiree Health Insurance: Erosion in Employer-Based Health Benefits for Early Retirees (July 1997).

Health Insurance: Management Strategies Used by Large Employers to Control Costs (May 1997).

Medicare HMO Enrollment: Area Differences Affected by Factors Other Than Payment Rates (May 1997).

Uninsured Children: Estimates of Citizenship and Immigration Status, 1995 (May 1997).

Employment-Based Health Insurance: Costs Increase and Family Coverage Decreases (Feb. 1997).

Children's Health Insurance, 1995 (Feb. 1997).

Children's Health Insurance Programs, 1996 (Dec. 1996).

Private Health Insurance: Millions Relying on Individual Market Face Cost and Coverage Trade-Offs (Nov. 1996).

Health Insurance Regulation: Varying State Requirements Affect Cost of Insurance (Aug. 1996).

Medicaid and Uninsured Children, 1994 (July 1996).

Health Insurance for Children: Private Insurance Coverage Continues to Deteriorate (June 1996).

Medicare HMOs: Rapid Enrollment Growth Concentrated in Selected States (Jan. 1996).

Medicaid Section 1115 Waivers: Flexible Approach to Approving Demonstrations Could Increase Federal Costs (Nov. 1995).

Health Insurance Portability: Reform Could Ensure Continued Coverage for up to 25 Million Americans (Sept. 1995).

Employer-Based Health Plans: Issues, Trends, and Challenges Posed by ERISA (July 1995).

Health Insurance Regulation: Variation in Recent State Small Employer Health Insurance Reforms (June 1995).

German Health Reforms: Changes Result in Lower Health Costs in 1993 (Dec. 1994).

Medicaid Long-Term Care: Successful State Efforts to Expand Services While Limiting Costs (Aug. 1994).

Access to Health Insurance: Public and Private Employers' Experience with Purchasing Cooperatives (May 1994).

Health Care Alliances: Issues Relating to Geographic Boundaries (April 1994).

Health Insurance: California Public Employees' Alliance Has Reduced Recent Premium Growth (Nov. 1993).

Managed Health Care: Effect on Employers' Costs Difficult to Measure (Oct. 1993).

German Health Reforms: New Cost Control Initiatives (July 1993).

Medicaid Estate Planning (July 1993).

Health Care: Rochester's Community Approach Yields Better Access, Lower Costs (Jan. 1993).

Emergency Departments: Unevenly Affected by Growth and Change in Patient Use (Jan. 1993).

Employer-Based Health Insurance: High Costs, Wide Variation Threaten System (Sept. 1992).

Access to Health Care: States Respond to Growing Crisis (June 1992).

Access to Health Insurance: State Efforts to Assist Small Businesses (May 1992).

Canadian Health Insurance: Estimating Costs and Savings for the United States (Apr. 1992).

Health Care Spending: Nonpolicy Factors Account for Most of State Differences (Feb. 1992).

Health Insurance: Problems Caused by a Segmented Market (July 1991).

Long-Term Care: Projected Needs of the Aging Baby Boom Generation (June 1991).

Canadian Health Insurance: Lessons for the United States (June 1991).

AIDS-Prevention Programs: High-Risk Groups Still Prove Hard to Reach (May 1991).

Trauma Care: Lifesaving System Threatened by Unreimbursed Costs and Other Factors (May 1991).

Health Insurance Coverage: A Profile of the Uninsured in Selected States (Feb. 1991).

Budget Issues: Effects of the Fiscal Year 1990 Sequester on the Department of Health and Human Services (Aug. 1990).

Health Insurance: Cost Increases Lead to Coverage Limitations and Cost Shifting (May 1990).

Health Insurance: A Profile of the Uninsured in Michigan and the United States (May 1990).

AIDS Education: Public School Programs Require More Student Information and Teacher Training (May 1990).

AIDS Education: Programs for Out-of-School Youth Slowly Evolving (May 1990).

In-Home Services for the Elderly: Cost Sharing Expands Range of Services Provided and Population Served (Oct. 1989).

U.S. Employees Health Benefits: Rebate for Duplicate Medicare Coverage (March 1989).

#### HONORING THE BENDERS ON THEIR 70TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America.

The data are undeniable: Individuals from strong families contribute to the society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it is both instructive and important to honor those who have taken the commitment of "till death us do part" seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor Margaret and Ralph Bender of Garden Grove, CA, who on October 11, 1997, will celebrate their 70th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Benders' commitment to the principles and values of their marriage deserves to be saluted and recognized.

