

Committee on Rules and Administration provide them with copies of records held by the committee related to the 1996 United States Senate election in Louisiana;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that documents, papers, and records under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That the Committee on Rules and Administration, either through formal action or by joint action of the Chairman and Ranking Member, is authorized to provide to federal, state, and local law enforcement officials copies of records held by the committee related to the 1996 United States Senate election in Louisiana.

SENATE RESOLUTION 136—DESIGNATING OCTOBER 17, 1997, AS NATIONAL MAMMOGRAPHY DAY

Mr. BIDEN (for himself, Mr. MACK, Mr. ABRAHAM, Mr. AKAKA, Mr. ASHCROFT, Mr. BAUCUS, Mr. BENNETT, Mrs. BOXER, Mr. BRYAN, Mr. CAMPBELL, Mr. CHAFEE, Mr. COCHRAN, Mr. COVERDELL, Mr. D'AMATO, Mr. DASCHLE, Mr. DEWINE, Mr. DORGAN, Mr. DURBIN, Mr. FAIRCLOTH, Mr. FRIST, Mr. FORD, Mr. GLENN, Mr. GORTON, Mr. GRAMS, Mr. GRASSLEY, Mr. HAGEL, Mr. HATCH, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INOUE, Mr. JOHNSON, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LOTT, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. ROTH, Mr. SARBANES, Mr. SMITH of Oregon, Mr. SPECTER, Mr. THOMAS, Mr. THURMOND, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 136

Whereas according to the American Cancer Society, in 1997, 180,200 women will be diagnosed with breast cancer and 43,900 women will die from this disease;

Whereas in the decade of the 1990's, it is estimated that about 2,000,000 women will be diagnosed with breast cancer, resulting in nearly 500,000 deaths;

Whereas the risk of breast cancer increases with age, with a woman at age 70 having twice as much of a chance of developing the disease as a woman at age 50;

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide a safe and quick diagnosis;

Whereas experts agree that mammography is the best method of early detection of breast cancer, and early detection is the key to saving lives;

Whereas mammograms can reveal the presence of small cancers up to 2 years or more before a regular clinical breast examination

or breast self-examination (BSE), saving as many as 30 percent more lives;

Whereas the Medicare program will cover mammograms on an annual basis for women over 39 years of age, beginning in January, 1998; and

Whereas 47 States have passed legislation requiring health insurance companies to cover mammograms in accordance with recognized screening guidelines: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 17, 1997, as "National Mammography Day"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe such day with appropriate programs and activities.

AMENDMENTS SUBMITTED

THE ENHANCED INTERMODAL TRANSPORTATION SAFETY ACT OF 1997

BURNS AMENDMENT NO. 1320

(Ordered referred to the Committee on Commerce, Science, and Transportation.)

Mr. BURNS submitted an amendment intended to be proposed by him to the bill (S. 1267) to amend title 49, United States Code, to provide for enhanced intermodal transportation safety, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ EXEMPTION FROM CERTAIN REGULATIONS FOR UTILITY SERVICE COMMERCIAL MOTOR VEHICLE DRIVERS.

(a) IN GENERAL.—Section 31502 of title 49, United States Code, is amended by adding at the end the following new subsection:

“(e) EXCEPTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, regulations promulgated under this section or section 31136 regarding—

“(A) maximum driving and on-duty times applicable to operators of commercial motor vehicles;

“(B) physical testing, reporting, or record-keeping; and

“(C) the installation of automatic recording devices associated with establishing the maximum driving and on-duty times referred to in subparagraph (A),

shall not apply to any driver of a utility service vehicle.

“(2) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

“(A) DRIVER OF A UTILITY SERVICE VEHICLE.—The term ‘driver of a utility service vehicle’ means any driver who is considered to be a driver of a utility service vehicle for purposes of section 345(a)(4) of the National Highway System Designation Act of 1995 (49 U.S.C. 31136 note).