#### HONORING THE SHEAS ON THEIR 50TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America. The data are undeniable: Individuals from strong families contribute to the society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it is both instructive and important to honor those who have taken the commitment of "till death us do part" seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor Betty and Bob Shea of St. Louis, MO, who on November 30, 1997, will celebrate their 50th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Sheas' commitment to the principles and values of their marriage deserves to be saluted and recognized.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting withdrawals and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on October 3, 1997, during the adjournment of the Senate, received a message from the House of Representatives announcing that

Speaker has signed the following enrolled bills:

H.R. 394. An act to provide for the release of the reversionary interest held by the United States in certain property located in the County of Iosco, Michigan.

H.R. 1948. An act to provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 2, 1997 he had presented to the President of the United States, the following enrolled bills:

S. 996. An act to provide for the authorization of appropriations in each fiscal year for arbitration in United States district courts, and for other purposes.

S. 1198. An act to amend the Immigration and Nationality Act to extend the special immigrant religious worker program, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for designation of an effective date for paperwork changes in the employer sanctions program, and to require the Secretary of State to waive or reduce the fee for application and issuance of a non-immigrant visa for aliens coming to the United States for certain charitable purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. MURRAY:

S. 1248. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for vessel *Summer Breeze*; to the Committee on Commerce, Science, and Transportation.

By Mr. HAGEL (for himself and Mr. REED):

S. 1249. A bill to allow depository institutions to offer negotiable order of withdrawal accounts to all businesses, to repeal the prohibition on the payment of interest on demand deposits, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FRIST (for himself, Mr. ROCKEFELLER, Mr. BURNS, and Mr. STEVENS):

S. 1250. A bill to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 1998 and 1999, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. D'AMATO (for himself and Mr. BREAU):

S. 1251. A bill to amend the Internal Revenue Code of 1986 to increase the amount of private activity bonds which may be issued in each State, and to index such amount for inflation; to the Committee on Finance.

By Mr. D'AMATO (for himself and Mr. GRAHAM):

S. 1252. A bill to amend the Internal Revenue Code of 1986 to increase the amount of low-income housing credits which may be allocated in each State, and to index such amount for inflation; to the Committee on Finance.

By Mr. CRAIG:

S. 1253. A bill to provide to the Federal land management agencies the authority and capability to manage effectively the federal

lands in accordance with the principles of multiple use and sustained yield, and for other purposes; to the Committee on Energy and Natural Resources.

S. 1254. A bill entitled the "Federal Lands Management Adjustment Act."; to the Committee on Energy and Natural Resources.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HAGEL (for himself and Mr. REED):

S. 1249. A bill to allow depository institutions to offer negotiable order of withdrawal accounts to all businesses, to repeal the prohibition on the payment of interest on demand deposits, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

##### THE SMALL BUSINESS BANKING ACT OF 1997

Mr. HAGEL. Mr. President, I rise today to introduce the Small Business Banking Act of 1997. I'm joined in this effort by my distinguished colleague Senator REED of Rhode Island, who is the principal cosponsor of this important legislation.

Passage of this bill will remove one of the last vestiges of the obsolete interest rate control system. Abolishing the statutory requirement that prohibits incorporated businesses from owning interest bearing checking accounts will provide America's small business owners, farmers, and farm cooperatives with a funds management tool that is long overdue.

Passage of this bill will ensure America's entrepreneurs can compete effectively with larger businesses. My experience as a businessman has shown me, firsthand, that it's extremely important for anyone trying to maximize profits to be able to invest funds wisely for maximum efficiencies.

During President Ronald Reagan's first term, one of his early actions was to abolish many provisions of the antiquated interest rate control system the banking system was required to use. With this change to the laws, Americans were finally able to earn interest on their checking accounts deposited in banks. Unfortunately, one aspect of the old system left untouched by the change in law was not allowing America's businesses to share in the good fortune.

Complicating matters is the growing impact of nonbanking institutions that offer deposit-like money accounts to individuals and corporations alike. Large brokerage firms have long offered interest on deposit accounts they maintain for their customers.

While I support business innovation, I don't believe it's fair when any business gains a competitive edge over another due to government interference through overregulation. This is exactly the case we have with banking laws that stifle bankers, especially America's small community bankers, and give an edge to another segment of the