“(B) UTILITY SERVICE VEHICLE.—The term ‘utility service vehicle’ has the meaning given that term in section 345(e)(6) of the National Highway System Designation Act of 1995 (49 U.S.C. 31136 note).”

(b) CONTINUED APPLICATION OF SAFETY AND MAINTENANCE REQUIREMENTS.—

(1) IN GENERAL.—The amendment made by subsection (a) may not be construed—

(A) to exempt any utility service vehicle from compliance with any applicable provi-

sion of law relating to vehicle mechanical safety, maintenance requirements, or inspections; or

(B) to exempt any driver of a utility service vehicle from any applicable provision of law (including any regulation) established for the issuance, maintenance, or periodic renewal of a commercial driver's license for that driver.

(2) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(A) COMMERCIAL DRIVER'S LICENSE.—The term “commercial driver's license” has the meaning given that term in section 31301(3) of title 49, United States Code.

(B) DRIVER OF A UTILITY SERVICE VEHICLE.—The term “driver of a utility service vehicle” has the meaning given that term in section 31502(e)(2)(A) of title 49, United States Code, as added by subsection (a) of this section.

(C) REGULATION.—The term “regulation” has the meaning given that term in section 31132(6) of title 49, United States Code.

(D) UTILITY SERVICE VEHICLE.—The term “utility service vehicle” has the meaning given that term in section 345(e)(6) of the National Highway System Designation Act of 1995 (49 U.S.C. 31136 note).

THE TRANSPORTATION SAFETY IMPROVEMENT ACT OF 1997

BURNS AMENDMENT NO. 1321

(Ordered referred to the Committee on Commerce, Science, and Transportation.)

Mr. BURNS submitted an amendment intended to be proposed by him to the bill (S. 1234) to improve transportation safety, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ WAIVERS FOR CERTAIN FARM VEHICLES.

(a) DEFINITIONS.—In this section:

(1) CUSTOM HARVESTING FARM MACHINERY.—The term “custom harvesting farm machinery” includes vehicles used for custom harvesting that—

(A) are classified under subpart F of part 383, of title 49, Code of Federal Regulations, as being included in Group A, B, or C (as those terms are used in section 383.91 of that part); and

(B) are used on a seasonal basis to provide transportation of—

(i) agricultural commodities from field to storage or processing; and

(ii) harvesting machinery and equipment from farm to farm.

(2) COMMERCIAL DRIVER'S LICENSE.—The term “commercial driver's license” has the meaning given that term in section 31301(3) of title 49, United States Code.

(b) WAIVERS.—In addition to the authority granted to States to waive the application of chapter 313 of title 49, United States Code, with respect to farm vehicles described in 53 Fed. Reg. 37313 through 37316 and farm-related service industries described in 57 Fed. Reg. 13650 through 13654, each State that issues commercial drivers' licenses in accordance with chapter 313 of title 49, United States Code, may waive the application of any requirement for obtaining a commercial driver's license for operators of custom harvesting farm machinery or employees of farm-related service industries (or both) that would otherwise apply.

THE LARRY COBY POST OFFICE
DESIGNATION ACT OF 1997

THOMPSON AMENDMENT NO. 1322

Mr. STEVENS (for Mr. THOMPSON) proposed an amendment to the bill (S. 985) to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the "Larry Coby Post Office"; as follows:

On page 2, strike lines 14 through 16.

THE ENVIRONMENTAL POLICY
AND CONFLICT RESOLUTION ACT
OF 1997

MCCAIN AMENDMENT NO. 1323

Mr. STEVENS (for Mr. MCCAIN) proposed an amendment to the bill (S. 399) to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes; as follows:

Beginning on page 14, strike line 17 and all that follows through page 15, line 3, and insert the following:

SEC. 6. ENVIRONMENTAL DISPUTE RESOLUTION FUND.

(a) REDESIGNATION.—Sections 10 and 11 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5608, 5609) are redesignated as sections 12 and 13 of that Act, respectively.

(b) ENVIRONMENTAL DISPUTE RESOLUTION FUND.—The Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.) (as amended by subsection (a)) is amended by inserting after section 9 the following:

SEC. 10. ENVIRONMENTAL DISPUTE RESOLUTION FUND.

“(a) ESTABLISHMENT.—There is established in the Treasury of the United States an Environmental Dispute Resolution Fund to be administered by the Foundation. The Fund shall consist of amounts appropriated to the Fund under section 13(b) and amounts paid into the Fund under section 11.

“(b) EXPENDITURES.—The Foundation shall expend from the Fund such sums as the Board determines are necessary to establish and operate the Institute, including such amounts as are necessary for salaries, administration, the provision of mediation and other services, and such other expenses as the Board determines are necessary.

“(c) DISTINCTION FROM TRUST FUND.—The Fund shall be maintained separately from the Trust Fund established under section 8.

“(d) INVESTMENT OF AMOUNTS.—

“(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

“(2) INTEREST-BEARING OBLIGATIONS.—Investments may be made only in interest-bearing obligations of the United States.

“(3) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

“(A) on original issue at the issue price; or
“(B) by purchase of outstanding obligations at the market price.

“(4) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

“(5) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.”

SEC. 7. USE OF THE INSTITUTE BY A FEDERAL AGENCY.

The Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.) (as amended by section 6) is amended by inserting after section 10 the following:

SEC. 11. USE OF THE INSTITUTE BY A FEDERAL AGENCY.

On page 15, strike lines 13 through 16 and insert the following:

“(2) PAYMENT INTO ENVIRONMENTAL DISPUTE RESOLUTION FUND.—A payment from an executive agency on a contract entered into under paragraph (1) shall be paid into the Environmental Dispute Resolution Fund established under section 10.

On page 17, line 1, strike “sec. 7.” and insert “sec. 8.”

On page 17, line 2, strike “Section 12” and insert “Section 13”.

On page 17, strike lines 11 through 13 and insert the following:

“(b) ENVIRONMENTAL DISPUTE RESOLUTION FUND.—There are authorized to be appropriated to the Environmental Dispute Resolution Fund established under section 10—

On page 17, line 21, strike “sec. 8.” and insert “sec. 9.”

On page 18, line 4, strike “12” and insert “13(a)”.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Monday, October 20, 1997 at 10:00 a.m. in room 485 of the Russell Senate Office Building to conduct a Hearing on H.R. 79, Hoopa Valley Reservation South Boundary Adjustment Act; and S. 156, Lower Brule Sioux Tribe Infrastructure Development Trust Fund Act.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Tuesday, October 21, 1997 at 10:00 a.m. in room 485 of the Russell Senate Office Building to conduct a Hearing on H.R. 700, the Agua Caliente Equalization Act; and H.R. 976, the Mississippi Sioux Judgment Fund Distribution Act.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, for the information of the Senate and the public I am announcing that the Committee on Energy and Natural Resources, will hold an oversight hearing to receive testimony on the issue of peaceful nuclear cooperation with China.

The hearing will be held on Thursday, October 23, 1997, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

Those interested in testifying or submitting material for the hearing record should write to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510 attn: David Garman or Shawn Taylor at (202) 224-8115.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, October 23, 1997 at 2:00 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 633 to amend the Petroglyph National Monument Establishment Act of 1990 to adjust the boundary of the monument.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on National Parks, Historic Preservation and Recreation, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O'Toole of the Subcommittee staff at (202) 224-5161.

COMMITTEE ON ENERGY AND NATURAL RESOURCES, SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, October 29, 1997 at 2:00 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 638 to provide for the expeditious completion of the acquisition of private mineral interests within the Mount St. Helens National Volcanic Monument mandated by the 1982 Act that established the monument, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on National Parks, Historic Preservation and Recreation, Committee on Energy and Natural Resources,